

Analytical  
Study

FINAL  
REPORT

February  
2007



# Highway Fund Eligibility at the Department of Public Safety

a report by

the Office of Program Evaluation & Government Accountability

# Study Questions

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1. Which costs are eligible to be paid from the State's Highway Fund?
2. What cost allocation method would best apply Highway Fund eligibility requirements?
3. What estimated changes in allocation between the funds would result from applying alternative allocation methods?

# Flow of Funding from State and Federal Funds to DPS Organizational Units (as of SFY 2006)



S T A T E  B U D G E T	H G S F	Public Safety Admin	0088	*
	G	Capitol Security	0101	
	S F	Criminal Justice Academy	0290	
	H G S F	State Police	0291	*
	G F	Liquor Enforcement	0293	
	F	Office of Fire Marshal	0327	
	H	Motor Vehicle Inspection	0329	
	G S F	Drug Enforcement Agency	0388	
	H S F	Highway Safety	0457	*
	G S F	Emergency Medical Services	0485	
	H	Traffic Safety	0546	
	S	Turnpike Enforcement	0547	
	F	Licensing & Enforcement	0712	
	H	Commercial Vehicle Enforcement	0715	
	F	Fire Marshal FHM	0964	
	H	State Police Support	0981	
G	Background Checks - Certified Nursing Assistants	0992		
G F	Gambling Control Board	Z002		

\* This study focused on these 3 programs and the corresponding DPS organizational units.

*	0291 & 0981	MSP Administration	M E S T A T E  P O L I C E
*	0291 & 0981	Troops A, C, D, E, F, J	
	0547	Troop B-Turnpike Enforcement	
	0715	Troop K-Comm. Vehicle Enf.	
*	0291	Criminal Inv. Div. I, II, III	
*	0291	Fleet Maintenance	
	0546 & 0329	Traffic Safety	
*	0291 & 0992	State Bureau of Identification	
*	0291	Special Services	
*	0291	Management Info Services	
*	0291	Crime Lab	
*	0291	Communications	
*	0291 & 0293 & 0712	Special Investigations	
*	0291	Special Projects	
*	0291	Access Integrity Unit (AIU)	
*	0088	DPS Administration	
	0327 & 0964	State Fire Marshal	
*	0457	Bureau of Highway Safety	
	0290	Criminal Justice Academy	
	0485	Emergency Medical Services	
	0388	ME Drug Enforcement Agency	
	0101	Capitol Security	
	Z002	Gambling Control Unit	

See reverse for detailed activities of MSP units.

# Study Scope

## SFY06 Expenditures

Appropriation Program	General Fund	Highway Fund	Federal Funds	Special Rev Funds	Grand Total
0088 ADMINISTRATION - PUBLIC SAFETY	\$324,744	\$598,142	\$1,543,165	\$194,881	\$2,660,933
0101 CAPITOL SECURITY	538,778				538,778
0290 CRIMINAL JUSTICE ACADEMY			84,815	1,399,128	1,483,943
0291 STATE POLICE	14,712,244	27,874,015	2,549,144	1,082,749	46,218,152
0293 LIQUOR ENFORCEMENT	678,436			246	678,682
0327 FIRE MARSHAL - OFFICE OF				3,733,181	3,733,181
0329 MOTOR VEHICLE INSPECTION		1,007,980			1,007,980
0388 DRUG ENFORCEMENT AGENCY	1,574,599		1,248,716	240,493	3,063,808
0457 HIGHWAY SAFETY		412,688	1,677,279	345,182	2,435,149
0485 EMERGENCY MEDICAL SERVICES	882,516		673,162	109,205	1,664,884
0546 TRAFFIC SAFETY		891,424			891,424
0547 TURNPIKE ENFORCEMENT				4,218,902	4,218,902
0712 LICENSING AND ENFORCEMENT				780,781	780,781
0715 COMMERCIAL VEHICLE ENFORCEMENT		4,212,058			4,212,058
0964 FIRE MARSHAL				180,141	180,141
0981 STATE POLICE - SUPPORT		456,337			456,337
0992 BACKGROUND CHECKS - CERTIFIED NURSING ASSTS	50,741				50,741
Z002 GAMBLING CONTROL BOARD	708,979			202,117	911,096
<b>Grand Total</b>	<b>\$19,471,038</b>	<b>\$35,452,644</b>	<b>\$7,776,281</b>	<b>\$12,487,005</b>	<b>\$75,186,968</b>

# Overall Conclusion

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It's impossible to determine exactly what portion of DPS costs are eligible to be paid from the Highway Fund for 2 reasons:

