

**SUBSTITUTE FOR
SENATE BILL NO. 951**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2012-2013

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the department of corrections for the fiscal year ending September 30, 2013, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF CORRECTIONS

1	APPROPRIATION SUMMARY	
2	Average Michigan population	43,105
3	Full-time equated unclassified positions.....	16.0
4	Full-time equated classified positions.....	14,304.2
5	GROSS APPROPRIATION.....	\$ 1,991,921,200
6	Interdepartmental grant revenues:	
7	Total interdepartmental grants and intradepartmental	
8	transfers	992,100
9	ADJUSTED GROSS APPROPRIATION.....	\$ 1,990,929,100
10	Federal revenues:	
11	Total federal revenues.....	8,784,400
12	Special revenue funds:	
13	Total local revenues.....	264,300
14	Total private revenues.....	0
15	Total other state restricted revenues.....	72,271,500
16	State general fund/general purpose.....	\$ 1,909,608,900
17	State general fund/general purpose schedule:	
18	Ongoing state general fund/general	
19	purpose	1,895,605,600
20	One-time state general fund/general	
21	purpose	14,003,300
22	Sec. 102. EXECUTIVE	
23	Full-time equated unclassified positions.....	16.0
24	Full-time equated classified positions.....	42.0
25	Unclassified positions--16.0 FTE positions.....	\$ 1,367,600
26	Executive direction--42.0 FTE positions.....	5,978,000
27	Neal, et al. settlement agreement.....	<u>20,000,000</u>

1	GROSS APPROPRIATION.....	\$	27,345,600
2	Appropriated from:		
3	State general fund/general purpose.....	\$	27,345,600
4	Sec. 103. PLANNING AND COMMUNITY SUPPORT		
5	Full-time equated classified positions..... 11.0		
6	MPRI residential stability.....	\$	7,052,500
7	MPRI employment readiness.....		7,065,900
8	MPRI social support.....		4,727,700
9	MPRI health and behavioral health.....		3,265,700
10	MPRI operations support.....		3,742,900
11	MPRI reintegration, training, and employment.....		583,500
12	MPRI other projects.....		23,561,900
13	MPRI federal grants.....		1,035,000
14	Substance abuse testing and treatment services--11.0		
15	FTE positions		24,515,900
16	Residential services.....		16,075,500
17	Community corrections comprehensive plans and services		13,958,000
18	Public safety initiative.....		4,500,000
19	Regional jail program.....		100
20	Felony drunk driver jail reduction and community		
21	treatment program		1,440,100
22	County jail reimbursement program.....		<u>17,072,100</u>
23	GROSS APPROPRIATION.....	\$	128,596,800
24	Appropriated from:		
25	Federal revenues:		
26	DOJ-OJP, RSAT.....		574,200
27	DOJ, prisoner reintegration.....		1,035,000

1	Special revenue funds:	
2	Civil infraction fees.....	5,900,000
3	State general fund/general purpose.....	\$ 121,087,600
4	Sec. 104. OPERATIONS SUPPORT ADMINISTRATION	
5	Full-time equated classified positions.....	138.9
6	Operations support administration--41.0 FTE positions	\$ 4,307,500
7	New custody staff training.....	9,672,300
8	Compensatory buyout and union leave bank.....	100
9	Worker's compensation.....	18,566,200
10	Bureau of fiscal management--86.9 FTE positions.....	9,000,600
11	Office of legal services--3.0 FTE positions.....	2,392,900
12	Internal affairs--8.0 FTE positions.....	1,105,500
13	Rent.....	2,095,200
14	Equipment and special maintenance.....	6,725,500
15	Administrative hearings officers.....	3,013,600
16	Judicial data warehouse user fees.....	50,000
17	Sheriffs' coordinating and training office.....	500,000
18	Prosecutorial and detainer expenses.....	<u>4,551,000</u>
19	GROSS APPROPRIATION.....	\$ 61,980,400
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG-MDSP, Michigan justice training fund.....	328,200
23	Special revenue funds:	
24	Local corrections officer training fund.....	500,000
25	Special equipment fund.....	5,800,000
26	Correctional industries revolving fund.....	572,100
27	State general fund/general purpose.....	\$ 54,780,100

1	Sec. 105. FIELD OPERATIONS ADMINISTRATION		
2	Full-time equated classified positions.....	2,042.9	
3	Field operations--1,897.9 FTE positions.....		\$ 191,153,800
4	Parole board operations--41.0 FTE positions.....		4,762,500
5	Parole/probation services.....		2,243,500
6	Community re-entry centers--48.0 FTE positions.....		13,420,200
7	Electronic monitoring center--56.0 FTE positions.....		<u>16,059,500</u>
8	GROSS APPROPRIATION.....		\$ 227,639,500
9	Appropriated from:		
10	Special revenue funds:		
11	Local - community tether program reimbursement.....		263,000
12	Re-entry center offender reimbursements.....		23,400
13	Parole and probation oversight fees.....		5,995,600
14	Parole and probation oversight fees set-aside.....		2,657,000
15	Tether program, participant contributions.....		2,200,700
16	State general fund/general purpose.....		\$ 216,499,800
17	Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION		
18	Full-time equated classified positions.....	1,151.1	
19	Correctional facilities administration--28.0 FTE		
20	positions		\$ 8,070,900
21	Prison food service--384.0 FTE positions.....		57,734,600
22	Transportation--211.6 FTE positions.....		19,324,400
23	Central records--53.5 FTE positions.....		4,247,800
24	Inmate legal services.....		715,900
25	Loans to parolees.....		179,400
26	Housing inmates in federal institutions.....		993,800
27	Prison store operations--75.0 FTE positions.....		5,436,500

1	Prison industries operations--155.0 FTE positions	17,647,900
2	Federal school lunch program.....	812,800
3	Leased beds and alternatives to leased beds	10,000,100
4	Public works programs.....	10,000,000
5	Inmate housing fund.....	100
6	Education program--244.0 FTE positions	<u>32,217,500</u>
7	GROSS APPROPRIATION.....	\$ 167,381,700
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDG-MDCH, forensic center food service	660,000
11	Federal revenues:	
12	Federal revenues and reimbursements	152,300
13	DAG-FNS, national school lunch	812,800
14	DED-OESE, title I	538,000
15	DED-OSERS	111,100
16	DED-OVAE, adult education	919,000
17	DED, vocational education equipment	286,800
18	DED, youthful offender/Specter grant	1,329,600
19	DOJ-BOP, federal prisoner reimbursement	411,000
20	DOJ-OJP, serious and violent offender reintegration	
21	initiative	10,600
22	DOJ, prison rape elimination act grant	646,000
23	SSA-SSI, incentive payment	262,400
24	Special revenue funds:	
25	Correctional industries revolving fund	17,647,900
26	Public works user fees	10,000,000
27	Resident stores	5,436,500

1	State general fund/general purpose	\$	128,157,700
2	Sec. 107. HEALTH CARE		
3	Full-time equated classified positions		1,665.0
4	Health care administration--12.0 FTE positions	\$	3,475,700
5	Prisoner health care services		91,851,700
6	Vaccination program		691,200
7	Interdepartmental grant to human services,		
8	eligibility specialists		100,000
9	Mental health services and support--546.0 FTE		
10	positions		58,414,600
11	Northern region clinical complexes--366.6 FTE		
12	positions		45,996,000
13	Southern region clinical complexes--740.4 FTE		
14	positions		<u>118,143,000</u>
15	GROSS APPROPRIATION	\$	318,672,200
16	Appropriated from:		
17	Special revenue funds:		
18	Prisoner health care copayments		278,700
19	State general fund/general purpose	\$	318,393,500
20	Sec. 108. NORTHERN REGION CORRECTIONAL FACILITIES		
21	Average population		18,983
22	Full-time equated classified positions		3,977.1
23	Alger correctional facility -		
24	Munising--248.8 FTE positions	\$	26,985,000
25	Average population		889.0
26	Baraga correctional facility - Baraga--306.9		
27	FTE positions		32,043,700

1	Average population	884.0	
2	Earnest C. Brooks correctional facility -		
3	Muskegon--407.8 FTE positions.....		44,088,200
4	Average population	2,440.0	
5	Chippewa correctional facility - Kincheloe--423.2		
6	FTE positions		45,086,900
7	Average population	2,282.0	
8	Kinross correctional facility - Kincheloe--313.8 FTE		
9	positions		34,023,000
10	Average population	1,799.0	
11	Marquette branch prison - Marquette--322.0 FTE		
12	positions		37,620,000
13	Average population	1,201.0	
14	Newberry correctional facility - Newberry--247.7 FTE		
15	positions		26,050,100
16	Average population	978.0	
17	Oaks correctional facility - Eastlake--294.8 FTE		
18	positions		35,530,600
19	Average population	1,156.0	
20	Ojibway correctional facility - Marenisco--190.7 FTE		
21	positions		19,745,800
22	Average population	1,090.0	
23	Central Michigan correctional facility - St. Louis--381.7		
24	FTE positions		39,094,000
25	Average population	2,400.0	
26	Pugsley correctional facility - Kingsley--200.8 FTE		
27	positions		20,316,200

