



SENATE BILL No. 308

EXECUTIVE BUDGET

February 16, 1995, Introduced by Senator CISKY 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, 1996; 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:

1 Sec. 101. There is appropriated for the department of corrections for
2 the fiscal year ending September 30, 1996, from the following funds:

1	DEPARTMENT OF CORRECTIONS	
2	APPROPRIATIONS SUMMARY:	
3	Average population	43,441
4	Unclassified positions	16.0
5	Permanent career FTE employees	16,978.0
6	GROSS APPROPRIATION	\$ 1,328,245,600
7	Interdepartmental grant revenues:	
8	Total interdepartmental grants and intradepartmental	
9	transfers	6,628,700
10	ADJUSTED GROSS APPROPRIATION	\$ 1,321,616,900
11	Federal revenues:	
12	Total federal revenues	2,546,900
13	Special revenue funds:	
14	Total local revenues	434,200
15	Total private revenues	0
16	Total other state restricted revenues	33,008,800
17	State general fund/general purpose	\$ 1,285,627,000
18	EXECUTIVE	
19	Unclassified positions	\$ 1,166,900
20	Executive administration	1,439,000
21	Audit and internal affairs	1,453,300
22	Policy and hearings	<u>4,040,100</u>
23	GROSS APPROPRIATION	\$ 8,099,300
24	Appropriated from:	
25	State general fund/general purpose	\$ 8,099,300
26	ADMINISTRATION AND PROGRAMS	
27	Administration and fiscal management	\$ 2,759,500
28	Administrative services	2,992,900
29	Program services	1,349,700

1	Planning, research, and information services . . .	8,558,700
2	Prisoner rehabilitation and education program . .	1,367,100
3	Federal education programs	1,439,900
4	Rent	1,674,100
5	Training administration	2,895,900
6	Training academy	<u>517,200</u>
7	GROSS APPROPRIATION \$	23,555,000
8	Appropriated from:	
9	Federal revenues:	
10	DED-OESE, chapter 1 program for neglected	
11	and delinquent children	500,000
12	DED-OVAE, state administered basic grant program .	380,000
13	DED-life skills grant	299,900
14	DED-OSERS, special education, state grants . . .	100,000
15	DED-OVAE, vocational education,	
16	basic grants to states	160,000
17	Special revenue funds:	
18	Local-county reimbursement	115,000
19	Jail service fees	893,700
20	Correctional industries revolving fund	93,500
21	Resident stores	268,800
22	State general fund/general purpose \$	20,744,100
23	CENTRAL SUPPORT ACCOUNTS	
24	Equipment \$	341,900
25	Special maintenance	1,645,200
26	Workers' compensation	<u>12,434,500</u>
27	GROSS APPROPRIATION \$	14,421,600
28	Appropriated from:	
29	State general fund/general purpose \$	14,421,600

1	TRAINING, COMMUNITY SUPPORT, AND SUBSTANCE ABUSE PROGRAMS		
2	Inmate legal services program	\$	314,900
3	Reimbursement to counties, parole revocation		
4	hearings, and court settlements		3,471,000
5	Substance abuse treatment project		1,475,000
6	Substance abuse administration and testing		9,984,100
7	New employee training		9,107,300
8	Training projects		111,300
9	Criminal justice training fund		<u>600,900</u>
10	GROSS APPROPRIATION	\$	25,064,500
11	Appropriated from:		
12	Interdepartmental grant revenues:		
13	IDG-MDSP, Michigan justice training fund		600,900
14	Federal revenues:		
15	HHS-SAMHSA		563,000
16	State general fund/general purpose	\$	23,900,600
17	PRISON INDUSTRIES OPERATIONS		
18	Personnel costs	\$	12,240,900
19	Automated data processing		<u>300,000</u>
20	GROSS APPROPRIATION	\$	12,540,900
21	Appropriated from:		
22	Special revenue funds:		
23	Correctional industries revolving fund		12,540,900
24	State general fund/general purpose	\$	0
25	FIELD OPERATIONS		
26	Parole and probation operations	\$	90,368,400
27	Parole board operations		1,336,400
28	Building occupancy charges		343,300
29	Rent		831,100

1	Loans to parolees	204,400
2	Boot camp-phase III/intensive supervision	1,827,000
3	Probation detention center	<u>1,859,100</u>
4	GROSS APPROPRIATION	\$ 96,769,700
5	Appropriated from:	
6	Special revenue funds:	
7	Oversight fees	3,400,000
8	State general fund/general purpose	\$ 93,369,700
9	COMMUNITY PLACEMENT	
10	Average population	1,426
11	Community residential placement operations	\$ 30,040,900
12	Tether operations	11,558,700
13	Technical rule violator center	<u>5,022,600</u>
14	GROSS APPROPRIATION	\$ 46,622,200
15	Appropriated from:	
16	Special revenue funds:	
17	Local-community tether program reimbursements . .	319,200
18	Resident contributions revenues	1,304,200
19	Program participant contributions	3,800,000
20	Public works user fees	17,700
21	State general fund/general purpose	\$ 41,181,100
22	SPECIAL ALTERNATIVE INCARCERATION PROGRAM	
23	Facility operations	\$ <u>8,986,200</u>
24	GROSS APPROPRIATION	\$ 8,986,200
25	Appropriated from:	
26	Special revenue funds:	
27	Public works user fees	124,300
28	State general fund/general purpose	\$ 8,861,900
29	OFFICE OF COMMUNITY CORRECTIONS	