1. There is little reliable activity data available, and
2. Definition of Highway Fund eligibility is unclear.

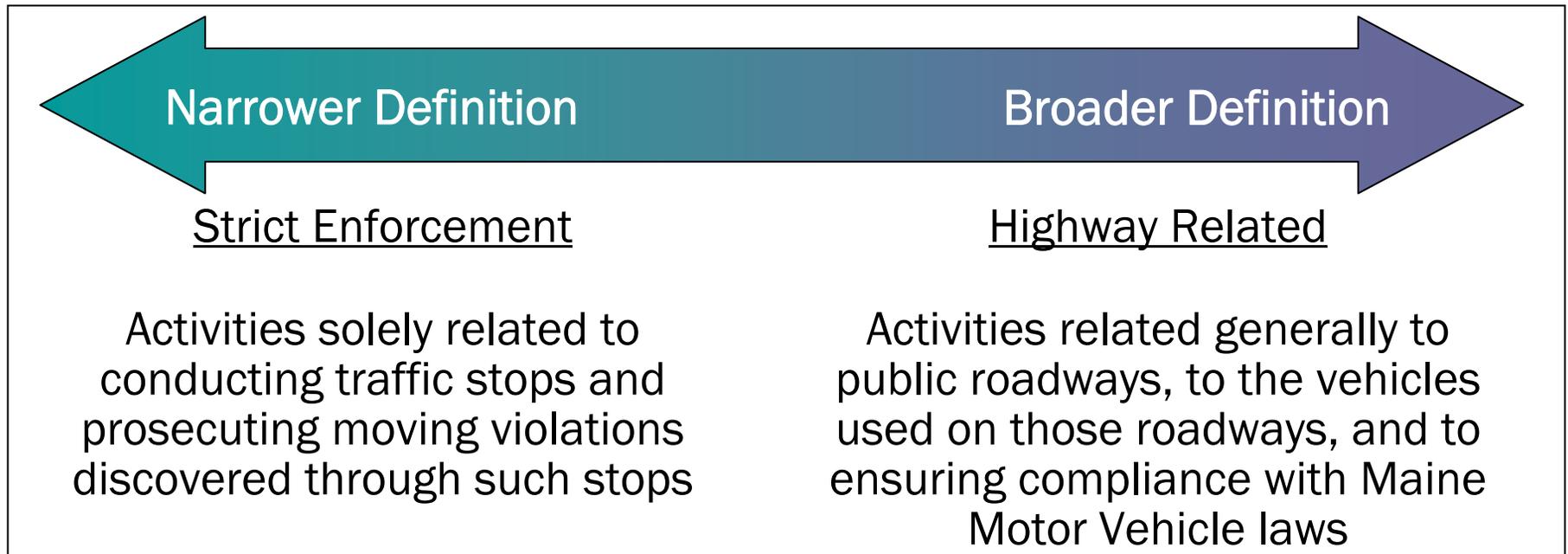
# Defining Highway Fund Eligibility

Maine Constitution, Article IX, Section 19:

*Highway fund monies may be used for “State enforcement of traffic laws.”*

MRSA Title 23, Ch.19 §1653:

*Highway fund monies may be used for “Maintenance of the State Police”*



# State Police Program (0291)

# Funding for the State Police Program (0291)

State Highway and General Funds pay for the majority of the State Police Appropriation Program's expenditures.