1	Average population	1,158.0	
2	Saginaw correctional facility - Freeland--288.6 FTE		
3	positions		31,038,300
4	Average population	1,480.0	
5	St. Louis correctional facility - St. Louis--295.3		
6	FTE positions		32,556,200
7	Average population	1,226.0	
8	Northern region administration and support--55.0 FTE		
9	positions		<u>4,373,100</u>
10	GROSS APPROPRIATION.....	\$	428,551,100
11	Appropriated from:		
12	State general fund/general purpose.....	\$	428,551,100
13	Sec. 109. SOUTHERN REGION CORRECTIONAL FACILITIES		
14	Average population	24,122.0	
15	Full-time equated classified positions.....	5,276.2	
16	Bellamy Creek correctional facility - Ionia--365.2		
17	FTE positions	\$	39,690,100
18	Average population	1,850.0	
19	Carson City correctional facility - Carson		
20	City--411.9 FTE positions		44,883,100
21	Average population	2,440.0	
22	Cooper Street correctional facility - Jackson--235.7		
23	FTE positions		26,840,300
24	Average population	1,799.0	
25	G. Robert Cotton correctional facility -		
26	Jackson--371.3 FTE positions		38,713,500
27	Average population	1,841.0	

1	Charles E. Egeler correctional facility -	
2	Jackson--329.3 FTE positions	39,008,800
3	Average population	1,376.0
4	Richard A. Handlon correctional facility -	
5	Ionia--206.2 FTE positions	22,580,600
6	Average population	1,373.0
7	Gus Harrison correctional facility - Adrian--390.5	
8	FTE positions	43,295,800
9	Average population	2,342.0
10	Huron Valley correctional complex - Ypsilanti--529.5	
11	FTE positions	59,701,900
12	Average population	1,872.0
13	Ionia correctional facility - Ionia--279.3	
14	FTE positions	30,791,300
15	Average population	654.0
16	Lakeland correctional facility - Coldwater--245.6	
17	FTE positions	24,061,200
18	Average population	1,336.0
19	Macomb correctional facility - New Haven--271.1 FTE	
20	positions	29,517,400
21	Average population	1,228.0
22	Maxey/Woodland Center correctional facility -	
23	Whitmore Lake--264.2 FTE positions.....	24,443,200
24	Average population	328.0
25	Michigan reformatory - Ionia--309.1 FTE positions	34,881,700
26	Average population	1,338.0
27	Parnall correctional facility - Jackson--252.2 FTE	

1	positions	27,544,300
2	Average population 1,678.0	
3	Ryan correctional facility - Detroit--288.8 FTE	
4	positions	30,853,800
5	Average population 1,048.0	
6	Thumb correctional facility - Lapeer--268.3 FTE	
7	positions	29,864,300
8	Average population 1,219.0	
9	Special alternative incarceration program - Cassidy	
10	Lake--120.0 FTE positions	12,274,500
11	Average population 400.0	
12	Southern region administration and support--138.0	
13	FTE positions	<u>20,167,100</u>
14	GROSS APPROPRIATION.....	\$ 579,112,900
15	Appropriated from:	
16	Federal revenues:	
17	DOJ, state criminal alien assistance program.....	1,612,200
18	Special revenue funds:	
19	Public works user fees.....	283,900
20	State general fund/general purpose.....	\$ 577,216,800
21	Sec. 110. INFORMATION TECHNOLOGY	
22	Information technology services and projects.....	\$ <u>24,403,600</u>
23	GROSS APPROPRIATION.....	\$ 24,403,600
24	Appropriated from:	
25	Special revenue funds:	
26	Correctional industries revolving fund.....	168,600
27	Parole and probation oversight fees set-aside.....	661,600

1	State general fund/general purpose	\$	23,573,400
2	Sec. 111. CAPITAL OUTLAY		
3	Multiple facilities - personal protection device		
4	system	\$	11,362,000
5	Michigan reformatory - install security camera		
6	in cell blocks I and J		<u>2,520,000</u>
7	GROSS APPROPRIATION	\$	13,882,000
8	Appropriated from:		
9	Special equipment fund		13,882,000
10	State general fund/general purpose	\$	0
11	Sec. 112. ONE-TIME BASIS ONLY APPROPRIATIONS		
12	State employee lump-sum payments	\$	13,225,900
13	Information technology services and projects		<u>1,129,500</u>
14	GROSS APPROPRIATION	\$	14,355,400
15	Appropriated from:		
16	Interdepartmental grant revenues:		
17	Total interdepartmental grant revenues		3,900
18	Federal revenues:		
19	Total federal revenues		83,400
20	Special revenue funds:		
21	Total local revenues		1,300
22	Total other state restricted revenues		263,500
23	State general fund/general purpose	\$	14,003,300

24 PART 2

25 PROVISIONS CONCERNING APPROPRIATIONS

26 FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2012-2013 is \$1,981,880,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$92,393,500.00. 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	\$	53,642,400
Public service work projects		707,800
Community corrections comprehensive plans		
and services		13,958,000
Community corrections residential services		16,075,500
Community corrections public education and training ..		50,000
Felony drunk driver jail reduction and		
community treatment program		1,440,100
Community re-entry centers		2,019,600
Regional jail program		100
Public safety initiative		<u>4,500,000</u>
TOTAL	\$	92,393,500

Sec. 202. The appropriations authorized under this article are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this article:

1 (a) "Administrative segregation" means confinement for
2 maintenance of order or discipline to a cell or room apart from
3 accommodations provided for inmates who are participating in
4 programs of the facility.

5 (b) "Cost per prisoner" means the sum total of the funds
6 appropriated under part 1 for the following, divided by the
7 projected prisoner population in fiscal year 2011-2012:

8 (i) Northern and southern region correctional facilities.

9 (ii) Northern and southern region administration and support.

10 (iii) Northern and southern region clinical complexes.

11 (iv) Prisoner health care services.

12 (v) Health care administration.

13 (vi) Vaccination program.

14 (vii) Prison food service and federal school lunch program.

15 (viii) Transportation.

16 (ix) Inmate legal services.

17 (x) Correctional facilities administration.

18 (xi) Central records.

19 (xii) DOJ psychiatric plan.

20 (xiii) Worker's compensation.

21 (xiv) New custody staff training.

22 (xv) Prison store operations.

23 (xvi) Education services and federal education grants.

24 (xvii) Education program.

25 (c) "DAG" means the United States department of agriculture.

26 (d) "DAG-FNS" means the DAG food and nutrition service.

27 (e) "DED" means the United States department of education.

1 (f) "DED-OESE" means the DED office of elementary and
2 secondary education.

3 (g) "DED-OSERS" means the DED office of special education and
4 rehabilitative services.

5 (h) "DED-OVAE" means the DED office of vocational and adult
6 education.

7 (i) "Department" or "MDOC" means the Michigan department of
8 corrections.

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

10 (k) "DOJ-BOP" means the DOJ bureau of prisons.

11 (l) "DOJ-OJP" means the DOJ office of justice programs.

12 (m) "Evidence-based practices" or "EBP" means a decision-
13 making process that integrates the best available research,
14 clinician expertise, and client characteristics.

15 (n) "FTE" means full-time equated.

16 (o) "GED" means general educational development certificate.

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

22 (q) "GPS" means global positioning system.

23 (r) "HIV" means human immunodeficiency virus.

24 (s) "IDG" means interdepartmental grant.

25 (t) "IDT" means intradepartmental transfer.

26 (u) "Jail" means a facility operated by a local unit of
27 government for the physical detention and correction of persons

1 charged with or convicted of criminal offenses.

2 (v) "MDCH" means the Michigan department of community health.

3 (w) "Medicaid benefit" means a benefit paid or payable under a
4 program for medical assistance under the social welfare act, 1939
5 PA 280, MCL 400.1 to 400.119b.

6 (x) "MDSP" means the Michigan department of state police.

7 (y) "MPRI" means the Michigan prisoner reentry initiative.

8 (z) "Objective risk and needs assessment" means an evaluation
9 of an offender's criminal history; the offender's noncriminal
10 history; and any other factors relevant to the risk the offender
11 would present to the public safety, including, but not limited to,
12 having demonstrated a pattern of violent behavior, and a criminal
13 record that indicates a pattern of violent offenses.

14 (aa) "Offender eligibility criteria" means particular criminal
15 violations, state felony sentencing guidelines descriptors, and
16 offender characteristics developed by advisory boards and approved
17 by local units of government that identify the offenders suitable
18 for community corrections programs funded through the office of
19 community corrections.

20 (bb) "Offender success" means that an offender has done all of
21 the following:

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

23 (ii) Is participating in or has successfully completed all
24 required substance abuse, mental health, sex offender, or other
25 treatment as approved by the field agent.

26 (iii) Not sent or returned to prison for the conviction of a new
27 crime or the revocation of probation or parole.

1 (iv) Not been sentenced to a jail term for a new criminal
2 offense.

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

6 (vi) Obtained housing.

7 (cc) "Offender target population" means felons or
8 misdemeanants who would likely be sentenced to imprisonment in a
9 state correctional facility or jail, who would not likely increase
10 the 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 (dd) "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 (ee) "Programmatic success" means that the department program
24 or initiative has ensured that the offender has accomplished all of
25 the following:

26 (i) Obtained employment, has enrolled or participated in a
27 program of education or job training, or has investigated all bona

1 fide employment opportunities.

2 (ii) Obtained housing.

3 (iii) Obtained a state identification card.

4 (ff) "Recidivism" means any of the following:

5 (i) The arrest and conviction of a supervised individual for a
6 new offense while under community supervision.

7 (ii) The adjudication of a supervised individual for a
8 violation of the conditions of supervision while under community
9 supervision.

10 (iii) A sanction resulting from a violation of terms of
11 supervision that results in a return to prison without being
12 adjudicated.

13 (gg) "RSAT" means residential substance abuse treatment.

14 (hh) "Serious emotional disturbance" means that term as
15 defined in section 100d(2) of the mental health code, 1974 PA 328,
16 MCL 330.1100d.

17 (ii) "Serious mental illness" means that term as defined in
18 section 100d(3) of the mental health code, 1974 PA 328, MCL
19 330.1100d.

20 (jj) "SSA" means the United States social security
21 administration.

22 (kk) "SSA-SSI" means SSA supplemental security income.

23 Sec. 204. The civil service commission shall bill departments
24 and agencies at the end of the first fiscal quarter for the charges
25 authorized by section 5 of article XI of the state constitution of
26 1963. Payments shall be made for the total amount of the billing by
27 the end of the second fiscal quarter.

1 Sec. 204a. (1) The department shall collaborate with the civil
2 service commission and the department of civil service to review
3 the compensation rates for health care professionals who provide
4 direct health care services to prisoners within the corrections
5 system, including, but not limited to, doctors, all nursing
6 professionals, pharmacists, pharmacy technicians, and
7 psychologists. The review shall include health care professionals
8 employed by the state as well as those employed through state
9 contractors. These rates shall be compared to available data on
10 compensation rates for comparable medical professionals in the
11 private sectors who provide services to the general public to
12 estimate any disparity in compensation.

13 (2) Following the review, the department shall make
14 recommendations on changes needed to the state compensation plan
15 for health care professional positions and to department contracts
16 with health care providers so that compensation levels are
17 sufficient to ensure that needed health care professional positions
18 with vacancies are filled, that the department experiences adequate
19 retention levels for these positions, and that necessary health
20 care services are delivered in a timely manner to the prisoner
21 population. A report outlining these recommendations shall be
22 submitted to the senate and house appropriations subcommittees on
23 corrections, the senate and house fiscal agencies, and the state
24 budget office by May 1, 2012.

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

1 Sec. 207. (1) In all cases in which a service or activity is
2 privatized, including the provision of prisoner mental health
3 services, the private entity shall be adequately bonded, so as not
4 to expose the state to any potential future liability or legal
5 causes of action.

6 (2) State employees shall be given the opportunity to bid on
7 contracts that privatize services that are or were provided by
8 state employees. If the contract is awarded to any state employee,
9 he or she ceases being an employee of the state.

10 Sec. 208. Unless otherwise specified, the department shall use
11 the Internet to fulfill the reporting requirements of this article.
12 This requirement may include transmission of reports via electronic
13 mail to the recipients identified for each reporting requirement or
14 it may include placement of reports on an Internet or Intranet
15 site.

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

26 Sec. 211. (1) The department may charge fees and collect
27 revenues in excess of appropriations in part 1 not to exceed the

1 cost of offender services and programming, employee meals, parolee
2 loans, academic/vocational services, custody escorts, compassionate
3 visits, union steward activities, and public works programs and
4 services provided to local units of government. The revenues and
5 fees collected are appropriated for all expenses associated with
6 these services and activities.

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

16 (3) By April 1, the department shall provide the members of
17 the senate and house appropriations subcommittees on corrections,
18 the senate and house fiscal agencies, and the state budget director
19 with a report detailing the collection of fees under this section.
20 At minimum, this report shall include a categorical accounting of
21 all fees collected under this section.

22 Sec. 212. On a quarterly basis, each executive branch
23 department and agency receiving appropriations in part 1 shall
24 report on the number of full-time equated positions in pay status
25 by civil service classification to the senate and house
26 appropriations subcommittees on corrections and the senate and
27 house fiscal agencies. This report shall include a detailed

1 accounting of the long-term vacancies that exist within each
2 department. As used in this subsection, "long-term vacancy" means
3 any full-time equated position that has not been filled at any time
4 during the past 24 calendar months.

5 Sec. 213. By February 15, the department shall provide the
6 members of the senate and house appropriations subcommittees on
7 corrections, the senate and house fiscal agencies, and the state
8 budget director with a report detailing non-general fund/general
9 purpose sources of revenue, including, but not limited to, federal
10 revenues, state restricted revenues, local and private revenues,
11 offender reimbursements and other payments, revolving funds, and 1-
12 time sources of revenue, whether or not those revenues were
13 appropriated. The report shall include statements detailing for
14 each account the total amount of revenue received during fiscal
15 year 2010-2011, the amount by which the revenue exceeded any
16 applicable appropriated fund source, the amount spent during fiscal
17 year 2010-2011, the account balance at the close of fiscal year
18 2010-2011, and the projected revenues and expenditures for fiscal
19 year 2011-2012.

20 Sec. 214. From the funds appropriated in part 1 for
21 information technology, the department shall pay user fees to the
22 department of technology, management, and budget for technology-
23 related services and projects. These user fees shall be subject to
24 provisions of an interagency agreement between the department and
25 the department of technology, management, and budget. It is the
26 intent of the legislature that the department consider using third-
27 party software and information technologies before contracting for

1 such services through the department of technology, management, and
2 budget.

3 Sec. 215. Amounts appropriated in part 1 for information
4 technology may be designated as work projects and carried forward
5 to support technology projects under the direction of the
6 department of technology, management, and budget. Funds designated
7 in this manner are not available for expenditure until approved as
8 work projects under section 451a of the management and budget act,
9 1984 PA 431, MCL 18.1451a.

10 Sec. 216. (1) Due to the current budgetary problems of this
11 state, out-of-state travel for the fiscal year ending September 30,
12 2013 shall be limited to situations in which 1 or more of the
13 following conditions apply:

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

16 (b) The travel is necessary to protect the health or safety of
17 Michigan citizens or visitors or to assist other states for similar
18 reasons.

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

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

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

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

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

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

13 Sec. 220. Not later than November 15, the department shall
14 prepare and transmit a report that provides for estimates of the
15 total general fund/general purpose appropriation lapses at the
16 close of the fiscal year. This report shall summarize the projected
17 year-end general fund/general purpose appropriation lapses by major
18 departmental program or program areas. The report shall be
19 transmitted to the office of the state budget, the chairpersons of
20 the senate and house of representatives standing committees on
21 appropriations, and the senate and house fiscal agencies.

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

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

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

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

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

27 Sec. 229. Within 14 days after the release of the executive

1 budget recommendation, the department shall provide the state
2 budget director, the senate and house appropriations chairs, the
3 senate and house appropriations subcommittees on corrections,
4 respectively, and the senate and house fiscal agencies with an
5 annual report on estimated state restricted fund balances, state
6 restricted fund projected revenues, and state restricted fund
7 expenditures for the fiscal years ending September 30, 2011 and
8 September 30, 2012.

9 Sec. 236. It is the intent of the legislature that from the
10 revenue resulting from the sale of the former Scott correctional
11 facility sufficient funds shall be appropriated to the department
12 to reimburse Michigan state industries for costs related to the
13 construction of the Industries Building, which was operated by
14 Michigan state industries on the site of the Scott correctional
15 facility.

16 Sec. 237. The department shall observe all requirements set
17 forth in statute and administrative rules related to procurement
18 requests and shall ensure that proper communication is maintained
19 with the department of technology, management, and budget regarding
20 the use of delegated purchasing authority granted by the department
21 of technology, management, and budget. The department shall not
22 pursue the procurement of any good or service on its own that falls
23 outside its delegated authority from the department of technology,
24 management, and budget. If any requests for proposal or requests
25 for qualifications are delayed due to the department's improper use
26 of purchasing authority under statute and administrative rules, the
27 department shall report on the improper use to the house and senate

1 appropriations subcommittees on corrections within 15 days after
2 determining that the improper use occurred. The report shall review
3 the purpose of the relevant procurement effort, explain why the
4 improper use of delegated authority occurred, and outline steps
5 being taken to ensure that improper use of delegated authority does
6 not occur again in the future.

7 Sec. 238. It is the intent of the legislature that the
8 department make additional efforts to sell, rent, or otherwise
9 repurpose closed correctional facilities.

10 Sec. 239. It is the intent of the legislature that the
11 department establish and maintain a management-to-staff ratio of
12 not more than 1 supervisor for each 5 employees at the department's
13 central office in Lansing and at both the northern and southern
14 region administration offices.

15 Sec. 240. On or before March 1, 2013, the department shall
16 solicit and evaluate proposals for services related to the audit of
17 vendor and contract payments and the recovery of improper payments.
18 The period covered by the proposed audit shall be not less than 3
19 prior fiscal years. On or before September 1, 2013, the department
20 shall provide to the house and senate committees on appropriations
21 and the house and senate fiscal agencies a complete report on the
22 results of the proposal solicitation and findings and amounts
23 recovered from subsequent recovery audits.

