FY 2016-17: DEPARTMENT OF STATE POLICE

Summary: Conference Report

House Bill 5263 (CR-1)



Analyst: Kent Dell

						Difference: Conference		
	FY 2015-16 YTD	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	From FY 2015-16	YTD	
	as of 2/10/16	Executive	House	Senate	Conference	Amount	%	
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		FY 2015-16 Year-to-Date (as of 2/10/16)	FY 2016-17 Conference <u>Change</u>
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.	Gross Federal Restricted GF/GP	\$10,671,100 3,000,000 3,871,100 \$3,800,000	(\$10,171,100) (3,000,000) (3,871,100) (\$3,300,000)
2. 129 th 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 129 th Trooper Recruit School. House, Senate, and Conference concur.	Gross Restricted GF/GP	\$256,957,200 35,364,900 \$221,592,300	\$8,750,300 0 \$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 <u>Change</u>
3. 130 th Trooper Recruit School (Ongoing and One-Time) Executive 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. House provides \$3.4 million GF/GP for the one-time training costs and \$3.8 million ongoing GF/GP for 64 new troopers. Senate concurs with the Executive and includes \$300,000 ongoing GF/GP for 15 additional troopers (100 total). Conference includes \$3.2 million one-time GF/GP and \$3.8 million ongoing GF/GP for 65 new troopers.	FTE	1,345.0	65.0
	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) Executive provides \$4.0 million in GF/GP funding to support competitive grants for local safety initiatives to K-12 schools and county sheriffs' offices. House provides \$2.0 million GF/GP for the School Safety Initiative grant program. Senate concurs with the Executive. Conference concurs with the House.	Gross	NA	\$2,000,000
	GF/GP	NA	\$2,000,000
5. Secure Cities Expansion Executive 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. House, Senate, and Conference concur.	FTE	0.0	9.0
	Gross	\$2,952,700	\$1,463,500
	GF/GP	\$2,952,700	\$1,463,500
6. Statewide Drug Enforcement Strategy Executive 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. House, and Senate concur. Conference provides \$753,200 GF/GP and 7.0 FTEs.	FTE Gross IDG/IDT Local Private Restricted GF/GP	149.0 \$24,565,700 712,400 11,400 76,700 1,197,100 \$22,568,100	7.0 \$753,200 0 0 0 0 0 \$753,200
7. Cyber-Crimes Enforcement Expansion Executive 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). House, and Senate concur. Conference provides \$1.7 million GF/GP and 7.0 FTEs.	FTE Gross IDG/IDT Federal Local Private Restricted GF/GP	339.5 \$55,937,500 712,400 377,200 11,400 76,700 1,296,100 \$53,463,700	7.0 \$1,706,300 0 0 0 0 0 \$1,706,300
8. Disaster and Emergency Contingency Fund Deposit (One-Time) Executive 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. House provides \$4.5 million GF/GP to replenish the Disaster and Emergency Contingency Fund up to the statutory cap. Senate provides \$5.5 million GF/GP. Conference removes the appropriation.	Gross	\$0	\$0
	GF/GP	\$0	\$0
9. Homeland Security – Energy Disaster Strategy (One-Time) Executive 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. House removes the appropriation. Senate concurs with the Executive. Conference concurs with the House.	Gross	NA	\$0
	GF/GP	NA	\$0
10. Michigan International Speedway Traffic Control (One-Time) Executive eliminates funding of \$831,900 GF/GP to support MSP traffic control services provided for the Michigan International Speedway. House 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. Senate provides \$800,000 GF/GP. Conference concurs with the Senate and designates the appropriation as one-time.	Gross	\$831,900	(\$31,900)
	GF/GP	\$831,900	(\$31,900)

