

**No. 38**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

---

---

Senate Chamber, Lansing, Wednesday, April 25, 2012.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Anderson—present  
Bieda—present  
Booher—present  
Brandenburg—present  
Casperson—present  
Caswell—present  
Colbeck—present  
Emmons—present  
Gleason—present  
Green—present  
Gregory—present  
Hansen—present  
Hildenbrand—present

Hood—present  
Hopgood—present  
Hune—present  
Hunter—present  
Jansen—present  
Johnson—present  
Jones—present  
Kahn—present  
Kowall—present  
Marleau—present  
Meekhof—present  
Moolenaar—present  
Nofs—present

Pappageorge—present  
Pavlov—present  
Proos—present  
Richardville—present  
Robertson—present  
Rocca—present  
Schuitmaker—present  
Smith—present  
Walker—present  
Warren—present  
Whitmer—present  
Young—present

Pastor David Colp of First Church of God of St. Joseph offered the following invocation:

Heavenly Father, we open up this session by inviting You to be with us. We acknowledge, Father, that You are the author of life, and You are sovereign in this world. As James confesses, every good and perfect gift is from above, coming down from the Father of lights; He who does not change like the shifting shadows.

Father, we thank You for the gifts that You give us. We thank You for the life that we enjoy. We thank You for this great nation. We thank You for this state that You have blessed us to be a part of. We thank You for this room that is filled with individuals and political parties that, for the most part, effectively work together for the common good of this great state.

Father, we confess again that every good and perfect gift comes from You. We confess that at times we have the tendency, as we serve, to be self-serving. Today, I pray that You would give each member the strength and will to put aside the personal agendas and party agendas; instead to seek Your agenda; to seek the agenda that will serve the needs of the people of this great state.

We thank You for each member, and we would ask that You would help each to remember the core principles that brought them here. Empower them to make decisions that will serve the people.

Finally, gracious Father, we ask that You grant the wisdom that each member needs. Father, we again thank You for the words of James that reminds us that if any of us lacks wisdom, we should ask You and that You would give graciously without finding fault. So, Father, we humbly acknowledge our need for that wisdom, and as these deliberations take place on these budget issues, we pray that You would grant the wisdom that is needed. Grant them that wisdom that transcends our fine-eyed ability to reason. Grant wisdom that will serve again the best interest of Your people, the people of this great state.

Thank You, Heavenly Father, for those who have gathered here in this chamber to serve. In the name of Christ, we pray. Amen.

The President, Lieutenant Governor Calley, led the members of the Senate in recital of the *Pledge of Allegiance*.

### **Motions and Communications**

Senators Smith, Jones, Brandenburg, Hildenbrand and Schuitmaker entered the Senate Chamber.

Senator Bieda moved that Senators Anderson, Gleason, Hunter and Johnson be temporarily excused from today's session. The motion prevailed.

Senator Gleason entered the Senate Chamber.

Senator Meekhof moved that Senators Booher, Casperson, Hansen, Kahn, Pavlov and Richardville be temporarily excused from today's session.

The motion prevailed.

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session.

The motion prevailed, a majority of the members serving voting therefor.

Senator Meekhof moved that the Committee on Appropriations be discharged from further consideration of the following bill:

#### **House Bill No. 5189, entitled**

A bill to make, supplement, and adjust appropriations for the department of human services for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

#### **House Bill No. 5189**

The motion prevailed, a majority of the members serving voting therefor.

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, April 24:

#### **House Bill No. 5414**

**Messages from the Governor**

The following message from the Governor was received:

Date: April 24, 2012

Time: 8:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 946 (Public Act No. 106), being**

An act to amend 1931 PA 189, entitled “An act to regulate the sale and distribution of nursery stock, plants, and plant products; to prevent the introduction into and the dissemination within this state of insect pests and plant diseases; to provide for the destruction and control of insect pests and plant diseases; to provide for the destruction or treatment of certain plants or plant products; to provide for the licensure and inspection of certain persons and activities under certain circumstances; to impose certain powers and duties on the director of agriculture; to create certain restricted funds for certain department activities and to allow allocation of those funds throughout the department; to provide for the promulgation of rules; to prescribe penalties and civil sanctions; and to provide remedies,” by amending sections 2, 4, 6, 9, 17, and 22 (MCL 286.202, 286.204, 286.206, 286.209, 286.217, and 286.222), sections 6 and 9 as amended by 2007 PA 84. (Filed with the Secretary of State on April 24, 2012, at 9:50 a.m.)

Respectfully,

Brian Calley

Acting and Lieutenant Governor

Senators Richardville, Booher and Casperson entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Kowall introduced

**Senate Bill No. 1091, entitled**

A bill to amend 1987 PA 96, entitled “The mobile home commission act,” by amending sections 2 and 30a (MCL 125.2302 and 125.2330a), section 30a as amended by 2006 PA 328.

The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Jones, Nofs, Hildenbrand, Bieda, Brandenburg, Proos, Moolenaar, Pappageorge and Schuitmaker introduced

**Senate Bill No. 1092, entitled**

A bill to amend 1961 PA 236, entitled “Revised judiciary act of 1961,” by amending sections 2803, 2805, 2807, 2811, and 2819 (MCL 600.2803, 600.2805, 600.2807, 600.2811, and 600.2819), as added by 2004 PA 136.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Caswell, Jones, Brandenburg, Colbeck, Nofs and Kahn introduced

**Senate Bill No. 1093, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 2010 PA 24.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Caswell, Jones, Brandenburg, Colbeck, Nofs and Kahn introduced

**Senate Bill No. 1094, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” (MCL 421.1 to 421.75) by adding sections 28b, 28c, 28d, 28e, 28f, 28g, 28h, 28i, 28j, 28k, 28l, and 28m.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

Senators Booher, Hansen and Pavlov introduced

**Senate Bill No. 1095, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 32d (MCL 388.1632d), as amended by 2011 PA 62.

The bill was read a first and second time by title and referred to the Committee on Education.

**House Bill No. 5414, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 75101, 75102, and 75104 (MCL 324.75101, 324.75102, and 324.75104), as added by 1995 PA 58.

The House of Representatives has passed the bill.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

**Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:11 a.m.

10:21 a.m.

The Senate was called to order by the President, Lieutenant Governor Calley.

During the recess, Senators Kahn, Pavlov and Johnson entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

**General Orders**

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Hopgood as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 959, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2013; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 962, entitled**

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

During the Committee of the Whole, Senators Hunter, Anderson and Hansen entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 959****Senate Bill No. 962**

The motion prevailed, a majority of the members serving voting therefor.

The following bill was read a third time:

**Senate Bill No. 959, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2013; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 232**

**Yeas—26**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

**Nays—12**

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protests**

Senators Gregory and Young, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 959.

Senator Gregory moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Gregory’s statement, in which Senator Young concurred, is as follows:

I rise today to oppose the Department of Military and Veterans Affairs budget before us today. While the Department of Military and Veterans Affairs is not as horrible as some of the other budget bills before us, it is part of an overall budget that continues to put corporate profits ahead of the health and welfare of the citizens we represent, especially our kids, our working families, and our seniors.

This budget, as with last year’s, is rife with fuzzy math and prickly policy. We are still making severe cuts to vital state services because of the shortsighted \$1.8 billion corporate tax break passed by the Senate majority last year. We are still struggling with the aftereffects caused by the poor and fiscally-irresponsible decision making by my colleagues across the aisle. The push to privatize certain veterans’ services in the 2011 budget is still having repercussions today. When we

were debating the budget last year, I rose in opposition to the proposal to privatize workers at the Grand Rapids Home for Veterans and warned that it could jeopardize the 650-plus veterans it cares for. And, lo and behold, following the partial privatization of the home’s resident care aides, several high-profile incidents of improper care, injury, and even death to veterans staying in the home did indeed occur.

Last September, as it was reported, contract workers at the home were responsible for incidents in which a veteran suffered a broken neck from improper lifting procedures, and another had a tube pulled from his stomach and was given solid food against a doctor’s written orders. At the time, one employee who had worked at the home for more than 17 years said, “The state is allowing our veterans to be taken care of by untrained workers who are literally putting veterans’ lives in danger every day.” And just this month, an 84-year-old veteran staying at the home died after he was assaulted by another patient. The man had Alzheimer’s and was assaulted after he was allowed to wander into the room of another patient. The family of the victim said that this was not the first time that he was assaulted by another patient, and they feared for his safety.

Furthermore, this veteran was treated for his injuries at a hospital and released back to the care of the home, where he ultimately died from pneumonia due to complications from these same injuries. It’s very possible that more attentive and responsive care at the home could have saved this man’s life. I cautioned the leadership of this body last year that privatizing vital resident care workers could endanger our veterans, but my colleagues across the aisle turned a deaf ear and were willing to sacrifice care to cut costs.

My predictions have come true, unfortunately, and yet this budget before us today does nothing to right this wrong and return qualified public service workers to the home. If these budgets of the last two years are any indication of your priorities, then it’s clear they are out of order. Our veterans have sacrificed so much for our state and our country, and the least we can do is offer them compassionate and competent care in the twilight of their years.

This budget—just like last year’s—is bankrupting our state service network to bankroll private corporations and putting the care of our valiant and valued veterans in the hands of unqualified and even careless individuals. This is not right, and I, for one, will not sit idly by and blindly vote for any of the budgets that perpetuate that scheme.

I oppose this budget and urge all of you who are indebted to our veterans to do the same.

The following bill was read a third time:

**Senate Bill No. 962, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2013; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 233**

**Yeas—38**

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Gleason	Johnson	Proos	Young
Green	Jones		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:41 a.m.

11:32 a.m.

The Senate was called to order by the President, Lieutenant Governor Calley.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Hopgood as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 958, entitled**

A bill to make appropriations for the department of energy, labor, and economic growth for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 7, line 6, by striking out "815.3" and inserting "816.3".
2. Amend page 7, following line 10, by inserting:  
"Unarmed combat commission executive director—1.0 FTE position ..... 100".
3. Amend page 7, line 20, by striking out "118,077,600" and inserting "118,077,700".
4. Amend page 9, line 6, by striking out "124,700" and inserting "124,800".
5. Amend page 10, line 9, by striking out "77,290,200" and inserting "77,290,300".
6. Amend page 10, line 11, by striking out "283,090,500" and inserting "283,090,600".
7. Amend page 11, line 13, by striking out "18,646,500" and inserting "18,646,600" and adjusting the subtotals, totals, and section 201 accordingly.

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 952, entitled**

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 958**

**Senate Bill No. 952**

The motion prevailed, a majority of the members serving voting therefor.

The following bill was read a third time:

**Senate Bill No. 958, entitled**

A bill to make appropriations for the department of licensing and regulatory affairs and certain other state purposes for the fiscal year ending September 30, 2013; to provide for the expenditure of those appropriations; to provide for the imposition

of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The question being on the passage of the bill,

Senator Johnson offered the following amendment:

1. Amend page 27, following line 12, by inserting:

“Sec. 362. From the funds appropriated in part 1 for home heating assistance for the vulnerable, the department shall fund both energy efficiency grants and home heating assistance grants to those who qualify for the home heating assistance for the vulnerable program.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 234**

**Yeas—12**

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

**Nays—26**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 235**

**Yeas—25**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Jansen	Moolenaar	Robertson
Caswell	Jones	Nofs	Rocca
Colbeck	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker
Green			



**Nays—13**

Anderson	Hood	Hunter	Warren
Bieda	Hopgood	Johnson	Whitmer
Gleason	Hune	Smith	Young
Gregory			

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 952, entitled**

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Hopgood offered the following amendment:

1. Amend page 25, following line 18, by inserting:

“Sec. 1003. The department shall allow up to 90 hours as the maximum number of reimbursement hours per recipient, per two-week period, in the child development and care program.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 236****Yeas—15**

Anderson	Gregory	Hopgood	Warren
Bieda	Hansen	Hunter	Whitmer
Casperson	Hildenbrand	Johnson	Young
Gleason	Hood	Smith	

**Nays—23**

Booher	Hune	Meekhof	Richardville
Brandenburg	Jansen	Moolenaar	Robertson
Caswell	Jones	Nofs	Rocca
Colbeck	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker
Green	Marleau	Pros	

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hopgood offered the following amendments:

1. Amend page 8, following line 15, by inserting:

“College access challenge grant program—6.0 FTE positions ..... 4,293,200”.

2. Amend page 8, line 26, by striking out “532,500” and inserting “4,825,700” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 24, following line 1, by inserting:

“Sec. 904. The funds appropriated in part 1 for college access network grant program shall be used for efforts to support college access. Allowable uses include the following:

(a) Michigan college access network operations, programming, and services to local college access networks.

(b) Local college access networks, which are community-based college access/success partnerships committed to increasing the college participation and completion rates within geographically-defined communities through a coordinated strategy.

(c) Michigan college access portal, an online one-stop portal to help students and families plan and apply for college.

(d) Public awareness campaigns to encourage low-income and first-generation students to take necessary steps toward college.

(e) Subgrants to postsecondary institutions to recruit, hire, and train college student mentors and college advisors to assist high school students in navigating the postsecondary planning and enrollment process.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 237**

**Yeas—12**

Anderson  
Bieda  
Gleason

Gregory  
Hood  
Hopgood

Hunter  
Johnson  
Smith

Warren  
Whitmer  
Young

**Nays—26**

Booher  
Brandenburg  
Casperson  
Caswell  
Colbeck  
Emmons  
Green

Hansen  
Hildenbrand  
Hune  
Jansen  
Jones  
Kahn  
Kowall

Marleau  
Meekhof  
Moolenaar  
Nofs  
Pappageorge  
Pavlov

Proos  
Richardville  
Robertson  
Rocca  
Schuitmaker  
Walker

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hopgood offered the following amendments:

1. Amend page 8, following line 15, by inserting:

“College access challenge grant program..... 2,000,000”.

2. Amend page 8, line 26, by striking out “532,500” and inserting “2,532,500” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 24, following line 1, by inserting:

“Sec. 904. The funds appropriated in part 1 for college access network grant program shall be used for efforts to support college access. Allowable uses include the following:

(a) Michigan college access network operations, programming, and services to local college access networks.

(b) Local college access networks, which are community-based college access/success partnerships committed to increasing the college participation and completion rates within geographically-defined communities through a coordinated strategy.

(c) Michigan college access portal, an online one-stop portal to help students and families plan and apply for college.

(d) Public awareness campaigns to encourage low-income and first-generation students to take necessary steps toward college.

(e) Subgrants to postsecondary institutions to recruit, hire, and train college student mentors and college advisors to assist high school students in navigating the postsecondary planning and enrollment process.”

The amendments were not adopted, a majority of the members serving not voting therefor.

The Assistant President pro tempore, Senator Hansen, assumed the Chair.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 238**

**Yeas—24**

Booher	Green	Marleau	Proos
Brandenburg	Hansen	Meekhof	Richardville
Casperson	Hildenbrand	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker

**Nays—14**

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Jones	Whitmer
Gleason	Hune	Smith	Young
Gregory	Hunter		

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

**Protests**

Senators Hopgood, Gregory, Hood, Young, Johnson, Whitmer and Smith, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 952.

Senator Hopgood moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hopgood's statement, in which Senators Gregory, Hood, Young, Johnson, Whitmer and Smith concurred, is as follows:

I rise to give my "no" vote explanation on the budget for the Department of Education. Recently, Michigan received the embarrassing news that our state was one of only two to lose federal education dollars because of our lack of support for colleges and universities—just Michigan and Alabama.