24 **EXECUTIVE**

25 Sec. 301. (1) For 3 years after a felony offender is released
26 from the department's jurisdiction, the department shall maintain

1 the offender's file on the offender tracking information system and
2 make it publicly accessible in the same manner as the file of the
3 current offender. However, the department shall immediately remove
4 the offender's file from the offender tracking information system
5 upon determination that the offender was wrongfully convicted and
6 the offender's file is not otherwise required to be maintained on
7 the offender tracking information system.

8 (2) Information removed from the offender tracking information
9 system due to the expiration of 3 years following release of an
10 offender from the department's jurisdiction shall be retained by
11 the department and maintained in a password-protected archive.
12 Effective October 1, 2009, information in the archive shall be made
13 available upon payment of a fee as determined by the department.
14 Revenue collected under this section is appropriated for the costs
15 of the offender tracking information system, and any revenue
16 collected in excess of the costs of maintaining the offender
17 tracking information system is appropriated for information
18 technology costs. The department shall report on March 1 to the
19 senate and house appropriations subcommittees on corrections, the
20 senate and house fiscal agencies, and the state budget director on
21 the fees charged and revenue collected under this section.

22 Sec. 304. The director of the department shall maintain a
23 staff savings initiative program to invite employees to submit
24 suggestions for saving costs for the department. If a suggested
25 initiative is implemented and is estimated to save at least
26 \$10,000.00, the suggesting employee shall be awarded a 1-time
27 \$1,000.00 bonus payment. The department shall report semiannually

1 to the senate and house appropriations subcommittees on
2 corrections, the senate and house fiscal agencies, and the state
3 budget director on the suggestions submitted under this section,
4 the implementation plan for those suggestions with which the
5 department agrees, an explanation of any disagreements with
6 suggestions, and whether a bonus payment was awarded for that
7 suggestion.

8 Sec. 305. By March 1, 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 the number of prisoners who committed suicide during the previous
12 calendar year. To the extent permitted by law, the report shall
13 include all of the following information:

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

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

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

17 (d) The date of the suicide.

18 (e) Whether the suicide occurred in a housing unit, a
19 segregation unit, a mental health unit, or elsewhere on the grounds
20 of the facility.

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

23 (g) Whether the prisoner had received a mental health
24 evaluation or assessment.

25 (h) Details on the department's responses to each suicide,
26 including immediate on-site responses and subsequent internal
27 investigations.

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

(j) Whether the prisoner had previously attempted suicide.

PLANNING AND COMMUNITY SUPPORT

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

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

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

(b) The provision of housing assistance.

(c) Referral to mental health services.

(d) Referral to substance abuse services.

(e) Referral to public health services.

(f) Referral to education.

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

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

6 (a) Details on prior-year expenditures, including amounts
7 spent on each project funded, itemized by service provided and
8 service provider.

9 (b) Allocations and planned expenditures for each project
10 funded and for each project to be funded, itemized by service to be
11 provided and service provider. The department shall provide an
12 amended report quarterly, if any revisions to allocations or
13 planned expenditures occurred during that quarter.

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

24 (4) By April 1, the department shall report dashboard data to
25 the senate and house appropriations subcommittees on corrections,
26 the senate and house fiscal agencies, and the state budget
27 director.

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

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

11 Sec. 407. (1) By June 30, the department shall place the 2012
12 statistical report on an Internet site. The statistical report
13 shall include, but not be limited to, the information as provided
14 in the 2004 statistical report.

15 (2) It is the intent of the legislature that starting with
16 calendar year 2010, the statistical report be placed on an Internet
17 site within 6 months after the end of each calendar year.

18 Sec. 408. The department shall measure the recidivism rates of
19 offenders using at least a 3-year period following their release
20 from prison. Any time spent in a county jail or otherwise
21 incarcerated shall be included in the recidivism rates.

22 Sec. 410. (1) The funds included in part 1 for community
23 corrections comprehensive plans and services are to encourage the
24 development through technical assistance grants, implementation,
25 and operation of community corrections programs that enhance
26 offender success and that also may serve as an alternative to
27 incarceration in a state facility or jail. The comprehensive

1 corrections plans shall include an explanation of how the public
2 safety will be maintained, the goals for the local jurisdiction,
3 offender target populations intended to be affected, offender
4 eligibility criteria for purposes outlined in the plan, and how the
5 plans will meet the following objectives, consistent with section
6 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

7 (a) Reduce admissions to prison of offenders who would likely
8 be sentenced to imprisonment, including probation violators.

9 (b) Improve the appropriate utilization of jail facilities,
10 the first priority of which is to open jail beds intended to house
11 otherwise prison-bound felons, and the second priority being to
12 appropriately utilize jail beds so that jail crowding does not
13 occur.

14 (c) Open jail beds through the increase of pretrial release
15 options.

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

17 (e) Reduce the admission or readmission to prison of
18 offenders, including probation violators and parole violators, for
19 substance abuse violations.

20 (f) Contribute to offender success, as that term is defined in
21 section 203.

22 (2) The award of community corrections comprehensive plans and
23 residential services funds shall be based on criteria that include,
24 but are not limited to, the prison commitment rate by category of
25 offenders, trends in prison commitment rates and jail utilization,
26 historical trends in community corrections program capacity and
27 program utilization, and the projected impact and outcome of annual

1 policies and procedures of programs on offender success, prison
2 commitment rates, and jail utilization.

3 (3) Funds awarded for residential services in part 1 shall
4 provide for a per diem reimbursement of not more than \$47.50 for
5 nonaccredited facilities, or of not more than \$48.50 for facilities
6 that have been accredited by the American corrections association
7 or a similar organization as approved by the department.

8 Sec. 411. The comprehensive corrections plans shall also
9 include, where appropriate, descriptive information on the full
10 range of sanctions and services that are available and utilized
11 within the local jurisdiction and an explanation of how jail beds,
12 residential services, the special alternative incarceration
13 program, probation detention centers, the electronic monitoring
14 program for probationers, and treatment and rehabilitative services
15 will be utilized to support the objectives and priorities of the
16 comprehensive corrections plans and the purposes and priorities of
17 section 8(4) of the community corrections act, 1988 PA 511, MCL
18 791.408, that contribute to the success of offenders. The plans
19 shall also include, where appropriate, provisions that detail how
20 the local communities plan to respond to sentencing guidelines
21 found in chapter XVII of the code of criminal procedure, 1927 PA
22 175, MCL 777.1 to 777.69, and use the county jail reimbursement
23 program under section 414. The state community corrections board
24 shall encourage local community corrections advisory boards to
25 include in their comprehensive corrections plans strategies to
26 collaborate with local alcohol and drug treatment agencies of the
27 MDCH for the provision of alcohol and drug screening, assessment,

1 case management planning, and delivery of treatment to alcohol- and
2 drug-involved offenders.

3 Sec. 412. (1) As part of the March biannual report specified
4 in section 12(2) of the community corrections act, 1988 PA 511, MCL
5 791.412, that requires an analysis of the impact of that act on
6 prison admissions and jail utilization, the department shall submit
7 to the senate and house appropriations subcommittees on
8 corrections, the senate and house fiscal agencies, and the state
9 budget director the following information for each county and
10 counties consolidated for comprehensive corrections plans:

11 (a) Approved technical assistance grants and comprehensive
12 corrections plans including each program and level of funding, the
13 utilization level of each program, and profile information of
14 enrolled offenders.

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

18 (c) Status of the community corrections information system and
19 the jail population information system.

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

23 (e) Offender disposition data by sentencing guideline range,
24 by disposition type, by prior record variable score, by number and
25 percent statewide and by county, current year, and comparisons to
26 the previous 3 years.

27 (f) Data on the use of funding made available under the felony

1 drunk driver jail reduction and community treatment program.

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

5 Sec. 413. (1) The department shall identify and coordinate
6 information regarding the availability of and the demand for
7 community corrections programs, jail-based community corrections
8 programs, jail-based probation violation sanctions, and all state-
9 required jail data.

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

12 (3) As a prerequisite to participation in the programs and
13 services offered through the department, counties shall provide
14 necessary jail data to the department.

15 Sec. 414. (1) The department shall administer a county jail
16 reimbursement program from the funds appropriated in part 1 for the
17 purpose of reimbursing counties for housing in jails certain felons
18 who otherwise would have been sentenced to prison.

19 (2) The county jail reimbursement program shall reimburse
20 counties for convicted felons in the custody of the sheriff if the
21 conviction was for a crime committed on or after January 1, 1999
22 and 1 of the following applies:

23 (a) The felon's sentencing guidelines recommended range upper
24 limit is more than 18 months, the felon's sentencing guidelines
25 recommended range lower limit is 12 months or less, the felon's
26 prior record variable score is 35 or more points, and the felon's
27 sentence is not for commission of a crime in crime class G or crime

1 class H or a nonperson crime in crime class F under chapter XVII of
2 the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

3 (b) The felon's minimum sentencing guidelines range minimum is
4 more than 12 months under the sentencing guidelines described in
5 subdivision (a).

