

FY 2016-17: DEPARTMENT OF STATE POLICE
Summary: Conference Report
House Bill 5263 (CR-1)



Analyst: Kent Dell

| | FY 2015-16 YTD as of 2/10/16 | FY 2016-17 Executive | FY 2016-17 House | FY 2016-17 Senate | FY 2016-17 Conference | <i>Difference: Conference From FY 2015-16 YTD</i> | |
|-------------------|---------------------------------|-------------------------|----------------------|----------------------|--------------------------|---|------------|
| | | | | | | <i>Amount</i> | <i>%</i> |
| IDG/IDT | \$26,224,300 | \$26,580,400 | \$26,580,400 | \$26,580,400 | \$26,580,400 | \$356,100 | 1.4 |
| Federal | 90,945,900 | 87,967,800 | 87,967,800 | 87,967,800 | 87,967,800 | (2,978,100) | (3.3) |
| Local | 5,456,700 | 5,828,500 | 5,828,500 | 5,828,500 | 5,828,500 | 371,800 | 6.8 |
| Private | 76,700 | 78,100 | 78,100 | 78,100 | 78,100 | 1,400 | 1.8 |
| Restricted | 128,699,300 | 126,358,500 | 126,358,500 | 126,358,500 | 126,358,500 | (2,340,800) | (1.8) |
| GF/GP | 376,405,600 | 411,912,800 | 407,158,000 | 415,743,200 | 402,662,800 | 26,257,200 | 7.0 |
| Gross | \$627,808,500 | \$658,726,100 | \$653,971,300 | \$662,556,500 | \$649,476,100 | \$21,667,600 | 3.5 |
| FTEs | 3,134.0 | 3,253.0 | 3,234.0 | 3,272.0 | 3,229.0 | 95.0 | 3.0 |

Notes: (1) FY 2015-16 year-to-date figures include mid-year budget adjustments through February 10, 2016. (2) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time."

Overview

The Michigan Department of State Police (MSP) is the state's primary law enforcement and emergency response authority, responsible for criminal law enforcement and investigation, traffic and motor carrier safety, and homeland security; in addition to the administration and implementation of various state programs, technologies, and specialized services intended to enhance the capabilities and coordination of federal, state, and local law enforcement agencies, the criminal justice system, and the entire public safety community.

Budget Structure

The FY 2015-16 budget includes eight line items within eight appropriation units and continues to appropriate from fund types, while incorporating the schedules of programs and revenues within boilerplate. Executive restructures the FY 2016-17 budget to remove schedules of programs and revenues from boilerplate section 216 and incorporate them into the budget structure in part 1, while retaining eight line items within eight appropriation units. House restructures the FY 2016-17 budget into eight appropriation units containing twenty-nine separate line items, eliminating the schedule of programs budget structure. Senate concurs with the Executive. Conference restructures the FY 2016-17 budget into six appropriation units containing twenty-nine separate line items, eliminating the schedule of programs budget structure.

Major Budget Changes From FY 2015-16 YTD Appropriations

1. FY 2015-16 One-Time Appropriations

Executive removes FY 2015-16 one-time appropriations, including \$3.0 million federal grant for disaster assistance, \$3.8 million state restricted for emergency operations in Flint, \$100,000 GF/GP for the Flint emergency declaration, and \$3.2 million GF/GP for the 129th Trooper Recruit School. House, Senate, and Conference concur.

| | FY 2015-16 Year-to-Date (as of 2/10/16) | FY 2016-17 Conference Change |
|--------------|---|------------------------------------|
| Gross | \$10,671,100 | (\$10,171,100) |
| Federal | 3,000,000 | (3,000,000) |
| Restricted | 3,871,100 | (3,871,100) |
| GF/GP | \$3,800,000 | (\$3,300,000) |

2. 129th Trooper Recruit School (Ongoing)

Executive provides \$8.8 million GF/GP to annualize the salary, benefit, and equipment costs of the 100 expected graduates of the 129th Trooper Recruit School. House, Senate, and Conference concur.