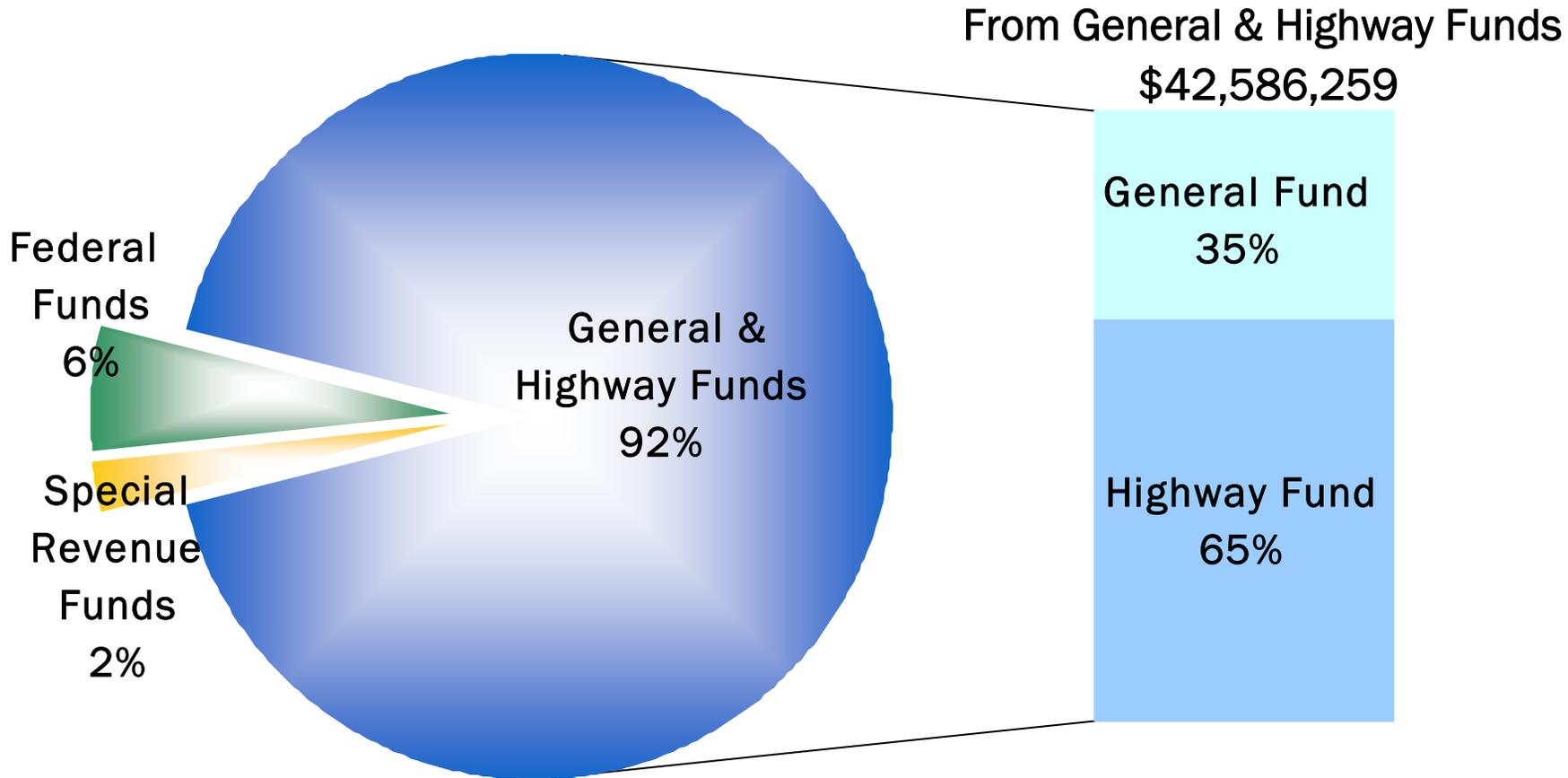
The amount that each fund contributes to this program has historically been determined based on a variable funding ratio often known as "the split".

## History of the Split

State Fiscal Years	% GF	% HF
1946 - 1957	10%	90%
1958 - 1961	50%	50%
1962 - 1989	25%	75%
1990 - 1990	50%	50%
1991 - 1991	23%	77%
1992 - 1992	26%	74%
1993 - 1993	13%	87%
1994 - 1994	12%	88%
1995 - 1995	13%	87%
1996 - 1996	15%	85%
1997 - 1997	20%	80%
1998 - 2001	40%	60%
2002 - 2005	37%	63%
2006 - 2006	35%	65%

