

Legislative Analysis



SECONDARY ROAD PATROL PROGRAM: FY 2014-15 MAINTENANCE OF EFFORT

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House Concurrent Resolution 35

Sponsor: Rep. McCready

Committee: Appropriations

Complete to 9-12-14

A REVISED SUMMARY OF HOUSE CONCURRENT RESOLUTION 35 AS INTRODUCED 9-09-14

House Concurrent Resolution 35 would waive the maintenance of effort (MOE) requirement placed on county sheriff's departments as a condition of receiving funding under the Secondary Road Patrol (SRP) program for FY 2014-15, and would also waive the MOE requirement on cities and villages to be eligible for road patrol services by county sheriff's departments.

BACKGROUND INFORMATION:

Established by 1978 PA 416, the Secondary Road Patrol Program provides grant assistance to county sheriff's departments with the express purpose of patrolling county and local roads outside the boundaries of cities and villages. Sheriff's deputies funded with SRP funds are specifically tasked with traffic control, criminal law enforcement, accident investigation, and emergency assistance while patrolling these secondary roads. Sheriff's deputies may provide patrol services within cities and villages upon the approval of a resolution of the city or village's governing board.

The SRP program is principally supported by a distribution from the Justice System Fund (MCL 600.181) to the Secondary Road Patrol and Training Fund (MCL 257.629e) equal to \$10 for each civil traffic violation. Both FY 2011-12 and FY 2013-14 appropriations have included GF/GP support for the program as well. Grant funds are distributed to counties based on each county's share of transportation (roads) funding allocated in 1978.

To be eligible for SRP grant assistance each county must meet a maintenance of effort (MOE) requirement based on its expenditures or level of road patrol services immediately prior to October 1, 1978. This MOE requirement is generally measured by the number of county-funded road patrol deputies employed prior to October 1, 1978. Statewide, the MOE requirement is 1,043 county-funded road patrol deputies; in FY 2013 the actual number of county-funded road patrol deputies totaled about 2,137. A county may reduce the level of county-funded road patrol deputies to a level below its MOE requirement if it can show that it reduced its general services because of an economic hardship.

The act also permits the cities and villages to receive SRP-funded road patrol services within their boundaries if they meet a separate maintenance of effort requirement based on the highest number of sworn law enforcement officers employed by the city or village at any time within the three years prior to the adoption of a resolution authorizing county

road patrol services. The statute expressly permits the legislature, through adoption of a concurrent resolution, to waive this MOE requirement for cities and villages.

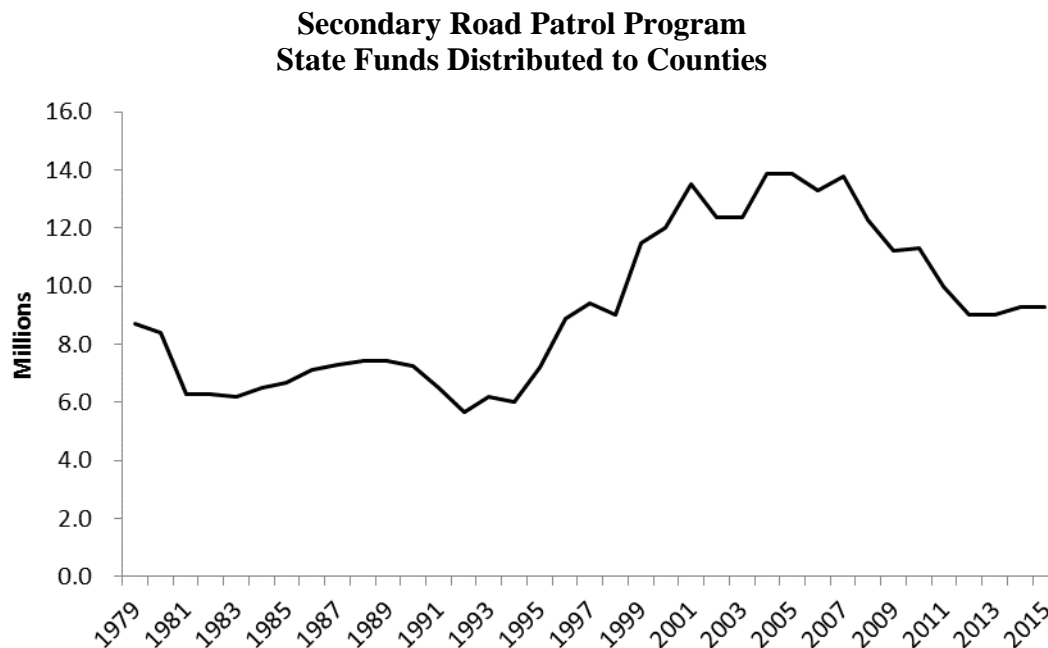
FISCAL IMPACT:

The resolution would allow counties to receive and expend Secondary Road Patrol (SRP) grant funds in FY 2014-15 without meeting the maintenance of effort requirements specified in statute. Based on FY 2014-15 grant applications received to-date and current-year grant activities, a preliminary estimate from the Michigan Department of State Police (MSP) indicates that four counties could potentially fail to meet the MOE requirement and would thus be ineligible for SRP assistance, as indicated in the table below. The resolution would also waive the MOE requirement to allow cities and villages to receive road patrol services from the county sheriff's departments.

County	Maintenance of Effort			Funding Allocation
	Required	FY15	Difference	
Branch	13.0	8.0	(5.0)	\$69,471
Iosco	10.5	1.0	(9.5)	\$58,218
Otsego	9.0	6.0	(3.0)	\$41,664
Wayne	60.0	32.0	(28.0)	\$1,339,851
	92.5	47.0	(45.5)	\$1,509,204

Source: Michigan State Police

The initial FY 2014-15 SRP allocation totals \$9.3 million. The funding high-point occurred in FY 2004-05, with an allocation of \$13.9 million in FY 2004-05.



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