| | FY 2015-16 Year-to-Date (as of 2/10/16) | FY 2016-17 Conference Change |
|--------------|---|------------------------------------|
| Gross | \$256,957,200 | \$8,750,300 |
| Restricted | 35,364,900 | 0 |
| GF/GP | \$221,592,300 | \$8,750,300 |

| Major Budget Changes From FY 2015-16 YTD Appropriations | | FY 2015-16 Year-to-Date (as of 2/10/16) | FY 2016-17 Conference Change |
|---|--------------|--|---|
| 3. 130th Trooper Recruit School (Ongoing and One-Time) | FTE | 1,345.0 | 65.0 |
| <u>Executive</u> provides \$4.5 million GF/GP for the one-time costs of training and outfitting for the 130 th Trooper Recruit School, and \$5.0 million ongoing GF/GP for the salary, benefit, and equipment costs of the 85 troopers expected to graduate by September 2017. <u>House</u> provides \$3.4 million GF/GP for the one-time training costs and \$3.8 million ongoing GF/GP for 64 new troopers. <u>Senate</u> concurs with the Executive and includes \$300,000 ongoing GF/GP for 15 additional troopers (100 total). <u>Conference</u> includes \$3.2 million one-time GF/GP and \$3.8 million ongoing GF/GP for 65 new troopers. | Gross | \$205,570,100 | \$7,000,000 |
| | Restricted | 35,364,900 | 0 |
| | GF/GP | \$170,205,200 | \$7,000,000 |
| 4. School Safety Initiative (One-Time) | Gross | NA | \$2,000,000 |
| <u>Executive</u> provides \$4.0 million in GF/GP funding to support competitive grants for local safety initiatives to K-12 schools and county sheriffs' offices. <u>House</u> provides \$2.0 million GF/GP for the School Safety Initiative grant program. <u>Senate</u> concurs with the Executive. <u>Conference</u> concurs with the House. | GF/GP | NA | \$2,000,000 |
| 5. Secure Cities Expansion | FTE | 0.0 | 9.0 |
| <u>Executive</u> provides an increase of \$1.5 million GF/GP and 9.0 FTEs to provide MSP law enforcement services to Muskegon Heights, Inkster, Hamtramck, Harper Woods, Highland Park, and Benton Harbor. Expands upon the Secure Cities Partnership, which currently includes the Cities of Detroit, Flint, Pontiac, and Saginaw. <u>House</u> , <u>Senate</u> , and <u>Conference</u> concur. | Gross | \$2,952,700 | \$1,463,500 |
| | GF/GP | \$2,952,700 | \$1,463,500 |
| 6. Statewide Drug Enforcement Strategy | FTE | 149.0 | 7.0 |
| <u>Executive</u> provides \$1.3 million GF/GP and 9.0 FTEs to deploy a statewide drug enforcement strategy focusing on prescription drug and opioid diversion, in accordance with recommendations of the Michigan Prescription Drug and Opioid Abuse Task Force. <u>House</u> , and <u>Senate</u> concur. <u>Conference</u> provides \$753,200 GF/GP and 7.0 FTEs. | Gross | \$24,565,700 | \$753,200 |
| | IDG/IDT | 712,400 | 0 |
| | Local | 11,400 | 0 |
| | Private | 76,700 | 0 |
| | Restricted | 1,197,100 | 0 |
| | GF/GP | \$22,568,100 | \$753,200 |
| 7. Cyber-Crimes Enforcement Expansion | FTE | 339.5 | 7.0 |
| <u>Executive</u> provides an Increase of \$2.2 million GF/GP and 9.0 FTEs to expand the capacity to prevent, detect, and investigate cyber-crimes (YTD includes total appropriations and authorized FTEs for the Operational Support and the Criminal Investigations scheduled programs). <u>House</u> , and <u>Senate</u> concur. <u>Conference</u> provides \$1.7 million GF/GP and 7.0 FTEs. | Gross | \$55,937,500 | \$1,706,300 |
| | IDG/IDT | 712,400 | 0 |
| | Federal | 377,200 | 0 |
| | Local | 11,400 | 0 |
| | Private | 76,700 | 0 |
| | Restricted | 1,296,100 | 0 |
| | GF/GP | \$53,463,700 | \$1,706,300 |
| 8. Disaster and Emergency Contingency Fund Deposit (One-Time) | Gross | \$0 | \$0 |
| <u>Executive</u> replenishes the Disaster and Emergency Contingency Fund, anticipated to be depleted in FY 2015-16 by the Flint water emergency and other state emergencies, with \$6.0 million GF/GP. <u>House</u> provides \$4.5 million GF/GP to replenish the Disaster and Emergency Contingency Fund up to the statutory cap. <u>Senate</u> provides \$5.5 million GF/GP. <u>Conference</u> removes the appropriation. | GF/GP | \$0 | \$0 |
| 9. Homeland Security – Energy Disaster Strategy (One-Time) | Gross | NA | \$0 |
| <u>Executive</u> provides \$750,000 GF/GP funding to support the development of a statewide strategy and implementation plan to help ensure energy disaster preparedness in the event of widespread, long-duration power outages. <u>House</u> removes the appropriation. <u>Senate</u> concurs with the Executive. <u>Conference</u> concurs with the House. | GF/GP | NA | \$0 |
| 10. Michigan International Speedway Traffic Control (One-Time) | Gross | \$831,900 | (\$31,900) |
| <u>Executive</u> eliminates funding of \$831,900 GF/GP to support MSP traffic control services provided for the Michigan International Speedway. <u>House</u> provides \$400,000 GF/GP to be used as matching funds to assist Michigan International Speedway in covering the costs of MSP-provided traffic control services. <u>Senate</u> provides \$800,000 GF/GP. <u>Conference</u> concurs with the Senate and designates the appropriation as one-time. | GF/GP | \$831,900 | (\$31,900) |