6 (c) The felon was sentenced to jail for a felony committed
7 while he or she was on parole and under the jurisdiction of the
8 parole board and for which the sentencing guidelines recommended
9 range for the minimum sentence has an upper limit of more than 18
10 months.

11 (3) State reimbursement under this subsection shall be \$60.00
12 per diem per diverted offender for offenders with a presumptive
13 prison guideline score, \$50.00 per diem per diverted offender for
14 offenders with a straddle cell guideline for a group 1 crime, and
15 \$35.00 per diem per diverted offender for offenders with a straddle
16 cell guideline for a group 2 crime. Reimbursements shall be paid
17 for sentences up to a 1-year total.

18 (4) As used in this subsection:

19 (a) "Group 1 crime" means a crime in 1 or more of the
20 following offense categories: arson, assault, assaultive other,
21 burglary, criminal sexual conduct, homicide or resulting in death,
22 other sex offenses, robbery, and weapon possession as determined by
23 the department of corrections based on specific crimes for which
24 counties received reimbursement under the county jail reimbursement
25 program in fiscal year 2007 and fiscal year 2008, and listed in the
26 county jail reimbursement program document titled "FY 2007 and FY
27 2008 Group One Crimes Reimbursed", dated March 31, 2009.

1 (b) "Group 2 crime" means a crime that is not a group 1 crime,
2 including larceny, fraud, forgery, embezzlement, motor vehicle,
3 malicious destruction of property, controlled substance offense,
4 felony drunk driving, and other nonassaultive offenses.

5 (c) "In the custody of the sheriff" means that the convicted
6 felon has been sentenced to the county jail and is either housed in
7 the county jail or has been released from jail and is being
8 monitored through the use of the sheriff's electronic monitoring
9 system.

10 (5) County jail reimbursement program expenditures shall not
11 exceed the amount appropriated in part 1 for the county jail
12 reimbursement program. Payments to counties under the county jail
13 reimbursement program shall be made in the order in which properly
14 documented requests for reimbursements are received. A request
15 shall be considered to be properly documented if it meets MDOC
16 requirements for documentation. By October 15, 2012, the department
17 shall distribute the documentation requirements to all counties.

18 Sec. 415. (1) The department shall create a database for use
19 by the department and MPRI service providers. The database shall be
20 available to both the department and the service provider in real
21 time. The department, in consultation with the service providers,
22 shall issue a policy defining each field in the database so that
23 there will be common usage of all terms and fields.

24 (2) The department, in consultation with the service
25 providers, shall publish financial guidelines for administration of
26 this program.

27 Sec. 416. Allowable uses of the felony drunk driver jail

1 reduction and community treatment program shall include reimbursing
2 counties for transportation, treatment costs, and housing felony
3 drunk drivers during a period of assessment for treatment and case
4 planning. Reimbursements for housing during the assessment process
5 shall be at the rate of \$43.50 per day per offender, up to a
6 maximum of 5 days per offender.

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

12 (a) The county jail reimbursement program.

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

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

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

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

24 (b) Expenditures by location.

25 (c) The impact on jail utilization.

26 (d) The impact on prison admissions.

27 (e) Other information relevant to an evaluation of the

1 program.

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

7 (2) The department shall provide monthly electronic mail
8 reports to the senate and house appropriations subcommittees on
9 corrections, the senate and house fiscal agencies, and the state
10 budget director. The reports shall include information on end-of-
11 month prisoner populations in county jails, the net operating
12 capacity according to the most recent certification report,
13 identified by date, and end-of-month data, year-to-date data, and
14 comparisons to the prior year for the following:

15 (a) Community residential program populations, separated by
16 centers and electronic monitoring.

17 (b) Parole populations.

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

20 (d) Prison and camp populations, with separate identification
21 of the number in special alternative incarceration and the number
22 of lifers.

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

25 (f) Prisoner exits, identifying transfers to community
26 placement, paroles from prisons and camps, paroles from community
27 placement, total movements to parole, prison intake, prisoner

1 deaths, prisoners discharging on the maximum sentence, and other
2 prisoner exits.

3 (g) Prison intake and returns, including probation violators,
4 new court commitments, violators with new sentences, escaper new
5 sentences, total prison intake, returns from court with additional
6 sentences, community placement returns, technical parole violator
7 returns, and total returns to prison and camp.

8 Sec. 420. By March 1, the department shall report to the
9 senate and house appropriations subcommittees on corrections, the
10 senate and house judiciary committees, the senate and house fiscal
11 agencies, and the state budget director on performance data and
12 efforts to improve efficiencies relative to departmental staffing,
13 health care services, food service, prisoner transportation, mental
14 health care services, and pharmaceutical costs.

15 Sec. 430. The department shall ensure that each prisoner has
16 the opportunity to meet with his or her transition team prior to
17 release from prison. If applicable, community providers shall enter
18 the prison to meet with the prisoner prior to release.

19 Sec. 431. The department shall ensure that prior to release
20 from prison, each offender has possession of all of the following:

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

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

25 Sec. 433. The department shall report quarterly on January 1,
26 2013, April 1, 2013, July 1, 2013, and September 30, 2013 to the
27 senate and house appropriations subcommittees on corrections, the

senate and house fiscal agencies, and the state budget director on the status of any contracts entered into under the June 2009 request for proposals for the re-entry initiative project for offenders with special needs. The report shall include information on all of the following:

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

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

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

OPERATIONS AND SUPPORT ADMINISTRATION

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

Sec. 502. Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers

1 advisory board, and the sheriffs' coordinating and training council
2 under the local corrections officers training act, 2003 PA 125, MCL
3 791.531 to 791.546.

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

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

12 **FIELD OPERATIONS ADMINISTRATION**

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

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

23 Sec. 603. (1) All prisoners, probationers, and parolees
24 involved with the electronic tether program shall reimburse the
25 department for costs associated with their participation in the
26 program. The department may require community service work

1 reimbursement as a means of payment for those able-bodied
2 individuals unable to pay for the costs of the equipment.

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

7 (3) Included in the appropriation in part 1 is adequate
8 funding to implement the community tether program to be
9 administered by the department. The community tether program is
10 intended to provide sentencing judges and county sheriffs in
11 coordination with local community corrections advisory boards
12 access to the state's electronic tether program to reduce prison
13 admissions and improve local jail utilization. The department shall
14 determine the appropriate distribution of the tether units
15 throughout the state based upon locally developed comprehensive
16 corrections plans under the community corrections act, 1988 PA 511,
17 MCL 791.401 to 791.414.

18 (4) For a fee determined by the department, the department
19 shall provide counties with the tether equipment, replacement
20 parts, administrative oversight of the equipment's operation,
21 notification of violators, and periodic reports regarding county
22 program participants. Counties are responsible for tether equipment
23 installation and service. For an additional fee as determined by
24 the department, the department shall provide staff to install and
25 service the equipment. Counties are responsible for the
26 coordination and apprehension of program violators.

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

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

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

8 Sec. 606. It is the intent of the legislature that the
9 department shall ensure that parolees and probationers may timely
10 contact their parole or probation agents and maintain procedures
11 that preclude any necessity for an offender to have access to an
12 agent's home telephone number or other personal information
13 pertaining to the agent.

14 Sec. 608. By March 1, the department shall report to the
15 senate and house appropriations subcommittees on corrections, the
16 senate and house fiscal agencies, and the state budget director on
17 the use of electronic monitoring. At a minimum, the report shall
18 include all of the following:

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

25 (b) Information on the factors considered in determining
26 whether an offender is placed on active GPS tether, passive GPS
27 tether, radio frequency tether, or some combination of these or

1 other types of electronic monitoring.

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

5 Sec. 611. The department shall prepare by March 1, 2011
6 individual reports for the community re-entry program, the
7 electronic tether program, and the special alternative to
8 incarceration program. The reports shall be submitted to the house
9 and senate appropriations subcommittees on corrections, the house
10 and senate fiscal agencies, and the state budget director. Each
11 program's report shall include information on all of the following:

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

18 (b) Monthly participant unsuccessful terminations, including
19 cause.

20 (c) Number of successful terminations.

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

22 (e) Average length of placement.

23 (f) Return to prison statistics.

24 (g) Description of each program location or locations,
25 capacity, and staffing.

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

1 (i) Comparison with prior year statistics.

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

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

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

20 (3) The department shall continue to utilize parole violator
21 processing guidelines that require parole agents to utilize all
22 available appropriate community-based, nonincarcerative postrelease
23 sanctions and services when appropriate. The department shall
24 periodically evaluate such guidelines for modification, in response
25 to emerging information from the demonstration projects for
26 substance abuse treatment provided under this article and
27 applicable provisions of prior budget acts for the department.

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

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

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

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

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

27 (e) The unduplicated number of offenders who participated in

1 substance abuse treatment programs, mental health treatment
2 programs, or both, while in prison, itemized by diagnosis.

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

8 Sec. 615. After the parole board has reviewed the cases of all
9 inmates sentenced to life with the possibility of parole who have
10 good institutional records and pose low-risk to the community, the
11 parole board shall provide the legislature with a detailed
12 explanation of why an inmate who scores "high probability of
13 release" is not being paroled. A report containing this explanation
14 shall be submitted to the house and senate appropriations
15 subcommittees on corrections, the house and senate fiscal agencies,
16 and the state budget director by January 1.