# Funding for the State Police Program (0291)

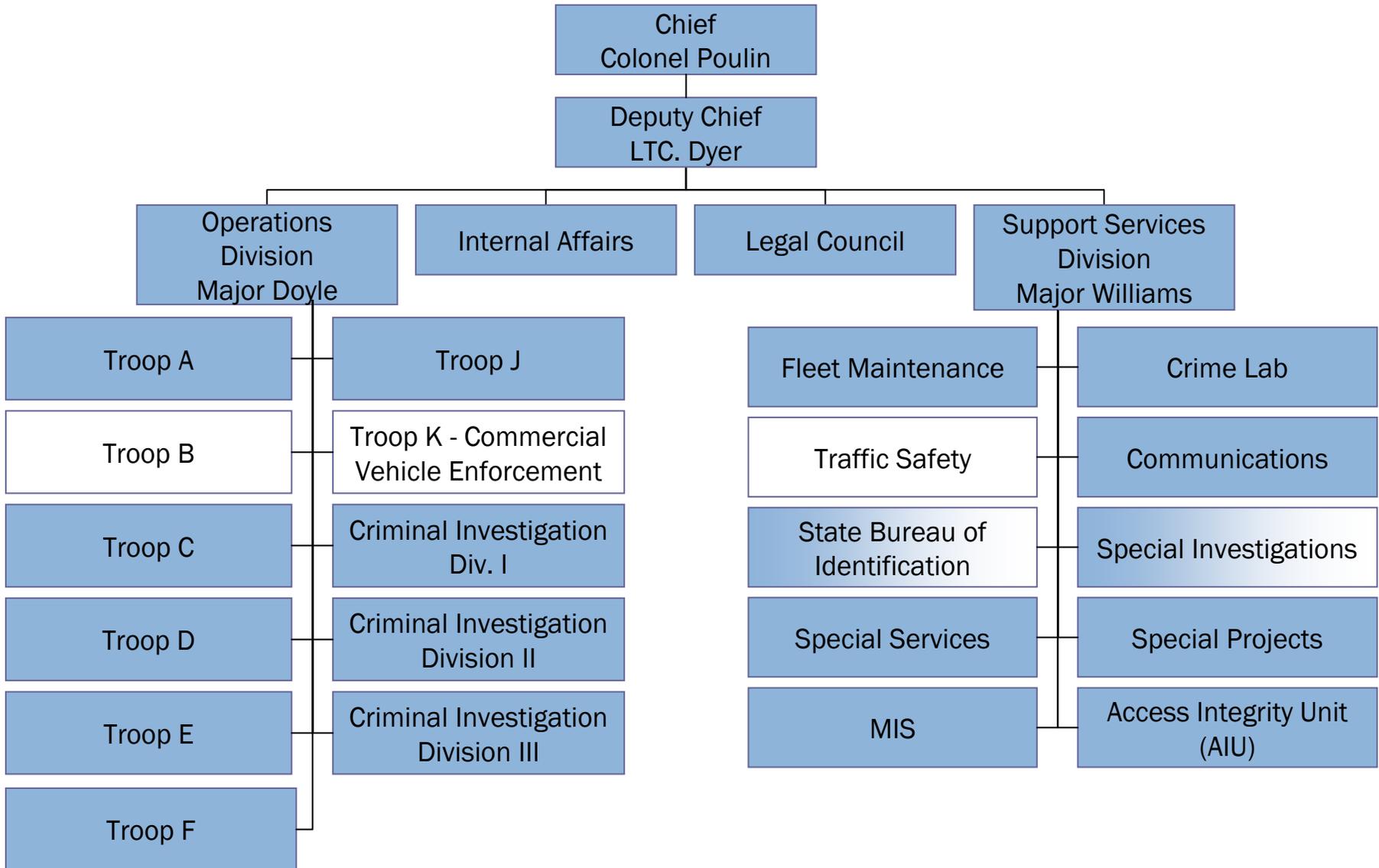
Total SFY06 Expenditures \$46,218,152



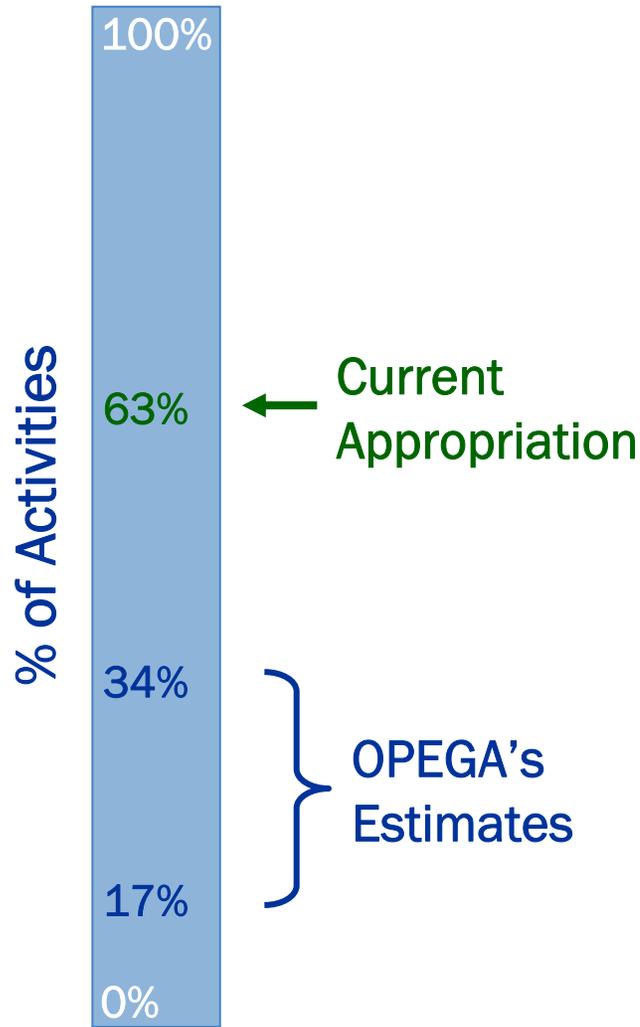
Total SFY05 Expenditures were \$42,727,726 of which \$25,222,979 were paid from the HF