1	OCC operations	\$	1,348,900
2	OCC board expenses		15,000
3	Probation residential services		9,290,000
4	Comprehensive corrections plans		
5	and services		9,980,000
6	Public education and training		<u>50,000</u>
7	GROSS APPROPRIATION	\$	20,683,900
8	Appropriated from:		
9	State general fund/general purpose	\$	20,683,900
10	CONSENT DECREES		
11	Average population	400	
12	Hadix consent decree	\$	10,607,300
13	DOJ consent decree		11,512,200
14	DOJ psychiatric plan - MDMH services		51,869,000
15	Average population	200	
16	DOJ psychiatric plan - additional acute care beds		17,414,000
17	Average population	200	
18	DOJ psychiatric plan - MDOC services		<u>15,392,000</u>
19	GROSS APPROPRIATION	\$	106,794,500
20	Appropriated from:		
21	State general fund/general purpose	\$	106,794,500
22	OFFICE OF HEALTH CARE		
23	Health care administration	\$	1,710,300
24	Hospital and speciality care services		28,242,100
25	Vaccination program		<u>817,100</u>
26	GROSS APPROPRIATION	\$	30,769,500
27	Appropriated from:		
28	State general fund/general purpose	\$	30,769,500
29	CLINICAL OPERATIONS		

1	Adrian clinical complex	\$	2,037,000
2	Baraga clinical complex		897,500
3	Coldwater clinical complex		2,577,900
4	Corrections camps clinical		611,500
5	Detroit clinical complex		2,605,800
6	Ionia clinical complex		9,576,200
7	Jackson clinical complex		16,589,800
8	Kincheloe clinical complex		5,580,000
9	Lapeer clinical complex		761,900
10	Macomb clinical complex		1,119,900
11	Marquette clinical complex		3,560,300
12	Mid-Michigan clinical complex		899,900
13	Muskegon clinical complex		3,605,300
14	Oaks clinical complex		903,700
15	Plymouth clinical complex		3,591,100
16	Saginaw clinical complex		1,120,600
17	Standish clinical complex		1,058,400
18	Ypsilanti clinical complex		<u>2,479,100</u>
19	GROSS APPROPRIATION	\$	59,575,900
20	Appropriated from:		
21	State general fund/general purpose	\$	59,575,900
22	CORRECTIONAL FACILITIES-ADMINISTRATION		
23	Conveying convicts to penal institutions	\$	248,300
24	Federal school lunch program		300,000
25	Correctional facilities administration		804,500
26	Extradition services		120,000
27	Housing inmates in federal institutions		324,000
28	Central region office		6,742,400
29	Northern region office		183,500

1	Southeastern region office	183,500
2	Southwestern region office	183,500
3	Food service operations	5,000,000
4	Surplus food program	<u>407,900</u>
5	GROSS APPROPRIATION	\$ 14,497,600
6	Appropriated from:	
7	Intradepartmental transfer revenues:	
8	IDT-surplus food user fees	240,400
9	IDT-food factory user fees	5,000,000
10	Federal revenues:	
11	DAG-FNS, national school lunch program	300,000
12	BOP-federal prisoner reimbursement	244,000
13	Special revenue funds:	
14	Correctional industries revolving fund	77,500
15	State general fund/general purpose	\$ 8,635,700
16	ALGER MAXIMUM CORRECTIONAL FACILITY-MUNISING	
17	Average population	428
18	Facility operations	\$ 18,197,500
19	Academic/vocational programs	<u>218,300</u>
20	GROSS APPROPRIATION	\$ 18,415,800
21	Appropriated from:	
22	Special revenue funds:	
23	Resident stores	5,500
24	State general fund/general purpose	\$ 18,410,300
25	BARAGA MAXIMUM CORRECTIONAL FACILITY	
26	Average population	428
27	Facility operations	\$ 17,621,600
28	Academic/vocational programs	<u>399,700</u>
29	GROSS APPROPRIATION	\$ 18,021,300

1	Appropriated from:		
2	Special revenue funds:		
3	Resident stores		5,500
4	State general fund/general purpose	\$	18,015,800
5	BROOKS REGIONAL CORRECTIONAL FACILITY-MUSKEGON		
6	Average population	2,172	
7	Facility operations	\$	36,246,600
8	Academic/vocational programs		<u>1,337,900</u>
9	GROSS APPROPRIATION	\$	37,584,500
10	Appropriated from:		
11	Special revenue funds:		
12	Resident stores		126,800
13	Public works user fees		65,400
14	State general fund/general purpose	\$	37,392,300
15	CARSON CITY REGIONAL CORRECTIONAL FACILITY		
16	Average population	2,172	
17	Facility operations	\$	36,839,800
18	Academic/vocational programs		<u>1,200,900</u>
19	GROSS APPROPRIATION	\$	38,040,700
20	Appropriated from:		
21	Special revenue funds:		
22	Resident stores		84,200
23	State general fund/general purpose	\$	37,956,500
24	CHIPPEWA REGIONAL CORRECTIONAL FACILITY-KINCHELOE		
25	Average population	2,058	
26	Facility operations	\$	36,531,600
27	Academic/vocational programs		<u>1,181,400</u>
28	GROSS APPROPRIATION	\$	37,713,000
29	Appropriated from:		

1	Special revenue funds:		
2	Resident stores		110,000
3	State general fund/general purpose	\$	37,603,000
4	COTTON REGIONAL CORRECTIONAL FACILITY-JACKSON		
5	Average population		1,544
6	Facility operations	\$	27,276,800
7	Academic/vocational programs		<u>808,100</u>
8	GROSS APPROPRIATION	\$	28,084,900
9	Appropriated from:		
10	Special revenue funds:		
11	Resident stores		83,300
12	State general fund/general purpose	\$	28,001,600
13	CRANE CORRECTIONAL FACILITY-COLDWATER		
14	Average population		350
15	Facility operations	\$	13,184,700
16	Academic/vocational programs		<u>912,200</u>
17	GROSS APPROPRIATION	\$	14,096,900
18	Appropriated from:		
19	Special revenue funds:		
20	Resident stores		27,800
21	State general fund/general purpose	\$	14,069,100
22	EGELER CORRECTIONAL FACILITY-JACKSON		
23	Average population		1,005
24	Facility operations	\$	18,668,200
25	Academic/vocational programs		736,100
26	Print shop		282,100
27	Optical lab		<u>51,000</u>
28	GROSS APPROPRIATION	\$	19,737,400
29	Appropriated from:		

1	Intradepartmental transfer revenues:		
2	IDT-optical lab user fees		51,000
3	IDT-print shop user fees		282,100
4	Special revenue funds:		
5	Resident stores		54,800
6	State general fund/general purpose	\$	19,349,500
7	HANDLON MICHIGAN TRAINING UNIT-IONIA		
8	Average population	1,314	
9	Facility operations	\$	18,638,400
10	Academic/vocational programs		<u>1,543,900</u>
11	GROSS APPROPRIATION	\$	20,182,300
12	Appropriated from:		
13	Special revenue funds:		
14	Resident stores		55,400
15	State general fund/general purpose	\$	20,126,900
16	HARRISON REGIONAL CORRECTIONAL FACILITY-ADRIAN		
17	Average population	2,172	
18	Facility operations	\$	35,940,900
19	Academic/vocational programs		<u>1,214,700</u>
20	GROSS APPROPRIATION	\$	37,155,600
21	Appropriated from:		
22	Special revenue funds:		
23	Resident stores		120,600
24	State general fund/general purpose	\$	37,035,000
25	HURON VALLEY CORRECTIONAL FACILITY-YPSILANTI		
26	Average population	477	
27	Facility operations	\$	19,912,000
28	Academic/vocational programs		<u>359,800</u>
29	GROSS APPROPRIATION	\$	20,271,800

1	Appropriated from:	
2	Special revenue funds:	
3	Resident stores	32,900
4	State general fund/general purpose	\$ 20,238,900
5	IONIA MAXIMUM CORRECTIONAL FACILITY	
6	Average population	666
7	Facility operations	\$ 22,357,100
8	Academic/vocational programs	<u>542,400</u>
9	GROSS APPROPRIATION	\$ 22,899,500
10	Appropriated from:	
11	Special revenue funds:	
12	Resident stores	5,300
13	State general fund/general purpose	\$ 22,894,200
14	IONIA TEMPORARY FACILITY	
15	Average population	960
16	Facility operations	\$ 14,416,200
17	Print shop operations	375,000
18	Academic/vocational programs	<u>708,700</u>
19	GROSS APPROPRIATION	\$ 15,499,900
20	Appropriated from:	
21	Intradepartmental transfer revenues:	
22	IDT-print shop user fees	375,000
23	Special revenue funds:	
24	Resident stores	72,500
25	Public works user fees	11,800
26	State general fund/general purpose	\$ 15,040,600
27	KINROSS CORRECTIONAL FACILITY-KINCHELOE	
28	Average population	2,175
29	Facility operations	\$ 37,046,100

1	Academic/vocational programs		<u>1,426,500</u>
2	GROSS APPROPRIATION	\$	38,472,600
3	Appropriated from:		
4	Special revenue funds:		
5	Resident stores		99,300
6	Steam heat user fees		35,000
7	State general fund/general purpose	\$	38,338,300
8	LAKELAND CORRECTIONAL FACILITY-COLDWATER		
9	Average population	720	
10	Facility operations	\$	13,619,200
11	Academic/vocational programs		<u>687,900</u>
12	GROSS APPROPRIATION	\$	14,307,100
13	Appropriated from:		
14	Special revenue funds:		
15	Resident stores		33,000
16	State general fund/general purpose	\$	14,274,100
17	MACOMB REGIONAL CORRECTIONAL FACILITY-NEW HAVEN		
18	Average population	1,224	
19	Facility operations	\$	21,553,900
20	Academic/vocational programs		<u>459,500</u>
21	GROSS APPROPRIATION	\$	22,013,400
22	Appropriated from:		
23	Special revenue funds:		
24	Resident stores		86,600
25	State general fund/general purpose	\$	21,926,800
26	MARQUETTE BRANCH PRISON		
27	Average population	837	
28	Facility operations	\$	26,585,500
29	Academic/vocational programs		<u>790,000</u>