17 HEALTH CARE

18 Sec. 802. As a condition of expenditure of the funds
19 appropriated in part 1, the department shall provide the senate and
20 house of representatives appropriations subcommittees on
21 corrections, the senate and house fiscal agencies, and the state
22 budget director with all of the following:

23 (a) Quarterly reports on physical and mental health care
24 detailing the average number of days between a prisoner's diagnosis
25 and commencement of treatment for that diagnosis, quarterly and
26 fiscal year-to-date expenditures itemized by vendor, allocations,

1 status of payments from contractors to vendors, and projected year-
2 end expenditures from accounts for prisoner health care, mental
3 health care, pharmaceutical services, and durable medical
4 equipment.

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

8 Sec. 804. (1) The department shall report quarterly to the
9 senate and house appropriations subcommittees on corrections, the
10 senate and house fiscal agencies, and the state budget director on
11 prisoner health care utilization. The report shall include the
12 number of inpatient hospital days, outpatient visits, and emergency
13 room visits in the previous quarter and since October 1, 2009, by
14 facility.

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

25 Sec. 806. From the funds appropriated in part 1, the
26 department shall require a hepatitis C antibody test and an HIV
27 test for each prisoner prior to release to the community by parole,

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

10 Sec. 807. The department shall ensure that all medications for
11 a prisoner be transported with that prisoner when the prisoner is
12 transferred from 1 correctional facility to another. Prisoners
13 being released shall be provided with at least a 30-day supply of
14 medication and a prescription for refills to allow for continuity
15 of care in the community.

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, the
20 department shall report to the senate and house appropriations
21 subcommittees on corrections, the senate and house fiscal agencies,
22 and the state budget director on all of the following:

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

25 (b) The number of prisoners released to the community by
26 parole, discharge on the maximum sentence, or transfer to community
27 residential placement who are HIV positive, positive for the

1 hepatitis C antibody, or both.

2 (c) The number of parolees and offenders discharged on the
3 maximum sentence who are HIV or hepatitis C positive by paroling
4 office as reported to the state department of community health for
5 referral to the local public health department.

6 Sec. 812. (1) The department shall provide the department of
7 human services with a monthly list of prisoners newly committed to
8 the department of corrections. The department and the department of
9 human services shall enter into an interagency agreement under
10 which the department of human services provides the department of
11 corrections with monthly lists of newly committed prisoners who are
12 eligible for Medicaid benefits in order to maintain the process by
13 which Medicaid benefits are suspended rather than terminated. The
14 department shall assist prisoners who may be eligible for Medicaid
15 benefits after release from prison with the Medicaid enrollment
16 process prior to release from prison.

17 (2) The department shall provide the senate and house
18 appropriations subcommittees on corrections, the senate and house
19 fiscal agencies, and the state budget director with quarterly
20 updates on the utilization of Medicaid benefits for prisoners.

21 Sec. 814. The department shall assure that psychotropic
22 medications are available, when deemed medically necessary by that
23 prisoner's physician, to prisoners who have mental illness
24 diagnoses but are not enrolled in the corrections mental health
25 program.

26 Sec. 816. By April 1, the department shall provide the members
27 of the senate and house appropriations subcommittees on

1 corrections, the senate and house fiscal agencies, the state budget
2 director, and the legislative corrections ombudsman with a report
3 on pharmaceutical expenditures and prescribing practices. In
4 particular, the report shall provide the following information:

5 (a) A detailed accounting of expenditures on antipsychotic
6 medications.

7 (b) Any changes that have been made to the prescription drug
8 formularies.

9 (c) A progress report on the department's efforts to address
10 various findings outlined in audit report 471-0325-09L issued in
11 March 2011 by the Michigan office of the auditor general.

12 **CORRECTIONAL FACILITIES ADMINISTRATION**

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

22 Sec. 905. (1) Savings in the inmate housing fund shall be
23 achieved through competitive bidding of facility operations or
24 other measures to reduce the custody, treatment, clinical, and
25 administrative costs associated with the housing of prisoners.
26 Savings shall be distributed as necessary into separate accounts

1 created to separately identify savings through specific cost
2 savings measures.

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

7 Sec. 906. It is the intent of the legislature that the
8 department maintain or expand upon existing public works
9 programming by contracting with local units of government or
10 private organizations. Any local unit of government or private
11 organization that contracts with the department for public works
12 services shall be responsible for financing the entire cost of such
13 an agreement.

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

21 Sec. 911. By March 1, the department shall report to the
22 senate and house appropriations subcommittees on corrections, the
23 senate and house fiscal agencies, the legislative corrections
24 ombudsman, and the state budget director the number of critical
25 incidents occurring each month by type and the number and severity
26 of assaults occurring each month at each facility during calendar
27 year 2011.

1 Sec. 912. The department shall report to the senate and house
2 appropriations subcommittees on corrections, the senate and house
3 fiscal agencies, and the state budget director by March 1 on the
4 ratio of correctional officers to prisoners for each correctional
5 institution, the ratio of shift command staff to line custody
6 staff, and the ratio of noncustody institutional staff to prisoners
7 for each correctional institution.

8 Sec. 913. (1) It is the intent of the legislature that any
9 prisoner required to complete an assaultive offender program,
10 sexual offender program, or other program as a condition of parole
11 shall be transferred to a facility where that program is available
12 in order to accomplish timely completion of that program prior to
13 the expiration of his or her minimum sentence and eligibility for
14 parole. Nothing in this section should be deemed to make parole
15 denial appealable in court.

16 (2) The department shall submit a quarterly report to the
17 members of the senate and house appropriations subcommittees on
18 corrections, the senate and house fiscal agencies, the state budget
19 director, and the legislative corrections ombudsman detailing
20 enrollment in sex offender programming and assaultive offender
21 programming. At a minimum, the report shall include the following:

22 (a) A full accounting of the number of individuals who are
23 required to complete either sex offender programming or assaultive
24 offender programming, but have not yet done so.

25 (b) The number of individuals who have reached their earliest
26 release date, but who have not completed required sex offender
27 and/or assaultive offender programming.

1 (c) A plan of action for addressing any waiting lists or
2 backlogs for sex offender programming or assaultive offender
3 programming that may exist.

4 Sec. 921. (1) By March 1, the department shall report to the
5 chairs of the senate and house appropriations committees, the
6 senate and house appropriations subcommittees on corrections, the
7 senate and house fiscal agencies, and the state budget director on
8 the following:

9 (a) The actual savings realized between January 1, 2009 and
10 April 1, 2012 as a result of closing correctional facilities and
11 correctional camps between January 1, 2009 and January 1, 2013,
12 itemized by correctional facility or correctional camp.

13 (b) The projected fiscal year 2012-2013 savings by closing
14 correctional facilities and correctional camps between January 1,
15 2009 and January 1, 2013, itemized by correctional facility or
16 correctional camp.

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

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

21 (b) Any cost of field supervision, field operations programs,
22 or prisoner reintegration programs related to the closure of
23 correctional facilities and correctional camps between January 1,
24 2009 and January 1, 2013.

25 Sec. 924. The department shall evaluate all prisoners at
26 intake for substance abuse disorders, developmental disorders,
27 serious mental illness, and other mental health disorders.

1 Prisoners with serious mental illness shall not be confined in
2 administrative segregation. Under the supervision of a mental
3 health professional, a prisoner with serious mental illness may be
4 secluded in a therapeutic environment for the safety of the
5 prisoner or others. A prisoner in therapeutic seclusion shall be
6 evaluated at least every 12 hours by a mental health professional
7 in order to remain in therapeutic seclusion.

8 Sec. 925. By March 1, 2013, 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 the annual number of prisoners in administrative segregation
12 between October 1, 2003 and September 30, 2012, and the annual
13 number of prisoners in administrative segregation between October
14 1, 2003 and September 30, 2012 who at any time during the current
15 or prior prison term were diagnosed with serious mental illness or
16 have a developmental disorder and the number of days each of the
17 prisoners with serious mental illness or a developmental disorder
18 have been confined to administrative segregation.

19 Sec. 927. The department of corrections and the department of
20 human services shall enter into an intergovernmental agreement to
21 place offenders less than 19 years of age who are committed to the
22 department of corrections in underutilized units of the
23 Maxey/Woodland center correctional facility. The facilities shall
24 be used to house offenders less than 19 years of age who are
25 currently committed to the department of corrections.

26 Sec. 928. Funding appropriated in part 1 for consent decree
27 line items is appropriated into separate control accounts created

1 for each line item. Funding in each control account shall be
2 distributed as necessary into separate accounts created for the
3 purpose of separately identifying costs and expenditures associated
4 with each consent decree. The department shall report by February
5 1, 2013 to the house and senate appropriations subcommittees on
6 corrections, the house and senate fiscal agencies, and the state
7 budget director on distributions to each separate control account
8 and the expenditures charged against each control account during
9 the previous fiscal year.

