

DEPARTMENT OF STATE POLICE
Summary of FY 2020-21 Enacted
Public Act 166 of 2020 (House Bill 5396, Article 12)

Analyst: Marcus Coffin

	FY 2019-20 YTD as of 2/6/20	FY 2020-21 Enacted	Difference: Enacted From FY 2019-20 YTD	
			Amount	%
IDG/IDT	\$24,933,900	\$24,649,600	(\$284,300)	(1.1)
Federal	99,964,000	124,103,800	24,139,800	24.1
Local	4,766,200	4,841,200	75,000	1.6
Private	35,000	35,000	0	0.0
Restricted	148,158,200	145,079,300	(3,078,900)	(2.1)
GF/GP	475,701,700	439,376,600	(36,325,100)	(7.6)
Gross	\$753,559,000	\$738,085,500	(\$15,473,500)	(2.1)
FTEs	3,583.0	3,599.0	16.0	0.4

Notes:

- (1) FY 2019-20 year-to-date figures are as of release of the executive budget on February 6, 2020 and do not include mid-year budget adjustments.
- (2) Appropriation figures include all proposed appropriation amounts and amounts designated as "one-time."
- (3) Because of revenue uncertainty due to the COVID-19 pandemic, separate FY 2020-21 budget bills were not passed by the House or the Senate.

Overview

The Michigan Department of State Police (MSP) is the state's primary law enforcement and emergency response authority. The department is responsible for criminal law enforcement and investigation, traffic and motor carrier safety, and homeland security. The department is also responsible for 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.

		FY 2019-20 Year-to-Date (as of 2/6/20)	FY 2020-21 Enacted Change
Major Budget Changes from FY 2019-20 YTD Appropriations			
1. Coronavirus Relief Funds for Payroll	Gross	NA	\$0
Includes \$45.5 million of federal Coronavirus Relief Funds and reduces the GF/GP appropriation by a like amount. Funding will be utilized to support departmental payroll costs.	Federal	NA	45,500,000
	GF/GP	NA	(\$45,500,000)
2. Michigan Joint Task Force on Jail and Pretrial Incarceration (One-Time)	Gross	NA	\$4,200,000
Includes \$4.2 million GF/GP for implementing the Task Force's recommendations regarding behavioral health crisis response training and services/support for crime victims (recommendations 7 and 17). Approximately \$1.8 million is projected to be allocated for behavioral health crisis response training for law enforcement, dispatch, and jail officers, with the remaining \$2.4 million allocated for training on serving and supporting crime victims. Funding will be utilized to offset staff costs for administration and development and for training costs.	GF/GP	NA	\$4,200,000
3. FY 2020-21 Trooper Recruit School One-Time Costs	Gross	NA	\$3,509,100
Includes \$3.5 million GF/GP to support costs associated with FY 2020-21 trooper recruit schools. This one-time funding will support two 60-person attrition schools, for a projected total of 120 graduates. Costs that will be covered by this funding include training and trooper outfitting.	GF/GP	NA	\$3,509,100