| Major Budget Changes From FY 2015-16 YTD Appropriations | | FY 2015-16 Year-to-Date (as of 2/10/16) | FY 2016-17 Conference Change |
|---|--------------|--|---|
| 11. State Capitol Complex Security | FTE | 21.0 | (1.0) |
| <u>Executive</u> removes funding for one FTE, to remove a vacant state property security officer position. <u>House</u> , <u>Senate</u> , and <u>Conference</u> concur. | Gross | \$2,362,700 | (\$89,300) |
| | GF/GP | \$2,362,700 | (\$89,300) |
| 12. Forensic Scientist Positions | FTE | 194.0 | (4.0) |
| <u>Executive</u> removes funding for four vacant forensic scientist positions. <u>House</u> only removes two FTEs and \$265,200 GF/GP. <u>Senate</u> retains all four FTEs and funding. <u>Conference</u> concurs with the Executive. | Gross | \$32,171,000 | (\$530,400) |
| | Federal | 1,042,100 | 0 |
| | Restricted | 9,507,400 | 0 |
| | GF/GP | \$21,621,500 | (\$530,400) |
| 13. Smart 9-1-1 Pilot (One-Time) | Gross | NA | \$2,200,000 |
| <u>House</u> provides \$1.15 million GF/GP for matching funds to local units of government for the purpose of implementing, or maintaining, Smart 9-1-1. <u>Senate</u> provides \$2.2 million GF/GP to implement a statewide advanced 9-1-1 system administered by the Michigan State Police. <u>Conference</u> concurs with the Senate, but designates the appropriation as one-time. | GF/GP | NA | \$2,200,000 |
| 14. Drone Restrictions and Enforcement Study (One-Time) | Gross | NA | \$0 |
| <u>Senate</u> provides \$500,000 GF/GP to administer a study regarding the regulation and enforcement of unmanned aerial vehicles. <u>Conference</u> removes the appropriation. | GF/GP | NA | \$0 |
| 15. Roadside Saliva Testing Pilot | Gross | NA | \$0 |
| <u>Senate</u> shifts \$100 from the Post Operations line item, to create a placeholder for a roadside marijuana testing pilot project. <u>Conference</u> concurs. | GF/GP | NA | \$0 |
| 16. Technical Adjustments | Gross | NA | (\$185,600) |
| <u>Executive</u> aligns federal and local authorization to more accurately reflect actual revenues. <u>House</u> , <u>Senate</u> , and <u>Conference</u> concur. | Federal | NA | (485,600) |
| | Local | NA | 300,000 |
| | GF/GP | NA | \$0 |
| 17. Early-Out Deferred Sick Leave Payments | Gross | NA | (\$347,000) |
| <u>Executive</u> recognizes the end of employee accumulated leave-time payouts from the 2010 early retirement incentive, which were spread out over five years. <u>House</u> , <u>Senate</u> , and <u>Conference</u> concur. | IDG/IDT | NA | (17,300) |
| | Federal | NA | (47,400) |
| | Restricted | NA | (107,600) |
| | GF/GP | NA | (\$174,700) |
| 18. Economic Adjustments | Gross | NA | \$9,149,600 |
| <u>Executive</u> provides for increased costs of \$9.1 million gross (\$6.5 GF/GP) for negotiated salary and wage increases (1.0% ongoing, 1.5% lump sum), insurance rate increases, actuarially required contributions, and other economic adjustments. Also includes adjustments for information technology and accounting service center staff. <u>House</u> , <u>Senate</u> , and <u>Conference</u> concur. | IDG | NA | 385,300 |
| | Federal | NA | 555,200 |
| | Local | NA | 71,800 |
| | Private | NA | 1,400 |
| | Restricted | NA | 1,625,700 |
| | GF/GP | NA | \$6,510,200 |

