



**House  
Legislative  
Analysis  
Section**

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**NO DEMOLITION REQUIREMENT FOR IONIA**

House Bill 4029 as introduced  
First Analysis (10-14-87)

**RECEIVED**

**OCT 22 1987**

Sponsor: Rep. Robert Bender  
Committee: Corrections

Mich. State Law Library

***THE APPARENT PROBLEM:***

Public Act 303 of 1980 called for the Department of Corrections to develop a comprehensive plan for siting correctional facilities. A later enactment said the comprehensive plan had to provide for the demolition of the Michigan Reformatory in Ionia no later than 1990 on the grounds the facility was decrepit and inhumane. The department's plan never received the legislative approval that was necessary for it to go into effect (a concurrent resolution was required), so the demolition mandate never became operative. Today, demolishing Ionia is not a live option given the overcrowded condition of the state's prison system. Millions of dollars have been spent to improve conditions at Ionia. Nevertheless, the existence in statute of the requirement that the department's comprehensive plan provide for Ionia's demolition continues to give rise to anxiety among those who want the facility to remain open, including those whose livelihood depends upon it.

***THE CONTENT OF THE BILL:***

The bill would repeal the requirement that the Department of Corrections' comprehensive plan (created pursuant to Public Act 303 of 1980) provide for the demolition of the Michigan Reformatory in Ionia by not later than 1990.

MCL 791.220d

***FISCAL IMPLICATIONS:***

The Department of Management and Budget reports the bill avoids the need to replace a 1,250-bed facility at a cost of approximately \$84 million. (It should be noted, however, that failure to pass this bill would not require the demolition of the Ionia facility.)

***ARGUMENTS:***

***For:***

The bill would reduce the anxiety of those who fear that there exists a legislative mandate to demolish the Michigan Reformatory in Ionia. The statutory requirement that the facility's demolition no later than 1990 be included in the Department of Corrections' comprehensive plan for siting correctional facilities would be repealed. Although the plan was never approved by the legislature, the provision still represents to those who want the facility to remain open a statement of the legislature's intent to demolish the Ionia facility. It makes no sense to leave the requirement on the books when the state prison system is already over 2,000 beds short.

***Against:***

Why not simply extend the 1990 demolition date, particularly since there are undoubtedly people who still believe the 100-year old facility should be torn down and replaced?

***Response:*** There is no statutory requirement that Ionia be demolished by 1990, so extending the date makes little sense. All that was required was the inclusion of the demolition in a comprehensive plan that was never approved by the legislature anyway. The bill does not prevent the legislature from deciding at some future date to replace Ionia.

***POSITIONS:***

The Department of Management and Budget supports the bill. (5-20-87)

H.B. 4029 (10-14-87)