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		FY 2019-20 Year-to-Date (as of 2/6/20)	FY 2020-21 Enacted Change
<u>Major Budget Changes from FY 2019-20 YTD Appropriations</u>			
4. FY 2020-21 Trooper School	FTE	NA	50.0
Includes \$3.5 million GF/GP and authorization for 50.0 FTE positions to support various costs associated with an FY 2020-21 trooper recruit school. Costs include salaries, training materials, patrol cars, and trooper outfitting.	Gross	NA	\$3,500,000
	GF/GP	NA	\$3,500,000
5. FY 2019-20 Trooper Recruit School Annualization	FTE	NA	(36.0)
Includes \$2.0 million GF/GP to support departmental expenses incurred for troopers that are graduating from trooper recruit school during FY 2019-20. Costs include fleet leasing, equipment, IT support, salaries, and benefits.	Gross	NA	\$2,012,200
	GF/GP	NA	\$2,012,200
6. OK2SAY Administration and Outreach	FTE	NA	2.0
Includes \$906,000 Gross (\$436,400 GF/GP) and authorization for 2.0 FTE positions to consolidate the OK2SAY program in MSP. The FTE positions would be moved from the Department of Attorney General, where the positions are currently located, and funding would be used for administration and communication costs.	Gross	NA	\$906,000
	Restricted	NA	469,600
	GF/GP	NA	\$436,400
7. State Services Fees Fund Shift	Gross	\$1,900,000	\$0
Replaces \$1.9 million of restricted authorization from the State Services Fee Fund with \$1.9 million GF/GP. The State Services Fee Fund is supported by revenues from the Detroit Casinos, including annual assessments and fees.	Restricted	1,900,000	(1,900,000)
	GF/GP	\$0	\$1,900,000
8. DTMB IDG Fund Shift	Gross	\$665,100	\$0
Replaces a \$665,100 IDG from the Department of Technology, Management, and Budget with \$665,100 GF/GP. This funding shift is accompanied by a \$665,100 GF/GP reduction to the DTMB budget. The adjustment would allow GF/GP to be appropriated directly to MSP to fund 3.0 FTE positions in the Michigan Cyber Command Center.	IDG/IDT	665,100	(665,100)
	GF/GP	\$0	\$665,100
9. FY 2020-21 GF/GP Reductions	Gross	NA	(\$1,000,000)
Includes two items that will reduce total GF/GP in the budget by \$2.0 million.	Restricted	NA	1,000,000
<ul style="list-style-type: none"> Removes \$1.0 million GF/GP from the Commercial Vehicle Enforcement line item. The GF/GP reduction is projected to be offset by existing federal revenues within the budget. Replaces \$1.0 million in GF/GP with \$1.0 million in state restricted authorization from the Marijuana Regulatory Fund in the Standards and Training/Justice Training Grants line item. 	GF/GP	NA	(\$2,000,000)
10. Removal of FY 2019-20 One-Time Appropriations	Gross	\$9,409,200	(\$9,409,200)
Removes the following FY 2019-20 one-time GF/GP appropriations:	GF/GP	\$9,409,200	(\$9,409,200)
<ul style="list-style-type: none"> FY 2019-20 trooper recruit school (\$5.3 million GF/GP) In-Car Video Streaming Network (\$2.8 million) Sexual Assault Prevention and Education Initiative (\$1.3 million GF/GP) First Responder Communications Network (\$100 GF/GP). 			
11. Removal of FY 2019-20 Boilerplate Appropriations	Gross	\$25,235,500	(\$25,235,500)
Removes FY 2019-20 federal and state restricted appropriations authorized in boilerplate. Federal funding that was received included disaster assistance for flood response and grants for 911 operations and infrastructure. The state restricted appropriation totaled \$1.0 million from the Disaster and Emergency Contingency Fund.	Federal	24,235,500	(24,235,500)
	Restricted	1,000,000	(1,000,000)
	GF/GP	\$0	\$0

Major Budget Changes from FY 2019-20 YTD Appropriations		FY 2019-20 Year-to-Date (as of 2/6/20)	FY 2020-21 Enacted Change
12. Technical Adjustments	Gross	NA	(\$489,300)
Includes numerous adjustments to fund sources to align expenditures and revenues, and includes net-zero internal transfers of funding and FTE positions. Changes include, but are not limited to, the following:	Federal	NA	2,300,000
	Local	NA	19,300
	Restricted	NA	(2,808,600)
	GF/GP	NA	\$0
<ul style="list-style-type: none"> • Alignment of State Forensic Laboratory Fund spending authorizations. • Inclusion of restricted authorization from Vehicle Sales Proceeds. • Internal transfers to establish the Mobile Office and System Support line item. • Increase in federal funding from the United States Department of Justice. • Reduction to restricted authorization from the Michigan Justice Training Fund. • Increase in authorization for local Automated Fingerprint Identification System Fees. 			
13. Economic Adjustments	Gross	NA	\$6,533,200
Reflects increased costs of \$6.5 million Gross (\$4.4 million GF/GP) for negotiated salary and wage increases (2.0% on October 1, 2020 and 1.0% on April 4, 2021), actuarially required retirement contributions, worker's compensation costs, building occupancy charges, and other economic adjustments.	IDG/IDT	NA	380,800
	Federal	NA	575,300
	Local	NA	55,700
	Restricted	NA	1,160,100
	GF/GP	NA	\$4,361,300

Major Boilerplate Changes from FY 2019-20

A specific listing of boilerplate sections deemed unenforceable was not provided. Rather, the governor's signing letter generally stated that sections violating the following provisions of the Michigan Constitution are unenforceable:

- Article 3, Section 2: Separation of Powers of Government
- Article 4, Section 22 and Article 4, Section 33: An attempt to authorize legislation other than by bill
- Article 4, Section 24: No law shall embrace more than one object, which shall be expressed in its title
- Article 4, Section 25: Amendment by reference
- Article 4, Section 53: Duties of the Auditor General
- Article 5, Section 28: Duties of the State Transportation Commission

Where a specific section was provided as an example in the signing letter, it is noted in the boilerplate section description below. This document will be updated upon the receipt of a more comprehensive list of unenforceable boilerplate sections.

Sec. 206. Communication with the Legislature – REVISED

Prohibits MSP from taking disciplinary action against employees for communicating with legislators or their staff. Revised to allow action in instances where the communication is unlawful and to renumber the section from Sec. 216 to 206.

Sec. 216. FTE Vacancies and Remote Work Report – NEW

Requires MSP to report quarterly on the number of FTE positions filled and to report semiannually on the number of employees engaged in remote work in 2020, the number of employees engaged in remote work in the reporting period, and savings achieved by remote work.