# MSP Units Funded by the State Police Program (0291)

## MAINE STATE POLICE as of SFY 2006



# Estimates for the State Police Program (0291)



OPEGA estimates that between 17% and 34% of this program's state-funded activities and costs during SFY 2005 & 2006 were eligible to be paid from the Highway Fund.

# MSP Results in Detail (0291)

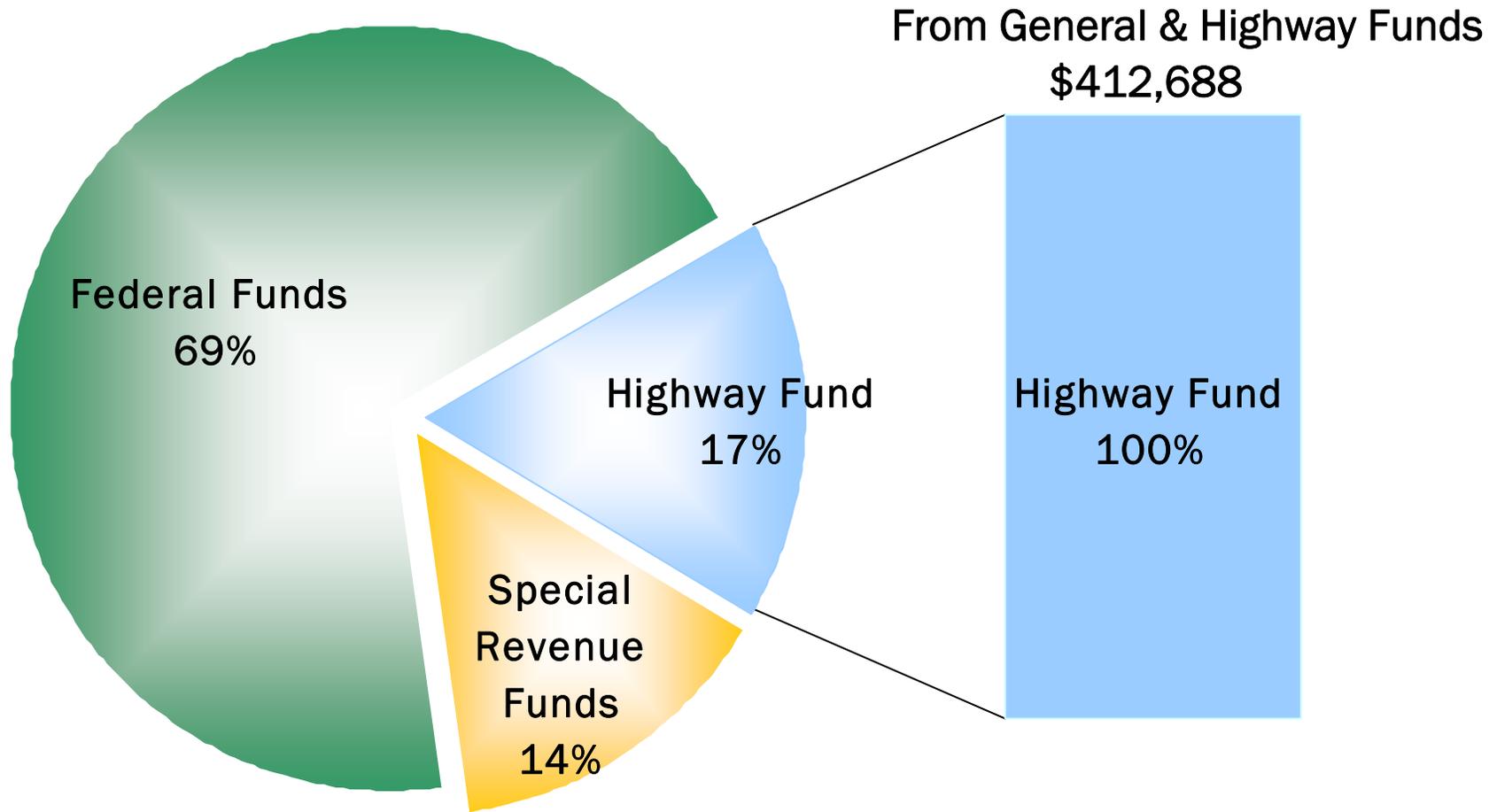
MSP Units	SFY05 Unit HF & GF Combined Costs	% Strict Enforcement Activity	% Highway Related Activity
Criminal Investigation Divisions (CIDs I, II, III)	\$4,611,637	<1% *	<1% *
Field Troops (A,C,D,E,F,J)	16,943,024	18%	44%
Crime Lab	1,610,927	<1% *	3%
Bureau of Identification	2,038,846	15%	15%
Special Investigations	1,282,740	<1% *	<1% *
Management Information Systems	2,640,551	31%	44%
Administration	2,122,559	31%	44%
Fleet Maintenance	2,013,272	24%	37%
Communications	3,860,607	21%	48%
Special Services	1,483,640	16%	30%
Access Integrity Unit (AIU)	542,828	31%	44%
<b>Total Costs</b>	<b>\$39,150,631</b>		
<b>Percent Eligibility Weighted By Costs</b>		<b>17%</b>	<b>34%</b>