Major Boilerplate Changes From FY 2015-16

Sec. 204. IDG Funding Received by the Department – RETAINED

Specifies grants received from other state departments. Executive and House deletes. Senate and Conference retain.

Sec. 205. IDG Funding Made Available to Other State Departments – RETAINED

Specifies grants to other state departments. Executive revises to remove all grants except the \$1.5 million Byrne Justice Assistance Grant Program. House concurs with the Executive. Senate retains original language and adjusts totals. Conference concurs with the Senate.

Sec. 215. Disciplinary Action Against State Employees – RETAINED

Protects department employees from disciplinary action due to communications with the legislature. Executive deletes. House, Senate, and Conference retain.

Sec. 216. Schedules of Programs and Revenues – DELETED

Outlines the schedules of programs and revenues and associated appropriations. Executive revises to remove schedule of programs and revenues language from boilerplate and moves it to part 1; includes language specifying that the secondary road patrol funding is not subject to the spending flexibility associated with the schedule of programs budget structure. House deletes. Senate concurs with the Executive. Conference deletes.

Major Boilerplate Changes From FY 2015-16

Sec. 221. Department Core Services – REVISED

Specifies the department's core service requirements. Executive revises to replace language regarding specific types of forensic analysis with the broad term "forensic analysis and biometric identification;" replaces language discussing traffic safety with "criminal investigations," and removes language pertaining to specific types of criminal investigations. House concurs with the Executive. Senate only revises language regarding state executive security and forensic analysis. Conference concurs with the Executive.

Sec. 222. Post Closure or Consolidation – RETAINED

Requires the department to notify the legislature 90 days prior to recommending the closure or consolidation of any State Police posts. Executive and House deletes. Senate and Conference retain.

Sec. 223. Privatization Project Plans – RETAINED

Requires the department to notify the legislature 90 days prior to attempting to privatize a project. Executive and House deletes. Senate and Conference retain.

Sec. 235. Wayland Post – DELETED

Requires the department to discuss a possible joint public safety building with the City of Wayland. Executive deletes. House, Senate, and Conference concur.

Sec. 240. Benchmarks for New Programs or Program Enhancements – RETAINED

Requires the department to report performance-based, program-specific metrics to the legislature for any new program or program enhancement with funds in excess of \$500,000. Executive deletes. House, Senate, and Conference retain.

Sec. 241. Receive and Expend Authorization for Federal Funds – NEW

Conference includes language that authorizes the department to expend federal funds that it receives in excess of the federal funds appropriated in part 1.

Sec. 250. Participation in MIBridges Fraud Work Group – DELETED

Requires the department to participate in a work group, along with the Departments of Health and Human Services and State, with the intent of identifying ways in which MIBridges benefits program fraud can be minimized. Executive deletes. House, Senate, and Conference concur.