Regrettably, in its current form, this budget will now completely defund the Michigan College Access Network because state funding is absolutely crucial to leverage private and protracted funding. By defunding this program, we are, in effect, leaving the network with a slim chance of survival.

The network's primary purpose is to increase the college participation rate, especially for low-income, first-generation students and students of color. The network provides resources, programs, and services necessary to obtain college access for these individuals. Not only does the program have promise, it has proven results increasing the college access rate.

Michigan's college access rate is growing. In fact, Michigan has the largest growth in the country on this metric under the network's control. The elimination of these grants is unjust, to say the least, but is also a far cry from the reinvention that our Governor declared necessary. It is also a far cry from the reinvention that our Governor declared necessary to turn the state around.

Over the past two years, we have seen a systematic disinvestment in our public education system, and the budget before us continues the trend of eliminating opportunities for Michigan residents who need them the most. You can make all the plans you like about establishing an environment in which businesses are compelled to move to this state, but with the lack of proper funding and education and college access, we will not be able to provide the educated workforce that is necessary for our competitive progress.

I will be voting "no" on this budget and ask that my colleagues do the same.

Senator Hopgood asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Hopgood's first statement is as follows:

I rise to speak to my amendment on the budget for the Department of Education. This amendment will increase the number of hours eligible for reimbursement for childcare for low-income individuals. While many in this chamber will not understand necessarily the challenges that low-income people face with the high costs of childcare, we must acknowledge that many hardworking individuals in our state do the very best just to get by.

This chamber in turn will be punishing those hardworking individuals by disallowing them the very least we can do to aid in the childcare expenses. This amendment will allow us to remove a sense of burden from individuals in our state who need some help the most. They are working, and they are raising children.

I ask my colleagues to join me in supporting this.

Senator Hopgood's second statement is as follows:

I rise to speak in support of the Hopgood amendment to the Department of Education budget. This amendment would provide for the full restoration of funding for the Michigan College Access Network. As many may know, the function of the Michigan College Access Network is to increase the college participation rate, especially amongst low-income, first-generation students and students of color. To defund this program is to send the wrong message to our citizens about where our interests lie.

The choice is simple. Restore funding for Michigan College Access Network, and tell our students that we believe in their future. I ask my colleagues to join me in supporting this amendment.

Senator Hopgood's third statement is as follows:

I rise to speak to the Hopgood Amendment No. 3. This amendment would restore the funding for the Michigan College Access Network back to the Governor's recommendation. He saw great value in securing funding for this important program in these times of, I guess, leaner budgets. So I think that it is entirely appropriate for us to support this line item and put it back in so that, once again, we can help more kids secure their futures and go on to a higher education. I ask members to support this amendment.

### Recess

Senator Meekhof moved that the Senate recess until 2:00 p.m.

The motion prevailed, the time being 12:05 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schuitmaker.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 2:01 p.m.

2:08 p.m.

The Senate was called to order by the President pro tempore, Senator Schuitmaker.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Hopgood as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 961, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2011 PA 299 and section 17b as amended by 2007 PA 137.

Substitute (S-2).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 13, line 11, after "**IS NOT**" by inserting "**A MANDATE AND IS NOT**".
2. Amend page 13, line 11, after "**TITLE I**" by inserting "**FUNDS THAT ARE**".
3. Amend page 55, line 23, after "exceeds" by striking out "**34.3%**" and inserting "68.5%" and adjusting the subtotals, totals in sections 11 and 22b, and enacting section 1 accordingly.
4. Amend page 90, line 20, after "grades" by striking out "K-6," and inserting "**K-12**,".
5. Amend page 90, line 27, after the first "grades" by striking out "K-6," and inserting "**K-12**,".
6. Amend page 122, line 16, by inserting:

"(c) If the department determines before bookclosing for a fiscal year that the amounts allocated for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 will exceed expenditures for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a district or intermediate district whose reimbursement for that fiscal year would otherwise be affected by subdivision (b), subdivision (b) does not apply to the calculation of the reimbursement for that district or intermediate district and reimbursement for that district or intermediate district shall be calculated in the same manner as it was for 2003-2004. If the amount of the excess allocations under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 is not sufficient to fully fund the calculation of reimbursement to those districts and intermediate districts under this subdivision, then the calculations and resulting reimbursement under this subdivision shall be prorated on an equal percentage basis." and relettering the remaining subdivisions.