1	GROSS APPROPRIATION	\$	27,375,500
2	Appropriated from:		
3	Special revenue funds:		
4	Resident stores		35,900
5	State general fund/general purpose	\$	27,339,600
6	MICHIGAN REFORMATORY-IONIA		
7	Average population		1,260
8	Facility operations	\$	27,197,300
9	Academic/vocational programs		<u>1,269,700</u>
10	GROSS APPROPRIATION	\$	28,467,000
11	Appropriated from:		
12	Special revenue funds:		
13	Resident stores		94,400
14	State general fund/general purpose	\$	28,372,600
15	MID-MICHIGAN TEMPORARY FACILITY-ST. LOUIS		
16	Average population		960
17	Facility operations	\$	14,839,200
18	Academic/vocational programs		<u>632,500</u>
19	GROSS APPROPRIATION	\$	15,471,700
20	Appropriated from:		
21	Special revenue funds:		
22	Resident stores		39,000
23	Public works user fees		11,000
24	State general fund/general purpose	\$	15,421,700
25	MOUND REGIONAL CORRECTIONAL FACILITY-DETROIT		
26	Average population		1,056
27	Facility operations	\$	21,332,800
28	Academic/vocational programs		<u>620,400</u>
29	GROSS APPROPRIATION	\$	21,953,200

1	Appropriated from:		
2	Special revenue funds:		
3	Resident stores		44,700
4	State general fund/general purpose	\$	21,908,500
5	MUSKEGON CORRECTIONAL FACILITY		
6	Average population	1,310	
7	Facility operations	\$	20,027,900
8	Academic/vocational programs		<u>1,186,900</u>
9	GROSS APPROPRIATION	\$	21,214,800
10	Appropriated from:		
11	Special revenue funds:		
12	Resident stores		55,200
13	State general fund/general purpose	\$	21,159,600
14	OAKS MAXIMUM CORRECTIONAL FACILITY-EASTLAKE		
15	Average population	552	
16	Facility operations	\$	20,582,600
17	Academic/vocational programs		<u>249,200</u>
18	GROSS APPROPRIATION	\$	20,831,800
19	Appropriated from:		
20	Special revenue funds:		
21	Resident stores		5,500
22	State general fund/general purpose	\$	20,826,300
23	RIVERSIDE CORRECTIONAL FACILITY-IONIA		
24	Average population	824	
25	Facility operations	\$	20,364,500
26	Academic/vocational programs		<u>156,600</u>
27	GROSS APPROPRIATION	\$	20,521,100
28	Appropriated from:		
29	Special revenue funds:		

1	Resident stores	35,600
2	State general fund/general purpose	\$ 20,485,500
3	RYAN REGIONAL CORRECTIONAL FACILITY-DETROIT	
4	Average population	1,044
5	Facility operations	\$ 22,499,200
6	Academic/vocational programs	<u>647,000</u>
7	GROSS APPROPRIATION	\$ 23,146,200
8	Appropriated from:	
9	Special revenue funds:	
10	Resident stores	55,800
11	State general fund/general purpose	\$ 23,090,400
12	SAGINAW REGIONAL CORRECTIONAL FACILITY-FREELAND	
13	Average population	1,176
14	Facility operations	\$ 21,365,700
15	Academic/vocational programs	<u>371,900</u>
16	GROSS APPROPRIATION	\$ 21,737,600
17	Appropriated from:	
18	Special revenue funds:	
19	Resident stores	71,200
20	State general fund/general purpose	\$ 21,666,400
21	SCOTT REGIONAL CORRECTIONAL FACILITY-PLYMOUTH	
22	Average population	762
23	Facility operations	\$ 20,775,900
24	Academic/vocational programs	<u>1,247,100</u>
25	GROSS APPROPRIATION	\$ 22,023,000
26	Appropriated from:	
27	Special revenue funds:	
28	Resident stores	48,700
29	State general fund/general purpose	\$ 21,974,300

1 STANDISH MAXIMUM CORRECTIONAL FACILITY

2	Average population	429	
3	Facility operations	\$	18,667,500
4	Academic/vocational programs		<u>256,300</u>
5	GROSS APPROPRIATION	\$	18,923,800
6	Appropriated from:		
7	Special revenue funds:		
8	Resident stores		5,500
9	State general fund/general purpose	\$	18,918,300