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

12 (a) Ensure that any inmate care and control staff in contact
13 with prisoners less than 19 years of age are adequately trained
14 with regard to the developmental and mental health needs of
15 prisoners less than 19 years of age. By April 1, 2012, the
16 department shall report to the senate and house appropriations
17 subcommittees on corrections, the senate and house fiscal agencies,
18 and the state budget director on the training curriculum used and
19 the number and types of staff receiving training under such
20 curriculum since October 2009.

21 (b) Provide appropriate placement for prisoners less than 19
22 years of age who have serious mental illness, serious emotional
23 disturbance, or a developmental disorder and need to be housed
24 separately from the general population. Prisoners less than 19
25 years of age who have serious mental illness, serious emotional
26 disturbance, or a developmental disorder shall not be placed in
27 administrative segregation. Under the supervision of a mental

1 health professional, a prisoner less than 19 years of age with
2 serious mental illness or serious emotional disturbance may be
3 secluded in a therapeutic environment for the safety of the
4 prisoner or others. A prisoner in therapeutic seclusion shall be
5 evaluated every 12 hours by a mental health professional in order
6 to remain in therapeutic seclusion.

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

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

12 Sec. 936. The department shall contract with third-party
13 providers to complete an assessment of energy utilization at each
14 state correctional facility. In particular, the department shall
15 endeavor to identify and implement energy-saving initiatives in the
16 various correctional facilities. By April 1, the department shall
17 provide the members of the senate and house appropriations
18 subcommittees on corrections, the senate and house fiscal agencies,
19 the state budget director, and the legislative corrections
20 ombudsman with a report on these efforts.

21 Sec. 939. (1) By January 1, the department shall release a
22 request for proposal seeking competitive bids for the special
23 alternative incarceration facility, the prison stores, the food
24 service operations, and 1,750 custody beds.

25 (2) The department, working with the department of technology,
26 management, and budget, shall issue a quarterly report detailing
27 the current status of any requests for proposal required under this

1 section. If the status of any item listed in the report remains
2 unchanged for more than 2 consecutive reporting periods, the report
3 shall provide an explanation of the delay.

4 Sec. 940. For the purpose of procuring drug testing services
5 at correctional facilities, the department shall enter into a
6 contract with a Michigan-based company that provides laboratory
7 oral fluid drug testing.

8 Sec. 941. The department shall ensure that any contract with a
9 public or private party to operate the special alternative
10 incarceration facility at camp Cassidy Lake includes a provision to
11 require that public works program services continue to be provided
12 to the St. Louis Center in Chelsea at rates consistent with the
13 rate structure in place as of May 1, 2011.

14 Sec. 942. The department shall ensure that any contract with a
15 public or private party to operate a facility to house state
16 prisoners includes a provision to allow access by both the office
17 of the legislative auditor general and the office of the
18 legislative corrections ombudsman to the facility and to
19 appropriate records and documents related to the operation of the
20 facility. These access rights for both offices shall be the same
21 for the contracted facility as for a general state-operated
22 correctional facility.

23 MISCELLANEOUS

24 Sec. 1001. Revenues appropriated and collected for special
25 equipment funds shall be considered state restricted revenue and
26 shall be used for special equipment and security projects which

1 include, but are not limited to, replacement of personal protection
2 systems, acquisition of contraband detection systems, security and
3 upkeep or demolition to prevent vandalism at nonoperational MDOC
4 facilities, and critical operational facility repairs to protect
5 the safety of the public, staff, and prisoners. Unexpended funds
6 remaining at the close of the fiscal year shall not lapse to the
7 general fund, but shall be carried forward and be available for
8 appropriation in subsequent fiscal years.

9 Sec. 1003. (1) The director shall allocate lump-sum
10 appropriations made in this article consistent with statutory
11 provisions and the purposes for which funds were appropriated.
12 Lump-sum allocations shall address priority program or facility
13 needs and may include, but are not limited to, design,
14 construction, remodeling and addition, special maintenance, major
15 special maintenance, energy conservation, and demolition.

16 (2) The state budget director may authorize that funds
17 appropriated for lump-sum appropriations shall be available for no
18 more than 3 fiscal years following the fiscal year in which the
19 original appropriation was made. Any remaining balance from
20 allocations made in this section shall lapse to the fund from which
21 it was appropriated pursuant to the lapsing of funds as provided in
22 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

23 Sec. 1005. The appropriations in part 1 for capital outlay
24 shall be carried forward at the end of the fiscal year consistent
25 with the provisions of section 248 of the management
26 and budget act, 1984 PA 431, MCL 18.1248.

27 Sec. 1007. For the state fiscal year ending September 30,

2013, there is appropriated, on a 1-time basis only, \$14,003,300.00 from general fund/general purpose revenue and related federal and state restricted revenue for the following purposes:

Information technology services and projects	\$	1,129,500
State employee lump-sum payments		<u>13,225,900</u>
GROSS APPROPRIATION	\$	14,355,400

Appropriated from:

Interdepartmental grant revenues	3,900
Federal revenues	83,400
Local revenues	1,300
State restricted revenues	263,500
State general fund/general purpose	\$ 14,003,300

Sec. 1009. The department shall create an information packet for the families of incoming prisoners. This packet shall be made available on the department website by February 1, 2013 and shall be updated by February 1 of each year thereafter. The packet shall provide information on topics including, but not limited to: how to put money into prisoner accounts, how to make phone calls or create Jpay email accounts, how to visit in person, proper procedures for filing complaints or grievances, the rights of prisoners to physical and mental health care, how to utilize the offender tracking information system (OTIS), truth-in-sentencing and how it applies to minimum sentences, the parole process, and guidance on the importance of the role of families in the reentry process. The department is encouraged to partner with external advocacy groups and actual families of prisoners in the packet-writing process to ensure that the information is useful and complete.

1 Sec. 1011. The department shall accept in-kind services and
2 equipment donations to facilitate the addition of a cable network
3 that provides programming that will address the religious needs of
4 incarcerated individuals. This network shall be a cable television
5 network that presently reaches the majority of households in the
6 United States. A bilingual channel affiliated with this network may
7 also be added to department programming to assist the religious
8 needs of Spanish-speaking inmates. The addition of these channels
9 shall be of no additional cost to this state.

10 Sec. 1013. Of the special equipment fund restricted funds
11 designated for security, upkeep and demolition in part 1, up to
12 \$500,000.00 shall be utilized to demolish the now-closed Camp
13 Brighton in Hamburg Township.

14 Sec. 1015. In order to maintain the safety of the public and
15 corrections officers, the reductions to individual facility
16 operations that go beyond the governor's fiscal year 2012-2013
17 recommendation shall not be achieved through the elimination of
18 custody staff, but shall instead be achieved through the
19 elimination of noncustody staff as follows:

20 (a) The reductions of \$1,268,435.00 in part 1 for Alger
21 correctional facility shall be generated through the elimination of
22 the following positions:

23 7 FTEs - Assistant Resident Supervisor I

24 2 FTEs - Secretary

25 1 FTE - State Deputy Warden

26 1 FTE - Deputy Prison Warden - 3

27 1 FTE - Library Assistant - E

(b) The reductions of \$1,564,016.00 in part 1 for Baraga correctional facility shall be generated through the elimination of the following positions:

9 FTEs - Assistant Resident Supervisor I
1 FTE - Librarian
1 FTE - Library Technician
3 FTEs - Secretary
1 FTE - State Deputy Warden

(c) The reductions of \$3,517,131.00 in part 1 for Earnest C. Brooks correctional facility shall be generated through the elimination of the following positions:

19 FTEs - Assistant Resident Supervisor I
1 FTE - Corrections Security Inspector
2 FTEs - Librarian
1 FTE - Library Technician
8 FTEs - Secretary
2 FTEs - State Deputy Warden
1 FTE - Word Processing Assistant - E

(d) The reductions of \$3,077,284.00 in part 1 for Chippewa correctional facility shall be generated through the elimination of the following positions:

17 FTEs - Assistant Resident Supervisor I
1 FTE - Corrections Security Inspector
1 FTE - Library Technician
8 FTEs - Secretary
1 FTE - State Deputy Warden
1 FTE - Library Assistant - E

1 1 FTE - Librarian Manager - 1

2 (e) The reductions of \$2,152,531.00 in part 1 for Kinross
3 correctional facility shall be generated through the elimination of
4 the following positions:

5 13 FTEs - Assistant Resident Supervisor I

6 1 FTE - Librarian

7 5 FTEs - Secretary

8 1 FTE - State Deputy Warden

9 1 FTE - Word Processing Assistant - E

10 (f) The reductions of \$1,646,367.00 in part 1 for Marquette
11 Branch prison shall be generated through the elimination of the
12 following positions:

13 9 FTEs - Assistant Resident Supervisor I

14 1 FTE - Librarian

15 5 FTEs - Secretary

16 1 FTE - State Deputy Warden

17 (g) The reductions of \$1,195,972.00 in part 1 for Newberry
18 correctional facility shall be generated through the elimination of
19 the following positions:

20 5 FTEs - Assistant Resident Supervisor I

21 1 FTE - Library Technician

22 3 FTEs - Secretary

23 1 FTE - Librarian Manager - 1

24 2 FTEs - Groundskeeper

25 (h) The reductions of \$1,136,610.00 in part 1 for Oaks
26 correctional facility shall be generated through the elimination of
27 the following positions:

1 7 FTEs - Assistant Resident Supervisor I

2 2 FTEs - Secretary

3 1 FTE - State Deputy Warden

4 1 FTE - Library Assistant - E

5 (i) The reductions of \$1,299,386.00 in part 1 for Ojibway
6 correctional facility shall be generated through the elimination of
7 the following positions:

8 7 FTEs - Assistant Resident Supervisor I

9 1 FTE - Librarian

10 1 FTE - Library Technician

11 4 FTEs - Secretary

12 (j) The reductions of \$2,492,263.00 in part 1 for Central
13 Michigan correctional facility shall be generated through the
14 elimination of the following positions:

15 15 FTEs - Assistant Resident Supervisor I

16 1 FTE - Corrections Security Inspector

17 1 FTE - Librarian

18 1 FTE - Library Technician

19 5 FTEs - Secretary

20 1 FTE - State Deputy Warden

21 (k) The reductions of \$1,224,317.00 in part 1 for Pugsley
22 correctional facility shall be generated through the elimination of
23 the following positions:

24 8 FTEs - Assistant Resident Supervisor I

25 1 FTE - Librarian

26 3 FTEs - Secretary

27 (l) The reductions of \$1,849,995.00 in part 1 for Saginaw

1 correctional facility shall be generated through the elimination of
2 the following positions:

3 11 FTEs - Assistant Resident Supervisor I

4 1 FTE - Librarian

5 4 FTEs - Secretary

6 1 FTE - State Deputy Warden

7 1 FTE - Library Assistant - E

8 (m) The reductions of \$2,260,583.00 in part 1 for St. Louis

9 correctional facility shall be generated through the elimination of
10 the following positions:

11 12 FTEs - Assistant Resident Supervisor I

12 2 FTEs - Librarian

13 1 FTE - Recreational Therapist - E

14 5 FTEs - Secretary

15 1 FTE - State Deputy Warden

16 1 FTE - Library Assistant - E

17 (n) The reductions of \$2,552,408.00 in part 1 for Bellamy

18 Creek correctional facility shall be generated through the

19 elimination of the following positions:

20 14 FTEs - Assistant Resident Supervisor I

21 1 FTE - Corrections Security Inspector

22 1 FTE - Librarian

23 1 FTE - Library Technician

24 5 FTEs - Secretary

25 1 FTE - State Deputy Warden

26 2 FTEs - Word Processing Assistant - E

27 (o) The reductions of \$3,027,843.00 in part 1 for Carson City

1 correctional facility shall be generated through the elimination of
2 the following positions:

3 16 FTEs - Assistant Resident Supervisor I
4 1 FTE - Corrections Security Inspector
5 1 FTE - Librarian
6 2 FTEs - Library Technician
7 6 FTEs - Secretary
8 1 FTE - State Deputy Warden
9 3 FTEs - Word Processing Assistant - E

10 (p) The reductions of \$2,147,274.00 in part 1 for Cooper
11 Street correctional facility shall be generated through the
12 elimination of the following positions:

13 11 FTEs - Assistant Resident Supervisor I
14 1 FTE - Corrections Security Inspector
15 1 FTE - Librarian
16 1 FTE - Library Technician
17 4 FTEs - Secretary
18 1 FTE - State Deputy Warden
19 2 FTEs - Word Processing Assistant - E

20 (q) The reductions of \$2,373,794.00 in part 1 for G.R. Cotton
21 correctional facility shall be generated through the elimination of
22 the following positions:

23 13 FTEs - Assistant Resident Supervisor I
24 1 FTE - Corrections Security Inspector
25 1 FTE - Librarian
26 2 FTEs - Library Technician
27 3 FTEs - Secretary

1 1 FTE - State Deputy Warden

2 1 FTE - Word Processing Assistant - E

3 1 FTE - Secretary Supervisor - 1

4 (r) The reductions of \$2,481,308.00 in part 1 for Charles
5 Egeler Reception Center shall be generated through the elimination
6 of the following positions:

7 7 FTEs - Assistant Resident Supervisor I

8 1 FTE - Corrections Security Inspector

9 1 FTE - Librarian

10 7 FTEs - Secretary

11 1 FTE - State Deputy Warden

12 7 FTEs - Word Processing Assistant - E

13 1 FTE - Library Assistant - E

14 1 FTE - Secretary Supervisor - 1

15 (s) The reductions of \$1,944,912.00 in part 1 for R.A. Handlon
16 correctional facility shall be generated through the elimination of
17 the following positions:

18 9 FTEs - Assistant Resident Supervisor I

19 1 FTE - Librarian

20 1 FTE - Library Technician

21 8 FTEs - Secretary

22 1 FTE - Word Processing Assistant - E

23 (t) The reductions of \$3,853,492.00 in part 1 for Gus Harrison
24 correctional facility shall be generated through the elimination of
25 the following positions:

26 16 FTEs - Assistant Resident Supervisor I

27 2 FTEs - Corrections Security Inspector

1 2 FTEs - Librarian
2 2 FTEs - Library Technician
3 1 FTE - Music Therapist - E
4 4 FTEs - Recreational Therapist - E
5 7 FTEs - Secretary
6 1 FTE - State Deputy Warden
7 3 FTEs - Word Processing Assistant - E

8 (u) The reductions of \$2,823,529.00 in part 1 for Huron Valley
9 correctional facility shall be generated through the elimination of
10 the following positions:

11 15 FTEs - Assistant Resident Supervisor I
12 1 FTE - Corrections Security Inspector
13 1 FTE - Librarian
14 7 FTEs - Secretary
15 1 FTE - State Deputy Warden
16 3 FTEs - Word Processing Assistant - E

17 (v) The reductions of \$1,434,771.00 in part 1 for Ionia
18 correctional facility shall be generated through the elimination of
19 the following positions:

20 7 FTEs - Assistant Resident Supervisor I
21 1 FTE - Librarian
22 5 FTEs - Secretary
23 1 FTE - State Deputy Warden

24 (w) The reductions of \$1,345,848.00 in part 1 for Lakeland
25 correctional facility shall be generated through the elimination of
26 the following positions:

27 7 FTEs - Assistant Resident Supervisor I

1 1 FTE - Library Technician

2 3 FTEs - Secretary

3 3 FTEs - Word Processing Assistant - E

4 (x) The reductions of \$2,596,747.00 in part 1 for Macomb
5 correctional facility shall be generated through the elimination of
6 the following positions:

7 13 FTEs - Assistant Resident Supervisor I

8 1 FTE - Librarian

9 1 FTE - Music Therapist - E

10 4 FTEs - Recreational Therapist - E

11 5 FTEs - Secretary

12 1 FTE - Word Processing Assistant - E

13 1 FTE - Library Assistant - E

14 (y) The reductions of \$775,359.00 in part 1 for Maxey/Woodland
15 correctional facility shall be generated through the elimination of
16 the following positions:

17 2 FTEs - Assistant Resident Supervisor I

18 1 FTE - Music Therapist - E

19 2 FTEs - Recreational Therapist - E

20 3 FTEs - Secretary

21 (z) The reductions of \$1,431,244.00 in part 1 for Michigan
22 reformatory shall be generated through the elimination of the
23 following positions:

24 8 FTEs - Assistant Resident Supervisor I

25 1 FTE - Library Technician

26 4 FTEs - Secretary

27 1 FTE - State Deputy Warden

(aa) The reductions of \$1,612,013.00 in part 1 for Parnall correctional facility shall be generated through the elimination of the following positions:

- 10 FTEs - Assistant Resident Supervisor I
- 1 FTE - Librarian
- 1 FTE - Library Technician
- 3 FTEs - Secretary
- 1 FTE - Word Processing Assistant - E

(bb) The reductions \$1,377,590.00 in part 1 for Ryan correctional facility shall be generated through the elimination of the following positions:

- 7 FTEs - Assistant Resident Supervisor I
- 1 FTE - Librarian
- 1 FTE - Library Technician
- 3 FTEs -Secretary
- 2 FTEs - Word Processing Assistant - E

(cc) The reductions of \$1,787,793.00 in part 1 for Thumb correctional facility shall be generated through the elimination of the following positions:

- 10 FTEs - Assistant Resident Supervisor I
- 1 FTE -Corrections Security Inspector
- 1 FTE - Librarian
- 1 FTE - Library Technician
- 3 FTEs - Secretary
- 1 FTE - State Deputy Warden

(dd) The reductions of \$516,444.00 in part 1 for southern region support and services shall be generated through the

1 elimination of the following positions:

2 4 FTEs - Secretary

3 2 FTEs - Groundskeeper

4 PART 2A

5 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

6 FOR FISCAL YEAR 2013-2014

7 GENERAL SECTIONS

8 Sec. 1201. It is the intent of the legislature to provide
9 appropriations for the fiscal year ending on September 30, 2014 for
10 the line items listed in part 1. The fiscal year 2013-2014
11 appropriations are anticipated to be the same as those for fiscal
12 year 2012-2013, except that the line items will be adjusted for
13 changes in caseload and related costs, federal fund match rates,
14 economic factors, and available revenue. These adjustments will be
15 determined after the January 2013 consensus revenue estimating
16 conference.