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**BILL ANALYSIS**



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**FY 2008-09 Year-to-Date Gross Appropriation..... 2,028,678,100**

**Changes from FY 2008-09 Year-to-Date:**

Items Included by the House and Senate

- 1. **Health Care.** House and Senate included \$8.0 million for mental health treatment, \$4,185,500 for Hepatitis C treatment, \$3,482,200 for drug cost increases, \$2,149,400 for 24/7 nursing coverage, \$1,896,400 for the new prisoner health care contract, \$426,400 for Medical Service Providers, \$3,660,300 for computer systems and support, and \$1,118,700 for 40 new infirmary beds. 24,918,900
- 2. **Efficiencies.** House and Senate saved \$3,517,100 by consolidating adjacent prisons at four sites, \$3.0 million by contracting for food purchases, \$2.0 million by redesigning prisoner education, and \$1.2 million by ending a contract for the parolee apprehension and operating the program at the MDOC. (9,717,100)
- 3. **Economic Adjustments.** House and Senate recommended identical increases for salaries, insurances, retirement, worker's compensation, food, and fuel. 35,084,900

Conference Agreement on Items of Difference

- 4. **Facility Closures & Adjustments.** Gov., House, and Senate saved \$117,992,800 by closing facilities, which would result in 1,077.2 fewer FTEs and 3,886 fewer beds. Following the announcement identifying the closures, Senate included savings for the closure of Camps Cusino, Kitwen, Lehman, Ottawa and White Lake, Hiawatha, Muskegon, and Standish correctional facilities. Level V Alger Maximum Correctional Facility would become a Level IV. Add'l savings of \$37,355,100 included full-year savings from FY 2008-09 Exec. Order closures, administration and program savings from FY 2008-09 and FY 2009-10 closures. Consolidating female prisoners at Huron Valley Complex (HVC) saved \$936,000, closing Scott saved \$19,341,100, and \$16,659,000 was added for moving 328 male prisoners in mental health treatment at HVC to Maxey Training School. Conference added \$4,745,100 for double-bunking housing units. (154,220,900)
- 5. **Field Operations and Re-entry.** Conference added \$1,000,500 to the Parole Board for five more members and three employees. To supervise additional parolees, Conference included \$7,299,500 for 78.0 FTE parole/probation agents, 3.0 FTE parole/probation managers and 3.0 FTE secretaries. \$16,889,000 was included for full-year funding for the 800 GPS tethers added in FY 2008-09, as well as 2,000 new GPS tethers. Conference included \$22,682,000 more for re-entry programming, \$1.0 million for probation residential centers for high-risk probationers, \$750,000 for polygraph testing, and net reduction of \$390,500 due to changes in the Intensive Detention Re-entry Program. 49,230,500
- 6. **Reduction to Per-Prisoner Costs.** The Conference report includes a negative appropriation of \$38.2 million that is to be met by the Department through an \$841 per prisoner reduction in overall spending. The Conference Report affords the MDOC some flexibility regarding the distribution of these savings. 0

***Vetoed by the Governor.***

- 7. **Community Jail Reimbursement Program.** The Conference report includes an additional \$4.3 million in funding for CJRP in an effort to accurately match appropriations to expected program expenditures. This increase is offset by an equivalent negative appropriation that is expected to be realized through savings produced by the program. (12,272,100)

***Program and associated savings line vetoed by the Governor.***

- 8. **Other Changes.** Other changes included in the Conference report result in a net reduction. (5,579,500)

Total Changes ..... (72,555,300)

**FY 2009-10 Enacted Gross Appropriation ..... 1,956,122,800**

**Changes from FY 2008-09 Year to Date:**Items Included by the House and Senate

1. **Workgroup on Prison Store Operations.** Senate and House deleted past-year language requiring the DOC to convene a workgroup for the purpose of identifying additional GF/GP savings in prison store programming. (Sec. 228)
2. **Prisoners with Mental Illnesses.** Senate and House required the DOC to train custody officers to handle mentally ill prisoners; evaluate all prisoners at intake for mental illness, developmental disorders, and substance abuse disorders; that prisoners with serious mental illness not be placed in segregation; and a report on the number and length of stay of prisoners with mental illness or developmental disorders in segregation. (Sec. 505, 924, and 925)

Conference Agreement on Items of Difference

3. **Litigation Report.** The Senate included language expanding the body of information to be included in the annual DOC litigation report. The Conference report includes a revised version of this language, which directs the Department to report to the Legislature on proceedings resulting in decisions against the DOC in excess of \$250,000. (Sec. 224)
4. **Prisoner Suicides.** The Conference report includes House-adopted language requiring an annual report regarding prisoners who have committed suicide while incarcerated. (Sec. 305)
5. **Office of Community Corrections (OCC) Definitions.** The Senate adopted definitions of the terms "objective risk and needs assessment" and "success". The Conference report includes modified version of these definitions. (Sec. 409)
6. **County Jail Reimbursement Program.** The Conference report retains current-year boilerplate language that sets both eligibility criteria and reimbursement rates for the County Jail Reimbursement Program. (Sec. 414)

***Vetoed by the Governor.***

7. **CJRP Negative Appropriation.** The Conference report includes new language directing the MDOC to offset the increase in funding to the Community Jail Reimbursement Program by identifying additional savings and efficiencies within the Department. (Sec. 434)
8. **Post-Conviction Bonds.** The Conference report includes Senate-originated language providing for court-ordered post-conviction bonds as a condition of probation, community control, restitution payment plans, or any other court-ordered supervision. (Sec. 614)
9. **Public Works Reimbursement Levels.** The Conference report modifies current-year language to require that the Department provide prisoners employed in public works projects with a pay rate increase of 50 cents per day. (Sec. 906(5))
10. **Law Library Feasibility Study.** The Conference report includes new boilerplate directing the Department to examine the feasibility of replacing existing law libraries with electronic media and databases. (Sec. 916)
11. **Youthful Prisoners.** House required staff with adequate training, appropriate re-entry programming, and appropriate classification for youthful prisoners with serious mental illness or developmental disorder. The Conference report concurs, but does not allow youthful prisoners with serious mental illness to be placed in segregation. (Sec. 929)
12. **Correctional Cost Savings.** The Conference report includes new language requiring the MDOC to achieve an \$841 reduction in the Department's cost per prisoner. The Department is required to compensate for this negative appropriation through the use of legislative transfers. (Sec. 931)

Date Completed: 11-2-09

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