\* Although this unit's primary purpose does not include strict enforcement or highway related work, the unit has the capacity to perform that work as needed. We could not quantify how much eligible work the unit does.

# Bureau of Highway Safety Program (0457)

# Funding for the Bureau of Highway Safety (0457)

Total SFY06 Expenditures \$2,435,149



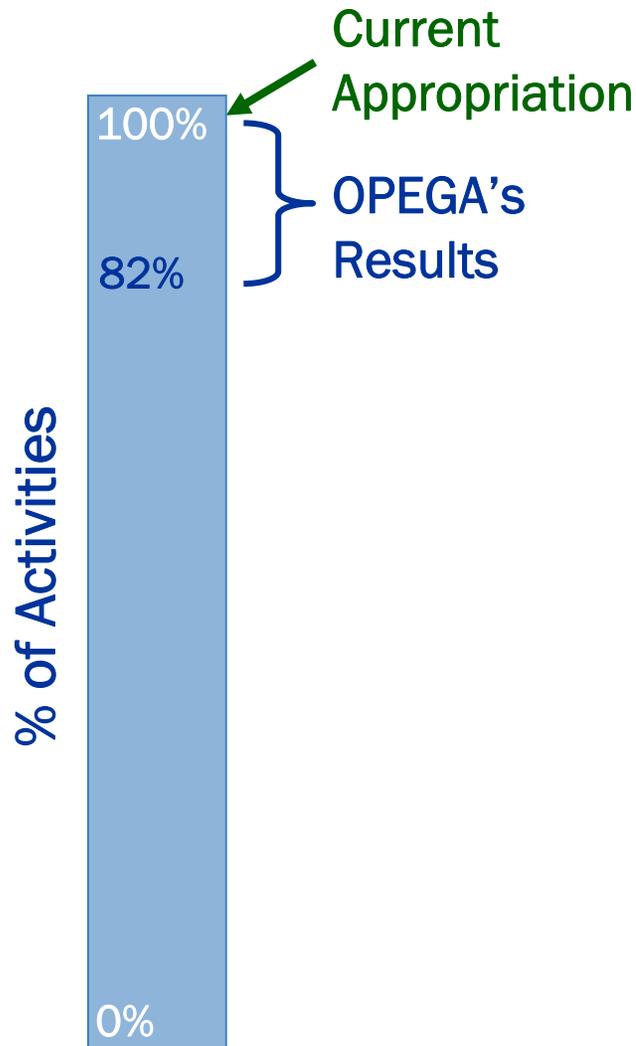
Total SFY05 Expenditures were \$1,747,597 of which \$384,104 were paid from the HF

# Background for Bureau of Highway Safety (0457)

## Current Bureau of Highway Safety Efforts Include:

- Occupant Protection
- Speed Enforcement
- Alcohol and Other Drug Countermeasures (Implied Consent Program)
- Child Passenger Safety
- Pupil Transportation
- Police Traffic Services/Training
- Traffic and Accident Records Systems