10 STATE PRISON OF SOUTHERN MICHIGAN-JACKSON

11	Average population	3,493	
12	Facility operations	\$	70,132,600
13	Academic/vocational programs		<u>1,870,000</u>
14	GROSS APPROPRIATION	\$	72,002,600
15	Appropriated from:		
16	Special revenue funds:		
17	Resident stores		134,600
18	State general fund/general purpose	\$	71,868,000

19 THUMB REGIONAL CORRECTIONAL FACILITY-LAPEER

20	Average population	954	
21	Facility operations	\$	18,589,300
22	Academic/vocational programs		<u>587,700</u>
23	GROSS APPROPRIATION	\$	19,177,000
24	Appropriated from:		
25	Special revenue funds:		
26	Resident stores		44,800
27	State general fund/general purpose	\$	19,132,200

28 WESTERN WAYNE CORRECTIONAL FACILITY-PLYMOUTH

29	Average population	775	
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1	Facility operations	\$	18,982,800
2	Academic/vocational programs		<u>289,700</u>
3	GROSS APPROPRIATION	\$	19,272,500
4	Appropriated from:		
5	Special revenue funds:		
6	Resident stores		27,400
7	State general fund/general purpose	\$	19,245,100
8	CORRECTION CAMPS PROGRAM		
9	Average population		2,846
10	Facility operations	\$	53,304,000
11	Dental lab operations		79,300
12	Academic/vocational programs		<u>615,800</u>
13	GROSS APPROPRIATION	\$	53,999,100
14	Appropriated from:		
15	Intradepartmental transfer revenues:		
16	IDT-dental lab user fees		79,300
17	Special revenue funds:		
18	Resident stores		202,300
19	Public works user fees		846,000
20	State general fund/general purpose	\$	52,871,500
21	INMATE HOUSING FUND		
22	Average population		3,472
23	Inmate housing fund	\$	37,147,600
24	Average population		3,472
25	County jail reimbursement program		<u>14,103,600</u>
26	GROSS APPROPRIATION	\$	51,251,200
27	Appropriated from:		
28	Special revenue funds:		
29	Telephone fees and commissions		7,614,900

1 State general fund/general purpose \$ 43,636,300

2 **GENERAL SECTIONS**

3 Sec. 201. The expenditures and funding sources authorized under
4 this bill are subject to the management and budget act, Act No. 431 of
5 the Public Acts of 1984, being sections 18.1101 to 18.1594 of the
6 Michigan Compiled Laws.

7 Sec. 202. (1) The amounts appropriated from one fund to another
8 fund shall be authorized pursuant to annual appropriations within the
9 departments responsible for each fund's appropriation.

10 (2) Funds for which the state is acting as the custodian or agent
11 are not subject to annual appropriation.

12 Sec. 203. (1) The number of permanent career FTE employees shall
13 not exceed the number listed in section 101 of this bill unless an
14 exception has been granted by the director of the department of
15 management and budget. Exceptions shall only be given if failure to
16 fill the positions will result in rendering the department unable to
17 deliver basic services, cause a loss of revenue to the state, or
18 necessitate additional expenditures that exceed savings from
19 maintaining a vacancy. On the fifteenth of each month, the department
20 of management and budget shall report to the house and senate
21 appropriations committees and the governor any exceptions that have
22 been granted in the preceding month.

23 (2) Permanent career appointments shall be used as defined by the
24 civil service commission.

25 (3) The number of FTEs to be funded by each individual line item
26 amount shall be determined by the department within the overall limit
27 on permanent career FTEs for the department.

28 Sec. 204. (1) Any federal, local, private, or state restricted
29 funds received by a department in addition to the amount appropriated

1 in section 101, are appropriated.

2 (2) Funds appropriated in subsection (1) totalling less than
3 \$50,000.00 during the fiscal year from any one source may be expended
4 for the purposes for which the funds were made available. Receipt of
5 these funds shall be reported to the senate and house appropriations
6 committees and the house and senate fiscal agencies within thirty days
7 after the close of each fiscal quarter.

8 (3) Funds appropriated in subsection (1) totalling \$50,000.00 or
9 more during the fiscal year are not available for expenditure until
10 they have been transferred to another line item in this act through an
11 administrative transfer as defined in section 393(1) of Act No. 431 of
12 the Public Acts of 1984, as amended, being section 18.1393(1) of the
13 Michigan Compiled Laws.

14 Sec. 205. The department of civil service shall bill departments
15 and/or agencies at the end of the first fiscal quarter for the 1%
16 charges authorized by section 5 of Article XI of the State Constitution
17 of 1963. Payments shall be made for the total amount of the billing by
18 the end of the second fiscal quarter.

19 Sec. 206. As used in appropriation bills:

20 (a) "BOP" means the federal bureau of prisons.

21 (b) "DAG" means the United States department of agriculture.

22 (c) "DAG-FNS" means the DAG food and nutrition service.

23 (d) "DED" means the United States department of education.

24 (e) "DED-OESE" means the DED office of elementary and secondary
25 education.

26 (f) "DED-OSERS" means the DED office of special education and
27 rehabilitative services.

28 (g) "DED-OVAE" means the DED office of vocational and adult
29 education.

30 (h) "Department", or "MDOC" means the Michigan department of

1 corrections.

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

3 (j) "HHS" means the United States department of health and human
4 services.

5 (k) "HHS-SAMHSA" means the HHS substance abuse and mental health
6 services administration.

7 (l) "IDG" means interdepartmental grant.

8 (m) "IDT" means intradepartmental transfers.

9 (n) "MDMH" means the Michigan department of mental health.

10 (o) "MDSP" means the Michigan department of state police.

11 (p) "OCC" means the office of community corrections.

12 (p) "OP BFS" means the operating procedure, bureau of field
13 services.

14 (q) "PREP" means the prisoner rehabilitation and education program.

15 Sec. 207. (1) Pursuant to the provisions of civil service rules and
16 regulations and applicable collective bargaining agreements,
17 individuals seeking employment with the department shall submit to a
18 controlled substance test. The test shall be administered by the
19 department.

20 (2) Individuals seeking employment with the department who refuse
21 to take a controlled substance test or who test positive for the
22 illicit use of a controlled substance on such a test shall be denied
23 employment by the department for a minimum of 1 year.

24 Sec. 208. A system to annually measure and report desired program
25 performance levels and client outcomes for selected programs shall be
26 jointly developed by the department, the department of management and
27 budget, and the house and senate fiscal agencies.

28 Sec. 209. The department may charge fees and collect revenues in
29 excess of appropriations in section 101 not to exceed the cost of
30 employee meals, academic/vocational services, custody escorts,

1 compassionate visits, union steward activities, and public work
2 programs. The revenues and fees collected shall be appropriated for
3 all expenses associated with these services and activities.

4 Sec. 210. Of the general fund/general purpose revenue appropriated
5 in section 101, \$1,285,698,200.00 represents a state spending increase
6 over the amount provided to the department of corrections for the
7 fiscal year ending September 30, 1995, and may be used to meet state
8 match requirements of programs contained in the federal violent crime
9 control and law enforcement act of 1994, or successor grant programs,
10 so that any additional federal funds received shall supplement funding
11 provided to the department of corrections in section 101.

12 Sec. 211. From the funds appropriated in section 101 such payments
13 of wages and salaries as are made for classified state employees shall
14 be made in accordance with applicable laws, rules, and regulations of
15 the civil service commission. The funds identified in section 101 for
16 unclassified employees are based upon prior year levels adjusted
17 consistent with pay plan recommendations for non-exclusively
18 represented employees (NEREs) of the civil service commission, except
19 in the case of department directors and heads of type I agencies, where
20 the funds provided are in an amount equal to the standards established
21 by the civil service commission as the maximum pay for state executive
22 service classification 20 and state executive service classification 18
23 employees, respectively. Although the funds identified in section 101
24 for unclassified employees are based upon the standards set forth
25 above, the exact salaries of individual unclassified employees shall be
26 set by the appointing authority, not to exceed the state executive
27 service classification 20 maximum payment in the case of a department
28 director, or the state executive service classification 18 maximum
29 payment in the case of a head of a type I agency. The salaries of
30 individual unclassified employees shall be a matter of public record.

1 **EXECUTIVE**

2 Sec. 301. All reports required by this act shall include a brief
3 executive summary of the report.

4 Sec. 302. The department may establish and collect fees to cover
5 the costs of providing jail services pursuant to Act No. 251 of the
6 Public Acts of 1987 and Act No. 102 of the Public Acts of 1984, being
7 section 791.262 of the Michigan Compiled Laws. The fees collected are
8 appropriated when received.

9 Sec. 303. The department shall report to the senate and house
10 appropriation subcommittees on corrections, the senate and house fiscal
11 agencies, and the department of management and budget by April 1, 1996
12 on the ratio of correctional officers to prisoners for all correctional
13 institutions, and the ratio of support staff to prisoners for all
14 correctional institutions.

15 Sec. 304. The department shall submit a 3-year prison population
16 projection update by December 1, 1995 to the senate and house
17 appropriations subcommittees on corrections, the senate and house
18 fiscal agencies, and the department of management and budget.

19 Sec. 305. (1) The department shall annually prepare and submit
20 individual reports for the technical rule violator program, the
21 probation detention program, the community residential program, the
22 electronic tether program, the special alternative to incarceration
23 program and the probation residential program. The reports shall
24 include the following:

- 25 (a) Monthly new participants.
- 26 (b) Monthly participant unsuccessful terminations, including cause.
- 27 (c) Number of successful terminations.
- 28 (d) Average monthly population by facility.
- 29 (e) Average length of placement.
- 30 (f) Return to prison statistics.

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

(h) Sentencing guideline scores and actual sentence statistics for participants.

(i) Comparison with prior year statistics.

(j) Analysis of the cost effectiveness of the program.

(2) Annual reports shall be prepared and submitted by April 1, 1996, to the corrections subcommittees of the house and senate appropriations committees, the house and senate fiscal agencies, and the department of management and budget.