Sec. 301. Security Services for State Capitol Complex Facilities and State Secondary Complex – REVISED

Requires the department to provide security services to the State Capitol and its associated facilities. Executive revises to remove language requiring the department to pursue federal grants to improve Capitol Building security; replaces language concerning patrol hour requirements for the State Capitol Complex Facilities with language requiring an annual number of inspections of state owned and leased facilities. House concurs with the Executive. Senate concurs, but retains language regarding Capitol Building security. Conference concurs with the Executive.

Sec. 304. Department Services – REVISED

Specifies the service requirement for Department Services. Executive revises to remove language referencing department operations outlined in public act and replaces it with general language outlining a list of grant and community service programs; remove requirement for administrative support for asset forfeiture reporting and adds language requiring administrative support for other grant programs and the department's community policing efforts. House deletes. Senate retains original language and added language requiring administrative support for other grant programs to the department's community policing efforts. Conference concurs with the Executive.

Sec. 401. Training – REVISED

Specifies training requirements. Executive revises to remove language requiring the department to maintain staffing and resources necessary to develop and deliver training and replaces it with language simply requiring the department to develop and deliver training. House concurs and removes reporting requirements for motor carrier and state properties security recruit schools. Senate retains original language. Conference concurs with the Senate and adds a classroom occupancy goal of at least 55%.

Sec. 402. Criminal Justice Information Center – REVISED

Requires the department to maintain and ensure compliance with Criminal Justice Information Center databases and applications. Executive revises to remove language regarding reporting requirements for concealed pistol license application revenues and the Concealed Weapon Enforcement Fund. House concurs with the Executive. Senate only removes the concealed weapon enforcement fund revenue reporting requirement. Conference concurs with the Senate.

Sec. 403. Forensic Science – REVISED

Specifies the department's forensic science service requirements. Executive revises to remove language requiring the department to explore and information technology interface between the department forensic science division and at least one judicial system; replace backlog reduction language requiring annual percentage reductions in cases throughout the text and replaces it with a standardized requirement that the department maintain a 30-day turnaround time for forensic laboratory cases across discipline; and remove all language regarding the sexual assault kit initiative and sexual assault kit analysis and move it to a new section (Sec. 405). House concurs. Senate concurs with the Executive, but retains language requiring the department to explore an information technology interface between the department forensic science division and at least on judicial system. Conference concurs with the Senate.

Major Boilerplate Changes From FY 2015-16

Sec. 405. Sexual Assault Kits – NEW

Executive includes new section consisting of the language regarding the sexual assault kit initiative and sexual assault kit analysis formerly included as subsection (12) in Sec. 403. House, Senate, and Conference concur.

Sec. 405. Smart 9-1-1 – DELETED

Senate includes a new section establishing a statewide enhanced 9-1-1 system, to be administered by the Michigan State Police. Conference deletes.

Sec. 501. Michigan Commission on Law Enforcement Standards – REVISED

Specifies the service requirements of the Michigan Commission on Law Enforcement Standards. Executive revises to replace the requirement to update law enforcement standards within 30 days of the effective date of new legislation with a 120 day requirement. House concurs and revises the beginning date of the timeline from the effective date to the enactment date of new legislation. Senate concurs with the Executive. Conference concurs with the House.

Sec. 601. General Law Enforcement and Traffic Safety – REVISED

Specifies the general law enforcement and traffic safety service requirements of the department. Executive revises to increase the minimum patrol hour requirements for statewide patrolling and distressed cities and include language requiring the department to enhance data analysis capabilities to assist in efforts to improve public safety in distressed cities. House concurs, but removes the additional language and further increases statewide patrol hour requirements. Senate concurs with the Executive. Conference concurs with the Executive, but further increases statewide patrol hour requirements.

Sec. 602. Criminal Investigations – REVISED

Specifies the department's investigative service requirements. Executive revises to replace the minimum annual case clearance rate of 60% with a minimum of 62%; include language requiring the department to maintain staffing and resources necessary to increase opioid related investigations and partner with hometown security teams and multi-jurisdictional task forces to reduce opioid related crime; and remove requirement to annually provide four training opportunities to law enforcement partners regarding gambling law. House revises to retain training opportunity requirements, and includes opioid related investigations training; replace the minimum annual case clearance rate of 60% with a minimum of 62%; and include language requiring the department to maintain staffing and resources necessary to increase opioid related investigations and partner with hometown security teams and multi-jurisdictional task forces to reduce opioid related crime. Senate concurs with the Executive. Conference concurs with the House.

Sec. 603. Tobacco Tax Fraud Investigations – REVISED

Specifies the department's requirement to enforce tobacco tax laws. Executive revises to include a requirement to report annually to the State Budget Office on expenditures and activities related to tobacco tax enforcement for the prior fiscal year. House concurs. Senate retains original language. Conference concurs with the Executive.

Sec. 605. Michigan International Speedway Traffic Control – DELETED

House adds new language to specify that the purpose of the Michigan International Speedway traffic control appropriation is to provide for matching funds. Conference deletes.

Sec. 701. Special Operations – REVISED

Specifies the department's specialized service requirements. Executive revises to include language requiring the department to maintain the staffing and resources necessary to increase the number of cases completed by the computer crimes unit and improve initiatives to assist law enforcement and criminal justice agencies statewide in investigatory assistance and evidentiary analysis. House revises to include language requiring the department to maintain the staffing and resources necessary to increase the number of cases completed by the computer crimes unit. Senate and Conference concur with the Executive.

Sec. 702. Commercial Vehicle Regulation and Enforcement – REVISED

Specifies the department's commercial vehicle and school bus regulatory service requirements. Executive revises to include language requiring the department to maintain school bus inspections; remove language requiring the department to annually inspect a minimum of 50,000 commercial vehicles as well as maintain staffing and resources necessary to exercise the authority, powers, functions, and responsibilities concerning school bus inspection; and remove the requirement to report to the legislature the number school bus inspections by type and the requirement to maintain the capability to train a minimum of ten motor carrier officers. House concurs. Senate revises to remove commercial vehicle inspection minimum goal and the requirement to maintain staffing necessary to train ten motor carrier officers, and added language that does not allow the revenue collected under the Motor Carrier Act to lapse into the general fund at the end of a fiscal year. Conference concurs with the Executive, but adds language that does not allow the revenue collected under the Motor Carrier Act to lapse into the general fund at the end of a fiscal year.

Sec. 703. Emergency Management and Homeland Security – REVISED

Specifies the department's role in coordinating emergency preparation and response efforts. Executive revises to remove the requirement to annually report to the legislature regarding the use of the Disaster and Emergency Contingency Fund during the prior fiscal year. House concurs and adds language requiring the department to report to the legislature monthly if funds from the Disaster and Emergency Contingency Fund are expended; and allows the department to spend funds appropriated to any line item for the purpose of rapidly responding to and mitigating a declared state disaster or emergency. Senate retains original language. Conference concurs with the House.

Major Boilerplate Changes From FY 2015-16

Sec. 801. Secondary Road Patrol Program – REVISED

Requires the department of provide funding for the Secondary Road Patrol Program. Executive revises to replace quarterly reporting requirement with an annual reporting requirement and remove requirement that each county receiving a grant report its total budget for all patrol functions. House concurs, but retains the requirement that each county receiving a grant report its total budget for all patrol functions. Senate and Conference concur with the Executive.

Sec. 901. One-Time Appropriations – REVISED

Specifies one-time appropriations and their purposes. Executive revised to remove FY 2015-16 language regarding one-time appropriations and replace it with language regarding the intent and restrictions of the School Safety Initiative one-time appropriation. House concurs. Senate concurs, but removes the requirement to award 20% of the funds to sheriffs' offices. Conference concurs with the Senate.

Sec. 902. Sexual Assault Prevention and Education Initiative – NEW

House adds new language regarding the intent and restrictions of the Sexual Assault Prevention and Education Initiative one-time appropriation. Senate adds similar language and establishes the initiative as a work project. Conference concurs with the Senate.

Sec. 903. Advanced 9-1-1 – NEW

House adds new language regarding the intent for and restrictions of the Smart 9-1-1 Pilot one-time appropriation, to include paying local units of government up to half of the costs necessary to implement or maintain standard Smart 9-1-1 services as well as associated costs. Conference removes House language and incorporates language that establishes the Michigan State Police as the administrator for a statewide supplemental 9-1-1 program that is to be purchased from a private vendor and made available to any public safety answering point that voluntarily joins the network.