



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-2768
Fax: (517) 373-1986

FULL-TIME EQUATED (FTE) CLASSIFIED POSITIONS/FUNDING SOURCE	FY 2016-17 YEAR-TO-DATE	FY 2017-18 CONFERENCE	CHANGES FROM FY 2016-17 YEAR-TO-DATE	
			AMOUNT	PERCENT
FTE Positions.....	510.0	499.0	(11.0)	(2.2)
GROSS	298,234,000	299,437,300	1,203,300	0.4
Less:				
Interdepartmental Grants Received	1,550,000	1,550,600	600	0.0
ADJUSTED GROSS.....	296,684,000	297,886,700	1,202,700	0.4
Less:				
Federal Funds.....	6,433,500	6,464,100	30,600	0.5
Local and Private	8,307,100	6,924,900	(1,382,200)	(16.6)
TOTAL STATE SPENDING.....	281,943,400	284,497,700	2,554,300	0.9
Less:				
Other State Restricted Funds.....	92,786,000	92,529,000	(257,000)	(0.3)
GENERAL FUND/GENERAL PURPOSE.....	189,157,400	191,968,700	2,811,300	1.5
PAYMENTS TO LOCALS	137,775,900	147,230,400	9,454,500	6.9

FY 2016-17 Year-to-Date Gross Appropriation	\$298,234,000
--	----------------------

Changes from FY 2016-17 Year-to-Date:

Items Included by the Senate and House

- Court of Appeals judgeship.** Governor restored funding that was eliminated in the FY 2016-17 budget due to anticipated attrition that was not realized. Senate and House concurred. 131,000
- Prefunding Judges' Retiree Healthcare.** Governor provided funding to implement prefunding of Retiree Healthcare in the Judicial Retirement System. Increased General Fund was offset with a corresponding decrease from the Court Fee Fund. Senate and House concurred. 0
- MIDC transfer to LARA.** Governor transferred the Michigan Indigent Defense Commission to the Department of Licensing and Regulatory Affairs in accordance with 2016 PA 442. Senate and House concurred. (2,329,000)
- Judgeship Changes.** Governor reduced funding for three district court and one circuit court judgeship eliminated through attrition and included additional three months funding for the three circuit court judgeships added in FY 2016-17 which received nine months of funding. Also reduced funding for one district court judgeship which was eliminated through attrition. Senate and House concurred. (614,300)
- Economic Adjustments.** Includes \$72,600 Gross and \$73,400 GF/GP for OERC and \$4,220,800 Gross and \$4,005,200 GF/GP for other economic adjustments. Also removed one time lump sum payment for FY2016-17 of \$517,300 Gross and \$436,400 GF/GP. Senate and House concurred. 3,776,100
- Other Changes.** Governor reduced state restricted funding source to align authorization with available revenue, included funding for private security at the Hall of Justice, and funded increased private rent for SADO and Court of Appeals offices. Senate and House concurred. (1,081,200)

Conference Agreement on Items of Difference

7. Trial Court Videoconferencing Equipment Updating and Maintenance. Governor included \$815,000 for continued maintenance, upgrades and replacement of trial court videoconferencing equipment in courtrooms around the state. House concurred. Senate shifted funding to judicial technology improvement fund. Conference concurred with the Governor.	815,000
8. Veterans Courts. House increased funding by \$436,400. Conference retained the increase.	436,400
9. Michigan Legal Help Program. Governor provided \$100,000 for full year costs of Michigan Legal Self-Help Program. House concurred. Senate shifted total program funding (\$400,000) to judicial technology improvement fund. Conference concurred with Governor.	100,000
10. Problem Solving Courts. Governor removed one-time funding (\$250,000) for the expansion of problem-solving courts. House concurred. Senate restored the cut and increased funding to a total of \$1,570,700. Conference included a total of \$219,300 one-time funding.	(30,700)
11. Swift and Sure courts. Senate increased funding by \$300,000 for Swift and Sure courts. House reduced funding \$500,000. Conference retained funding level from FY2016-17.	0
12. Judicial Information Systems. Senate shifted funding for trial court videoconferencing updating and maintenance and the Michigan legal help program from judicial information systems to the judicial technology improvement fund. Conference retained funding	0
13. Pretrial Risk Assessment. Governor included \$605,700 to support the development of a pretrial risk assessment tool in an effort to increase the number of offenders released on personal recognizance while awaiting trial. House concurred. Senate did not include the program. Conference did not include the program.	0
14. Montgomery v. Louisiana Compliance. Governor increased one-time funding to a total of \$750,000 to support the State Appellate Defenders Office compliance with <i>Montgomery v. Louisiana</i> decision. House concurred. Senate reduced funding to \$700,000. Conference reduced funding to \$700,000.	0
15. FY 2017-18 One-Time Gross Appropriations. Conference included \$700,000 GF/GP for Montgomery v. Louisiana compliance (item #14 above) and \$219,300 GF/GP for the expansion of problem-solving courts (item #10 above).	

Total Changes	\$1,203,300
---------------------	-------------

FY 2017-18 Conference Report Ongoing/One-Time Gross Appropriation	\$299,437,300
--	----------------------

Amount Over/(Under) GF/GP Target:

Boilerplate Changes from FY 2016-17 Year-to-Date:

Items Included by the Senate and House

1. **Definitions.** Three definitions were removed from the bill: "DOJ" means the United States Department of Justice, "DOT" means the United States Department of Transportation, and "HHS" means the United States Department of Health and Human Services. Senate and House retained all definitions.
2. **Section numbering.** Governor renumbered several sections to maintain consistency across all budget areas. Senate and House concurred.
3. **Updated amounts for Total Legacy Costs.** Governor updated total legacy costs section. The pension-related costs are \$7,815,500 and the retiree health care costs are \$6,777,600. (Sec. 214) Senate and House concurred.

Conference Agreement on Items of Difference

4. **Deletions.** The Governor proposed to eliminate the following sections from current-year boilerplate: 202(2), 204, 205, 207, 211, 212, 306, 312, 322a, 323, 324, 325, 401, and 1201. House deleted sections 211, 322a, 323, 324, 325, and 401. Senate deleted sections 322a, 324, and 325 and 401. Conference deleted the following sections: 322a, 323, 324, 325 and 401. These deletions included language related to one-time appropriations, the Michigan Indigent Defense Commission, and language pertaining to foster care cases.
5. **Judicial Technology Improvement Fund (New Sec. 304).** Senate added a section requiring trial court videoconferencing equipment updating and maintenance and the Michigan legal help program to be funded from the Judicial Technology Improvement Fund, ensure all courts in the State report to the Judicial Data Warehouse (JDW), and allow members of the Legislature to request reports from the JDW and make those reports subject to the Freedom of Information Act. Conference included just the subsection allowing the Legislature and the public to request reports and data from the JDW, unless prohibited from doing so by court order or state or federal law. Any data provided would be public and non-identifying information.
6. **Pretrial Risk Assessment (New Sec. 316).** House added a section directing the Judiciary to pilot a pretrial risk assessment tool and included reporting requirements. Conference included reporting requirements to determine the costs and benefits of such a tool, with no requirement to begin the pilot.
7. **Problem-solving Courts Expansion (New Sec. 401).** Senate added a section requiring \$68,000 from the problem-solving courts enhancement be allocated to a veterans court in a county with a population of between 250,000 and 251,000 according to the 2010 federal decennial census. Conference concurred, but changed funding source to veterans' courts.

Date Completed: 6-6-17

Fiscal Analyst: Ryan M. Bergan

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberation.