



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



BILL ANALYSIS

Telephone: (517) 373-2768
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 957 (S-1, Draft 1 as reported)
Committee: Appropriations

Throughout this document Senate means Subcommittee.

FY 2011-12 Year-to-Date Gross Appropriation	\$259,787,200
Changes from FY 2011-12 Year to Date:	
1. Reduce Funding for Elimination of Judgeships. Public Act 300 of 2011 eliminated by attrition 8 trial court judgeships; however, the FY 2011-12 Judiciary Budget had already assumed savings of \$942,100 based on eliminating 6 judgeships.	(42,100)
2. Fund Shift and Increase for Swift-and-Sure Sanctions. The Governor eliminated the \$1.0 million IDG from Department of Corrections and replaced the same amount with GF/GP dollars. The Senate concurred with the shift and then added an additional \$5.0 million to the program, again in lieu of an IDG from Department of Corrections.	5,000,000
3. Technical Adjustments. The Governor reduced FTEs by 25.0 and aligned restricted funds with estimated revenue. Senate concurred.	(5,100)
4. Continue and Expand Mental Health Courts. The Governor and Senate included \$550,000 to maintain services at 8 sites previously funded by American Recovery and Reinvestment Act revenue and \$450,000 to expand operations and hire 1.0 FTE for evaluation purposes.	1,000,000
5. Staff Increase in Administrative and SADO. The Governor and Senate provided \$160,000 to hire 2.0 FTEs to assist with court consolidation and \$225,000 to hire 3.0 FTEs at the State Appellate Defender Office (SADO) to assist them in meeting statutory requirement of handling 25% of indigent appellate defense cases.	385,000
6. Public Safety Initiative. The Governor proposed \$1.1 million for mental health courts and \$1.25 million for drug courts in a revised recommendation associated with the Public Safety Initiative. The Senate adopted these revisions.	2,350,000
7. Net Increase in Judgeships. Two additional judges were appointed to fill vacancies on the Court of Appeals; one trial court judge retired producing savings that partially offset the cost of the appointments, resulting in a net increase of \$185,100. The Governor proposed this increase in a second revised recommendation; Senate concurred.	\$185,100
8. Fund Shift for Court of Appeals. Senate shifted restricted revenues of approximately \$1.7 million from Court of Appeals to Swift-and-Sure Sanctions, and shifted an equivalent amount of GF/GP funds from Swift-and-Sure Sanctions to Court of Appeals.	0
9. One-Time Lump Sum Economics. Staff received a 2% lump sum, retirement costs included.	827,200
10. Economic Adjustments. The Governor and Senate included \$4,579,500 for OPEB and a negative \$306,700 for other economic adjustments.	4,272,800
11. Comparison to Governor's Recommendation. The Senate is \$5,000,000 Gross over and \$5,000,000 GF/GP over the Governor's revised recommendation.	
Total Changes	13,972,900
FY 2012-13 Senate Appropriations Subcommittee Gross Appropriation.....	\$273,760,100

Changes from FY 2011-12 Year to Date:

1. **Proposed Deletions.** In keeping with the condensed structure of the Governor's budget, the following current-year language sections were not included in the Governor's Recommendation: Secs. 204, 208, 212, 214, 215, 219, 221, 222, 306, 309, 310, 312, and 321. The Senate rejected all of these proposed deletions. Examples of these sections that were retained include the preference for buying American, Michigan and veteran-owned goods and services, the restriction on out-of-state travel for state employees, and various reporting requirements.
2. **Remove Language Regarding NHSA Grant.** Governor eliminated language that provided a funding plan that would apply if Judiciary was awarded a United States Department of Transportation - National Highway Safety Administration (U.S. DOT - NHSA) grant to support drug treatment courts. Senate concurred. (Sec. 311(5))
3. **Qualifying Court for Swift-and-Sure Sanctions.** Current law stated that a court had to both have a drug court and be a unified trial court in order to participate in the Swift-and-Sure Sanctions Program; the Governor proposed adding concurrent jurisdiction plans instead of only unified trial courts. The Senate struck reference to both unified and concurrent and added DWI/sobriety courts. Senate also struck reference to the program as a pilot. The Senate language now would allow any court with either a drug court or a DWI/sobriety court to apply to the State Court Administrative Office for funding. This expands the number of courts that would be eligible, which is consistent with the proposed increase in funding for this program. (Sec. 320)
4. **Fund Shift between Court of Appeals and Swift-and-Sure Sanctions.** Language requires that of the \$6.0 million designated for Swift-and-Sure Sanctions programming, approximately \$1.7 million of it shall come from the restricted funds shifts from the Court of Appeals. This would mean that any shortfall in those restricted revenues would be reflected as reduced funding available for the Swift-and-Sure Sanctions program. (Sec. 320)
5. **Swift-and-Sure Administrative Costs.** Language allows up to \$100,000 of the \$6.0 million designated for the Swift-and-Sure Sanctions to be available to be spent on State Court Administrative Office staffing costs associated with the administration and oversight of the grants to local courts. (Sec. 320)
6. **Reduce Contingent Byrne Grant-Related IDG from State Police.** Current law authorizes two interdepartmental grants (IDGs) from State Police to Judiciary for \$525,000 and \$225,000 contingent on various aspects of Federal Byrne formula grant funding. The revised language includes only the \$250,000 and also removes the more specific language. Senate concurred. (Sec. 322)

Date Completed: 4-17-12

Fiscal Analyst: Dan O'Connor