FIELD OPERATIONS

Sec. 401. The department shall develop guidelines for all probation personnel who are responsible for making sentencing recommendations for convicted felons. For a sentence recommendation in a presentence investigation report under section 14 of chapter XI of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being section 771.14 of the Michigan Compiled Laws, the guidelines shall require probation staff to recommend a sentence other than prison for short-term nonviolent offenses and should recommend prison sentences only when required by law or when no alternative community sentence will provide public protection, pursuant to OP BFS 71.01. Probation staff shall review all options for alternatives to incarceration and recommend nonprison sentences for all nonviolent offenders, excluding sentences for which there is a mandatory prison sentence. If the probation staff deviates from these guidelines, reasons for the deviation shall be attached to the recommended prison sentence and included with the presentence investigation report. The department shall ensure that this data is collected as part of the department's overall information systems upgrade project and that it is compiled in an annual report submitted to the senate and house appropriations

subcommittees on corrections, the senate and house fiscal agencies, and the department of management and budget by April 1 of each year.

COMMUNITY PLACEMENT

Sec. 501. (1) All community placement prisoners, probationers, and parolees involved with the electronic tether program shall reimburse the department for costs associated with the equipment and telephone charges associated with their participation in the program. The department shall require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the cost of the equipment.

(2) Program participant contributions and local-community-tether program reimbursement for the electronic tether program appropriated in section 101 are related to program expenditures and may be used to offset expenditures for this purpose.

(3) Included in the appropriation in section 101 is adequate funding to implement the community-tether program to be administered by the department. The community-tether program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections boards access to the state's electronic tether program based on a 2-tier reimbursement schedule. The state will for \$5.30 per diem provide counties with the tether equipment, replacement parts, administrative oversight of the equipment's operation, notification of violators, and periodic reports regarding county program participants. Under the \$5.30 per diem option, counties are responsible for tether equipment installation and service, and apprehension of program violators. For \$7.50 per diem the state will provide the equipment, staff to install and service the equipment, administrative oversight staff, periodic reports regarding county program participants, and notification of program violators. County officials shall be responsible for the coordination and apprehension of

1 program violators. The OCC shall assist in determining the appropriate
2 distribution of the tether units throughout the state based on analysis
3 of community demand through community comprehensive plans and OCC data
4 analysis and communicate this information to the department for
5 implementation. County officials are responsible for collecting per
6 diem fees from community tether program offenders if a per diem fee is
7 initiated by the county programs. Any county with tether charges
8 outstanding over 60 days shall be considered in violation of the
9 community-tether program agreement and lose access to the program.

10 Sec. 502. Community-placement prisoners shall reimburse the
11 department for the operational costs of the program. As an alternative
12 method of payment the department may develop a community service work
13 schedule for those individuals unable to meet reimbursement
14 requirements established by the department.

15 Sec. 503. It is the department's intent to avoid locating a new
16 community corrections center in a residential neighborhood unless the
17 location of the proposed community corrections center has the support
18 of the local unit of government in whose jurisdiction the community
19 corrections center is proposed to be located. If the local unit of
20 government does not give its support for that location, the local unit
21 of government within 60 days shall provide an alternative site for the
22 proposed community corrections center within the local governmental
23 unit's jurisdiction that is acceptable to the department.

24 **SPECIAL ALTERNATIVE INCARCERATION PROGRAM**

25 Sec. 601. The department shall establish a uniform rate to be paid
26 by agencies that benefit from public work services provided by special
27 alternative incarceration participants and prisoners.

28 **OFFICE OF COMMUNITY CORRECTIONS**

29 Sec. 701. The office of community corrections shall provide and
30 coordinate the delivery and implementation of sanctions and services in

1 communities to facilitate successful felony offender reintegration into
2 the community. Programs and services to be offered shall include, but
3 are not limited to, new program startup funding, program funding for
4 those programs delivering services for eligible offenders in geographic
5 areas identified by the office of community corrections as having a
6 shortage of available services, technical assistance, referral services
7 for education, employment services, and substance abuse and family
8 counseling.

9 Sec. 702. (1) Included in the appropriation in section 101, OCC
10 comprehensive corrections plans and services, is \$9,980,000.00 for the
11 development and implementation of community based sanctions and
12 services designed to achieve the following objectives:

13 (a) Diversion of felony offenders from state prisons.

14 (b) Diversion of offenders from county jails in order to reduce the
15 prison commitment rate.

16 (c) Reduction of crime and recidivism through the delivery of
17 effective state and community-based programs.

18 (d) Strengthen offender accountability.

19 (2) The OCC shall coordinate with community corrections boards and
20 the department for available services including, but not limited to,
21 education, employment, mental health, and substance abuse, to implement
22 a cost-effective comprehensive community corrections program for
23 offenders.

24 Sec. 703. (1) As part of the biannual report specified under
25 section 12(2) of the community corrections act, Act No. 511 of the
26 Public Acts of 1988, being section 791.412 of the Michigan Compiled
27 Laws which requires an analysis of the impact of Act No. 511 on prison
28 admissions and jail utilization, the OCC shall submit to the senate and
29 house appropriations subcommittees on corrections, the senate and house
30 fiscal agencies, and the department of management and budget the

1 following information for each county and counties consolidated for
2 comprehensive corrections plans:

3 (a) Approved comprehensive corrections plans including each program
4 and level of funding, the utilization level of each program, and
5 profile information of enrolled offenders.