Sec. 217. Work Project Expenditures – NEW

Requires work project authorizations be exhausted before new appropriations are expended for the same purpose, to the extent possible in MSP.

Sec. 218. Legislature Action on Administrative Board Transfers – NEW

Allows the legislature to intertransfer funds within the MSP budget via concurrent resolution if the State Administrative Board transfers funds in the budget.

Sec. 219. Reports Retention – NEW

Requires MSP to receive and retain copies of all reports funded under part 1.

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Major Boilerplate Changes from FY 2019-20

Sec. 220. Policy Changes Report – NEW

Requires MSP to report on each policy change made in the prior calendar year to implement public acts affecting the department.

Sec. 227. Attrition School – DELETED

Requires MSP to use attrition savings to conduct an FY 2019-20 attrition school that graduates at least 70 troopers.

Sec. 230. Receive and Expend Authorization – REVISED

Authorizes MSP to expend federal revenues received in excess of appropriations; requires MSP to report prior to expending excess federal revenues. Revised to limit federal receive and expend authorization under this section and section 704(3) to \$45.0 million.

Sec. 233. Court Judgements Payment Reporting – NEW

Requires MSP to report on tentative plans for payment of court judgements against MSP; outlines reporting requirements.

Sec. 234. Coronavirus Relief Fund Appropriations – NEW

Unappropriates any Coronavirus Relief Fund appropriations for which expenditures have not been incurred as of December 30 and reappropriates them for deposit into the Unemployment Compensation Fund to support costs incurred due to the COVID-19 pandemic.

Sec. 601. General Law Enforcement and Traffic Safety – REVISED (UNENFORCEABLE)

(1) Stipulates MSP troopers shall not be prohibited from responding to criminal or emergency situations and shall make every effort to protect residents; (2) requires MSP to maintain staff and resources to enhance traffic safety and dedicate a minimum of 455,200 hours to statewide patrol, with a minimum of 40,000 in distressed cities; (3) requires MSP to conduct 7,000 residence checks of registered sex offenders; (4) requires report on Secure Cities Partnership. Revised to delete the residence check requirement under subsection (3) and instead require a report on the number of residence checks conducted.

(Governor's signing letter states this section is unenforceable.)

Sec. 703. Commercial Vehicle Regulation and Enforcement – REVISED

(1) Requires MSP to maintain commercial vehicle and enforcement activities; (2) requires MSP to meet inspection goals consistent with the federal motor carrier assistance program; (3) authorizes revenues collected under the Motor Carrier Act to be expended and to be carried forward; (4) establishes a Commercial Vehicle Enforcement Operations Reserve Fund. Revised to delete item (4).

Sec. 704. Emergency Management and Homeland Security – REVISED

Requires MSP to coordinate emergency response activities of governmental units and:

- Authorizes expenditure of appropriated funds to call upon state agencies or departments to protect life or property or to protect health or safety of any area under a state of emergency or disaster; report to state budget director; submit recommendations to legislature for supplemental appropriations.
- Authorizes department to expend additional funds from various sources to provide emergency management training or emergency response activities and to notify legislature.
- Requires department to maintain partnerships to protect the state from all hazards.
- Requires department to serve local emergency management preparedness programs and local emergency planning committees, operate and maintain State Emergency Operations Center, respond to civil disorders and natural disasters at a specified level, and perform hazardous materials response training.
- Requires department to conduct a minimum of three training sessions to enhance emergency response.
- Appropriates amounts necessary from the Disaster and Emergency Contingency Fund to cover costs related to disasters and emergencies upon approval of the state budget director, requires notification of legislature, and requires department to submit report related to expenditures from the fund.
- Authorizes department to expend funds from any line item in order to respond to an emergency and requires detailed reporting when funds are expended from the Disaster and Emergency Contingency Fund.
- Requires department to report biannually on assessment of critical infrastructure vulnerabilities.
- Revised to limit receive and expend authorizations under these subsections and section 230 to \$45.0 million for federal and \$15.0 million for state restricted. Also revised so MSP is not required to report on matters that could compromise critical infrastructure.

Sec. 801. Sexual Assault Prevention and Education Initiative – DELETED

Requires funds to be used for a competitive grant to colleges, universities, and high schools in this state in order to mitigate sexual assault; stipulates how grant awards may be used; authorizes use of unawarded funding for other Office of School Safety programs.

Major Boilerplate Changes from FY 2019-20

Sec. 801. Michigan Joint Task Force on Jail and Pretrial Incarceration – NEW

Stipulates uses of the funding and provides work project authorization for unexpended funds.

FY 2019-20 Supplemental Boilerplate Items

Public Act 166 of 2020 (House Bill 5396, Article 14)

Sec. 651. Coronavirus Relief Fund Appropriation Reduction

Reduces appropriation from the Coronavirus Relief Fund, made under section 302 of 2020 PA 67 for hazard/premium pay for front line workers, by \$1.4 million.