

Legislative Analysis



PUBLIC SAFETY CHARGE

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House Bill 4852

Sponsor: Rep. George Cushingberry

Committee: Appropriations

Complete to 6-14-07

A REVISED SUMMARY OF HOUSE BILL 4852 AS INTRODUCED 5-24-07

The bill would amend the Emergency Telephone Service Enabling Act, 1986 PA 32, to impose a \$1.35 per month fee on communication services capable of accessing, connecting with, or interfacing with a 911 system by means of a local telephone device or cellular telephone service. The charge would be imposed on the consumer and collected and remitted to the state by the service supplier. The charge would have to be listed separately on the bill. This charge would be in addition to the monthly 29-cent Commercial Mobile Radio Service (CMRS) charged to cellular phone users to fund 911 services, as well as the monthly surcharge imposed on landline phones by most counties and the technical charge on landline phones imposed by service providers. The CMRS fee is primarily distributed to the Michigan State Police, counties, and public safety answering points.¹

The bill would create the Public Safety Fund and credit fee revenue to the fund. The state treasurer would direct investment of the fund and credit to it any interest and earnings. Money in the fund would be distributed as follows:

- 24.4% to fund the Public Safety Communications System
- 9.3% to fund the Michigan Commission on Law Enforcement Standards
- 11.1% to fund the Criminal Justice Information System
- 1.9% to the fund Prosecuting Attorney's Coordinating Council
- 6.6% to fund the Bureau of Fire Services
- 14.8% to the Traffic Law Enforcement and Safety Fund²
- 23% to fund the Forensic Science Division of the Michigan State Police
- 0.75% to support the Detroit Police Department crime lab.
- 0.75% to support 911 non-emergency diversion.³
- 7.4% to support probation and parole monitoring systems.

FISCAL IMPACT:

The bill would generate approximately \$16.5 million in revenue on a monthly basis, or \$198.3 million in revenue on an annual basis, based on data obtained from the Department of

¹ Senate Bills 410 and 411 would alter the funding mechanism for 911 in the state by, among other things, reducing the state charge to 19-cents and imposing it on wireless lines, landlines, and voice over internet protocol (VOIP), and prepaid cellular phones.

² The bill allocates 14.4% to the Traffic Law Enforcement and Safety Fund. This, evidently, is a typographical error, and should mean 14.8%.

³ The bill doesn't define what nonemergency diversion is, but a few communities, including Detroit, Saginaw, and Grand Rapids, provide a 311 service that residents in need of nonemergency assistance may call.

State Police that estimates the total number of landline and wireless connections to be 12.24 million. For FY 2007, fee revenue would be credited to the General Fund. Currently, the act has a sunset date of December 31, 2007. Assuming that the act is continued, for FY 2008, and each year thereafter, fee revenue would be distributed as follows:

Recipient	Percent	Cents	Total
MPSCS	24.40%	\$0.33	\$48,377,529
MCOLES	9.30%	\$0.13	\$18,438,976
CJIC	11.10%	\$0.15	\$22,007,810
PACC	1.90%	\$0.03	\$3,767,103
Fire Services	6.60%	\$0.09	\$13,085,725
Traffic Fund	14.80%	\$0.20	\$29,343,747
Forensic	23.00%	\$0.31	\$45,601,769
Detroit PD	0.75%	\$0.01	\$1,487,014
Nonemergency	0.75%	\$0.01	\$1,487,014
Probation/Parole	7.40%	\$0.10	\$14,671,873
Total	100.00%	\$1.35	\$198,268,560

- The Michigan Public Safety Communications System:** The MPSCS, maintained by the Department of Information Technology, is the statewide 800 MHz public safety radio communications system. The FY 2008 Executive Recommendation includes \$10 million (\$8.46 million GF/GP, \$1.54 million Local – MPSCS subscriber fees) for operational costs. In addition, there are the annual debt service (rent) payments made for bonds issued by the State Building Authority for the MPSCS. Annual debt services costs are about \$17.5 million GF/GP. Total FY 2008 GF/GP funding for the MPSCS are about \$26 million. The allocation to the MPSCS under the bill would exceed the annual operational and debt services costs, and the excess would lapse to the General Fund at the end of the fiscal year.
- The Michigan Commission on Law Enforcement Standards:** The MCOLES, housed within the Department of State Police, sets the recruitment, selection, and training standards of law enforcement officers. The FY 2008 Executive Recommendation of the commission totals \$11.23 million, of which \$8.0 million is for justice training grants to local units. The appropriation for certification, standards, and training of law enforcement officers is \$2.2 million (\$1.9 million GF/GP, \$0.2 million Federal, and \$0.1 million Restricted).
- The Criminal Justice Information Systems:** The Criminal Justice Information Center (CJIC), housed within the Department of State Police, maintains, processes, and distributes a variety of criminal-justice related data, including criminal history records, sex offender registry, crime data, traffic accident data, and firearms records. The FY 2008 Executive Recommendation appropriation for the CJIC is \$14.1 million (\$3.7 million Federal, \$1.6 million IDG, \$8.8 million Restricted). There is no GF/GP appropriation for the CJIC. The enacted FY 2007 appropriation is \$18.2 million Gross (\$961,800 GF/GP).

- **The Prosecuting Attorney's Coordinating Council (PACC):** The PACC, an autonomous entity housed within the Department of Attorney General, provides a variety of training and information services to county prosecutors within the state. The FY 2008 Executive Recommendation is \$1.9 million (\$0.2 million Federal, \$0.4 million Restricted, and \$1.3 million GF/GP).
- **The Bureau of Fire Services:** The bureau, housed within the Department of Labor and Economic Growth, provides for the state fire marshal, certification of fire inspectors, fire and construction inspection of state-certified facilities, and the Firefighters Training Council. The FY 2008 Executive Recommendation appropriation totals \$6.5 million (\$0.8 million IDG, \$0.8 million Federal, and \$4.9 million Restricted). There is no GF/GP appropriation for the bureau in FY 2007 or under the FY 2008 Executive Recommendation.
- **The Traffic Law Enforcement and Safety Fund:** The fund, created within the Michigan Vehicle Code, is funded through a \$2.25 fee on motor vehicle registrations. The fund is primarily used to support state police trooper costs. The FY 2008 Executive Recommendation for state police posts totals \$135.2 million (\$1 million in liquor license revenue, \$15.5 million from the Highway Safety Fund, \$29.3 million from the Traffic Law Enforcement and Safety Fund, and \$89.4 million GF/GP.) The FY 2008 recommendation reduces the appropriation from the TLESF by about \$7 million to more accurately reflect actual fund revenue. Historically, the fund has been over appropriated by \$6 million to \$ 7 million, i.e., revenue doesn't support the appropriation.
- **The Forensic Science Division:** The division, housed within the Department of State Police, maintains seven crime labs located throughout the state. The FY 2008 Executive Recommendation totals \$28.0 million (\$4.0 million Federal, \$1.9 million Restricted, \$0.4 million IDG, and \$21.6 million GF/GP).
- **Probation and Parole:** There are two line items with the Department of Corrections budget related to probation and parole: electronic monitoring (tether) and field operations. The FY 2008 Executive Recommendation for electronic monitoring totals \$5.8 million (\$5.3 million GF/GP and \$0.4 million Local). The FY 2008 Executive Recommendation for field operations, which includes field agents and central administrative staff, totals \$151.2 million Gross (\$133.6 million GF/GP, \$17.7 million Restricted).

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.