Major Budget Changes From FY 2015-16 YTD Appropriations		Year-to-Date (as of 2/10/16)	Conference Change
11. State Capitol Complex Security Executive removes funding for one FTE, to remove a vacant state property security officer position. House, Senate, and Conference concur.	FTE	21.0	(1.0)
	Gross	\$2,362,700	(\$89,300)
	GF/GP	\$2,362,700	(\$89,300)
12. Forensic Scientist Positions Executive removes funding for four vacant forensic scientist positions. House only removes two FTEs and \$265,200 GF/GP. Senate retains all four FTEs and funding. Conference concurs with the Executive.	FTE	194.0	(4.0)
	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) House 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. Senate provides \$2.2 million GF/GP to implement a statewide advanced 9-1-1 system administered by the Michigan State Police. Conference concurs with the Senate, but designates the appropriation as one-time.	Gross	NA	\$2,200,000
	GF/GP	NA	\$2,200,000
14. Drone Restrictions and Enforcement Study (One-Time) Senate provides \$500,000 GF/GP to administer a study regarding the regulation and enforcement of unmanned aerial vehicles. Conference removes the appropriation.	Gross	NA	\$0
	GF/GP	NA	\$0
15. Roadside Saliva Testing Pilot Senate shifts \$100 from the Post Operations line item, to create a placeholder for a roadside marijuana testing pilot project. Conference concurs.	Gross GF/GP	NA NA	\$0 \$0
16. Technical Adjustments Executive aligns federal and local authorization to more accurately reflect actual revenues. House, Senate, and Conference concur.	Gross	NA	(\$185,600)
	Federal	NA	(485,600)
	Local	NA	300,000
	GF/GP	NA	\$0
17. Early-Out Deferred Sick Leave Payments Executive recognizes the end of employee accumulated leave-time payouts from the 2010 early retirement incentive, which were spread out over five years. House, Senate, and Conference concur.	Gross IDG/IDT Federal Restricted GF/GP	NA NA NA NA	(\$347,000) (17,300) (47,400) (107,600) (\$174,700)
18. Economic Adjustments Executive 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. House, Senate, and Conference concur.	Gross IDG Federal Local Private Restricted GF/GP	NA NA NA NA NA NA	\$9,149,600 385,300 555,200 71,800 1,400 1,625,700 \$6,510,200

FY 2015-16

FY 2016-17

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. <u>Executive</u> revises to remove all grants except the \$1.5 million Byrne Justice Assistance Grant Program. <u>House</u> concurs with the Executive. <u>Senate</u> retains original language and adjusts totals. <u>Conference</u> concurs with the Senate.

Sec. 215. Disciplinary Action Against State Employees - RETAINED

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

Sec. 216. Schedules of Programs and Revenues - DELETED

Outlines the schedules of programs and revenues and associated appropriations. <u>Executive</u> 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. <u>House</u> 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. <u>Executive</u> 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. <u>House</u> concurs with the Executive. <u>Senate</u> only revises language regarding state executive security and forensic analysis. <u>Conference</u> 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. <u>Executive</u> and <u>House</u> deletes. <u>Senate</u> and <u>Conference</u> retain.

Sec. 235. Wayland Post - DELETED

Requires the department to discuss a possible joint public safety building with the City of Wayland. <u>Executive</u> deletes. <u>House,</u> 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

<u>Conference</u> 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. <u>Executive</u> 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. <u>House</u> deletes. <u>Senate</u> retains original language and added language requiring administrative support for other grant programs to the department's community policing efforts. <u>Conference</u> concurs with the Executive.

Sec. 401. Training - REVISED

Specifies training requirements. <u>Executive</u> 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. <u>House</u> concurs and removes reporting requirements for motor carrier and state properties security recruit schools. <u>Senate</u> retains original language. <u>Conference</u> 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

<u>Executive</u> 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. <u>House</u>, <u>Senate</u>, and <u>Conference</u> concur.

Sec. 405. Smart 9-1-1 - DELETED

<u>Senate</u> 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. <u>Executive</u> 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. <u>House</u> 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. <u>Executive</u> 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. <u>House concurs. <u>Senate</u> retains original language. <u>Conference</u> concurs with the Executive.</u>

Sec. 605. Michigan International Speedway Traffic Control - DELETED

<u>House</u> 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. <u>Executive</u> 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. <u>House</u> 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. <u>Senate</u> and <u>Conference</u> 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. <u>Executive</u> 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. <u>House</u> 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. <u>Executive</u> 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. <u>House</u> concurs. <u>Senate</u> concurs, but removes the requirement to award 20% of the funds to sheriffs' offices. <u>Conference</u> concurs with the Senate.

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

<u>House</u> adds new language regarding the intent and restrictions of the Sexual Assault Prevention and Education Initiative onetime appropriation. <u>Senate</u> adds similar language and establishes the initiative as a work project. <u>Conference</u> concurs with the Senate.

Sec. 903. Advanced 9-1-1 - NEW

<u>House</u> 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. <u>Conference</u> 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.