# Estimates for Bureau of Highway Safety (0457)

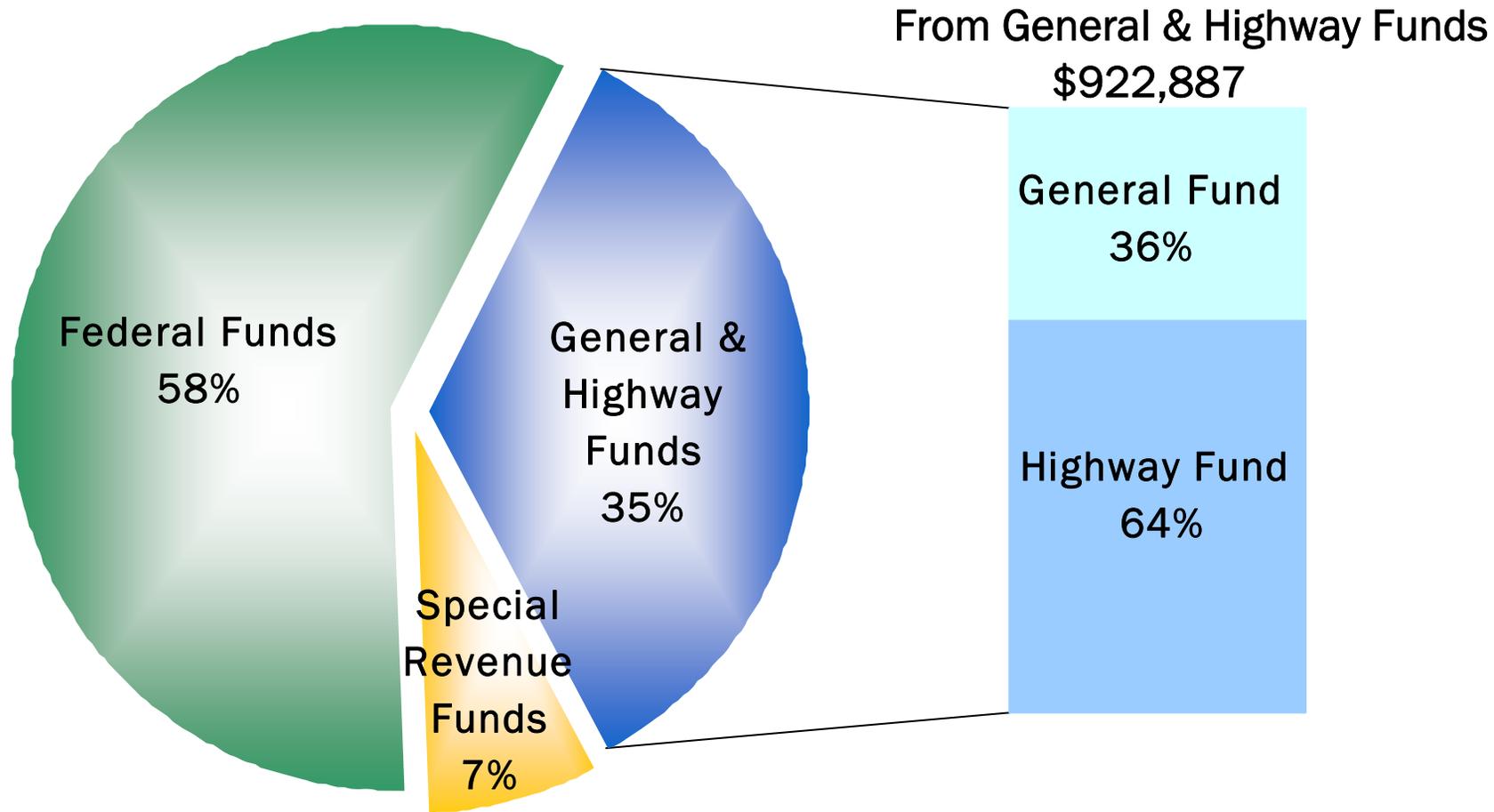


OPEGA estimates that between 82% and 100% of this program's state-funded activities and costs during SFY 2005 & 2006 were eligible to be paid from the Highway Fund.