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

9 (c) Status of the community corrections information system and the
10 jail population information system.

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

14 Sec. 704. (1) The OCC shall identify and coordinate information
15 with the department regarding the availability of and the demand for
16 community corrections programs, jail-based community corrections
17 programs, and basic state required jail data.

18 (2) The office of community corrections shall be responsible for
19 the collection, analysis, and reporting of state required jail data.

20 (3) As a prerequisite to participation in the programs and services
21 offered through the office of community corrections, counties shall
22 provide basic jail data and other pertinent information as determined
23 by the department to the office of community corrections.

24 Sec. 705. From the funds appropriated in section 101 for
25 comprehensive corrections plans and services, no funds shall be awarded
26 to local jurisdictions that have not had their comprehensive
27 corrections plans officially approved by the state community
28 corrections board.

29 **CONSENT DECREES**

30 Sec. 801. Expenditures from the funds appropriated in section 101

1 for the federal court consent decree and the Hadix court consent decree
2 shall be made by administrative transfer to separate accounts created
3 for the purpose of separately identifying costs associated with each
4 consent decree.

5 Sec. 802. The funds appropriated in section 101 for additional
6 acute care beds may only be expended for additional acute and
7 residential mental health beds if specifically required in the DOJ
8 consent decree.

9 **HEALTH CARE**

10 Sec. 901. (1) The department shall contract for utilization review
11 of all major medical procedures including, but not limited to,
12 application of guidelines for outside medical referrals and controls
13 that verify the necessity of recommended medical tests, treatments, and
14 procedures.

15 (2) The department shall report by June 1, 1996 to the house and
16 senate fiscal agencies and to the department of management and budget,
17 the results of the telemedicine pilot program and the feasibility of
18 capitation contracts for hospital services on a geographic basis.

19 Sec. 902. The department may establish and collect a fee from
20 prisoners choosing to access non-emergency health care services. The
21 revenue collected is appropriated to cover costs directly related to
22 providing these services.

23 **INSTITUTIONAL OPERATIONS**

24 Sec. 1001. The maximum reimbursement to colleges participating in
25 the prisoner rehabilitation and education program(PREP) shall be
26 limited to \$4.00 per student contact hour not to exceed 19.5 contact
27 hours per semester credit hour.

28 (2) The department shall report annually by April 1, 1996 on the
29 PREP program. Information shall include types of programs offered and
30 the number of students awarded a degree or certificate.

1 Sec. 1002. The appropriation in section 101 for central region food
2 service operations shall be operated through a revolving fund
3 established by the department in accordance with the management and
4 budget act, Act No. 431 of the Public Acts of 1984, being sections
5 18.1101 to 18.1594 of the Michigan Compiled Laws.

6 Sec. 1003. The department shall maintain the Michigan braille
7 transcribing service at its current location at the state prison of
8 southern Michigan complex.

9 Sec. 1004. Funds appropriated under section 101 shall not be
10 expended to purchase a color television for prisoner use.

11 **INMATE HOUSING FUND**

12 Sec. 1101. (1) The inmate housing fund shall be used for the
13 custody, treatment, clinical, and administrative costs associated with
14 the housing of prisoners other than those specifically budgeted for
15 elsewhere in this act. Expenditures from the inmate housing fund shall
16 be made by administrative transfer to existing accounts or to separate
17 accounts created to separately identify costs for specific purposes.

18 (2) Quarterly reports on all expenditures from the inmate housing
19 fund shall be submitted by the department to the department of
20 management and budget, the senate and house appropriations
21 subcommittees on corrections, and the senate and house fiscal agencies.

22 Sec. 1102. (1) The department shall administer a county jail
23 reimbursement program from the funds appropriated in section 101 for
24 that purpose.

25 (2) The county jail reimbursement program shall reimburse counties
26 for housing convicted felons who would otherwise have been sentenced to
27 a state prison term with a minimum-minimum state felony sentencing
28 guidelines score of 12 months or more or who were convicted of a
29 violation of section 625(1) of the Michigan vehicle code, Act No. 300
30 of the Public Acts of 1949, being section 257.625 of the Michigan
31 Compiled Laws, that is punishable under section 625(6)(d) of that act,

1 or who were sentenced under section 10, 11, 12, or 13 of chapter IX of
2 the code of criminal procedure, Act No. 175 of the Public Acts of 1927,
3 being sections 769.10, 769.11, 769.12, and 769.13 of the Michigan
4 Compiled Laws. The provisions of this subsection shall be superseded by
5 the provisions of the state/local partnership legislation pertaining to
6 the county jail reimbursement program on the effective date of those
7 state/local partnership provisions.

8 (3) The county jail reimbursement program shall reimburse counties
9 for housing parole violators and offenders being returned by the
10 department from community placement to institutional status and for
11 prisoners who volunteer for placement in a county jail.

12 (4) State reimbursement under the provisions of this section shall
13 be for prisoner housing and custody expenses in the amount of \$35.00
14 per diem per diverted offender.