# Department of Public Safety Administration Program (0088)

# Funding for DPS Admin (0088)

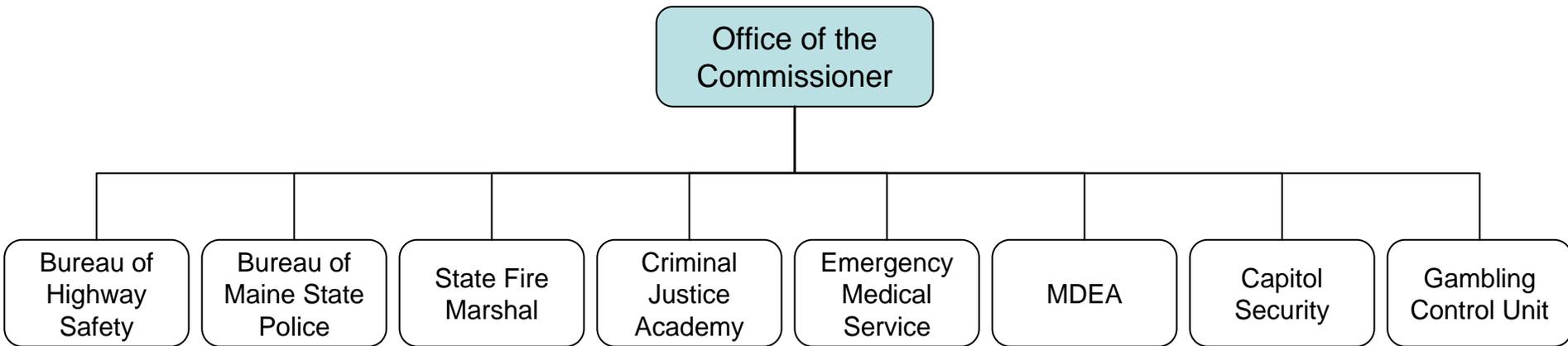
Total SFY06 Expenditures \$2,660,932



Total SFY05 Expenditures were \$2,990,241 of which \$758,236 were paid from the HF

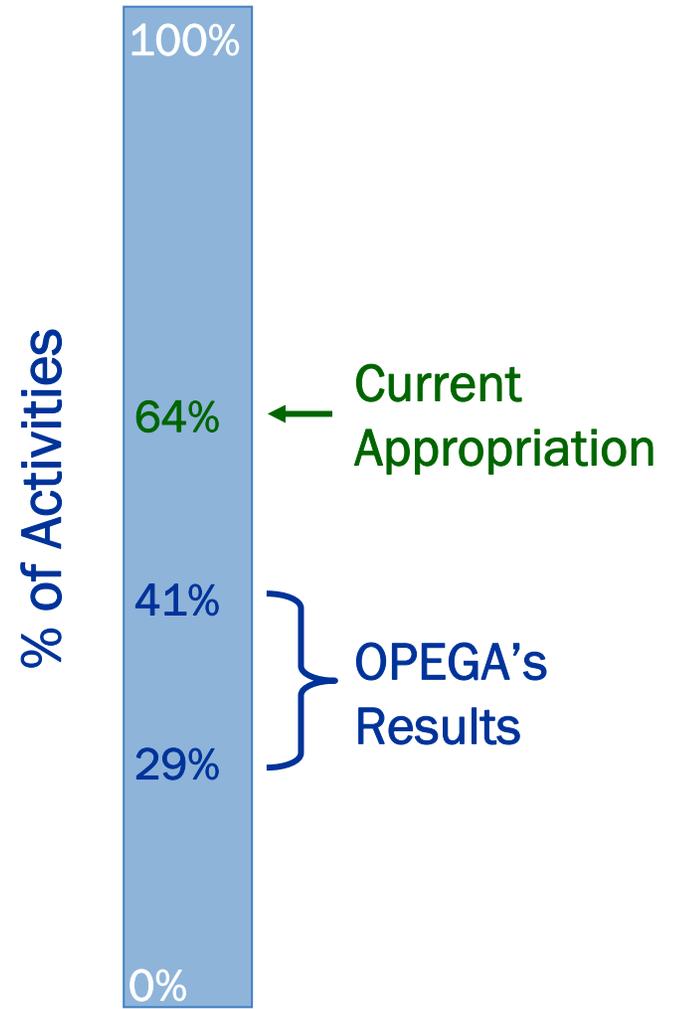
# Background for DPS Admin (0088)

## Department of Public Safety as of SFY 2006



# Estimates for DPS Admin (0088)

OPEGA estimates that between 29% and 41% of this program's state-funded activities and costs during SFY 2005 & 2006 were eligible to be paid from the Highway Fund.



# Alternative Approaches

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## Some States Have:

- No dedicated transportation fund;
- State Highway Patrols that perform only highway/traffic related activities;
- Dedicated transportation funds that are allocated to state agencies only as those agencies provide evidence that they are eligible to receive the funds. Audits are performed and monies from the transportation fund that were unused or unnecessary must be returned to that fund; or
- Cost allocation models that connect state agency costs with specific activities performed.

Thank You