7. Amend page 160, line 10, after "**\$2,625,000.00**" by striking out "**EACH FISCAL YEAR**".
8. Amend page 160, line 10, after "**AND**" by inserting "**AN AMOUNT NOT TO EXCEED \$2,725,000.00**".
9. Amend page 161, following line 27, by inserting:

"**(7) FROM THE FUNDS ALLOCATED IN SUBSECTION (1), THERE IS ALLOCATED FOR 2012-2013 AN AMOUNT NOT TO EXCEED \$100,000.00 IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT TO A SINGLE MATHEMATICS AND SCIENCE CENTER THAT IS A PARTICIPANT IN THE MICHIGAN STEM PARTNERSHIP. FUNDING UNDER THIS SUBSECTION IS IN ADDITION TO FUNDING ALLOCATED UNDER SUBSECTION (5) AND SHALL BE USED FOR CONNECTING MATHEMATICS AND SCIENCE CENTERS FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS PURPOSES.**" and renumbering the remaining subsections.

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 961**

The motion prevailed, a majority of the members serving voting therefor.

The following bill was read a third time:

**Senate Bill No. 961, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18c, 19, 20, 20d, 22a, 22b, 22d, 24, 24a, 24c, 25, 26a, 26b, 31a, 31d, 31f, 32d, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 101, 102, 104, 107, 147, 147a, 147b, and 152a (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618c, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1625, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1639, 388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1702, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747b, and 388.1752a), sections 3, 19, and 101 as amended by 2010 PA 110, section 4 as amended by 2008 PA 268, sections 6, 11, 11a, 11m, 22a, 22b, 24a, 24c, 26b, 51a, 51c, 74, and 104 as amended by 2012 PA 29, sections 11g, 11k, 15, 18, 20, 20d, 22d, 24, 31a, 32d, 39, 39a, 51d, 54, 56, 61a, 81, 93, 94a, 98, 99, 107, 147, and 152a as amended sections 12, 147a, and 147b as added by 2011 PA 62, sections 11j, 26a, 31d, 31f, 53a, and 62 as amended by 2011 PA 299, section 18c as added by 2000 PA 297, section 25 as amended by 2011 PA 322, and section 102 as amended by 2010 PA 204, and by adding sections 11s, 11t, 11u, 22g, 22i, 32p, 95, and 104c; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Pappageorge offered the following amendments:

1. Amend page 83, line 21, after "allocated" by striking out "**EACH FISCAL YEAR**".
2. Amend page 83, line 22, by striking out "2011-2012 **AND FOR**".
3. Amend page 83, line 22, after "exceed" by striking out "\$317,695,500.00" and inserting "**\$323,695,500.00**" and adjusting the totals in section 11 and in enacting section 1 accordingly.
4. Amend page 84, line 27, after "**SYSTEM**" by striking out the balance of the line through "agrees" on line 8 of page 85 and inserting "**SHALL AGREE**".
5. Amend page 95, following line 16, by inserting:

**"(18) FOR 2012-2013, THE ALLOCATION UNDER THIS SECTION TO A DISTRICT WITH COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL IN THE CURRENT STATE FISCAL YEAR, AS CALCULATED UNDER SECTION 20, THAT EXCEEDS THE BASIC FOUNDATION ALLOWANCE UNDER SECTION 20 FOR THE CURRENT STATE FISCAL YEAR SHALL NOT EXCEED 20% OF WHAT OTHERWISE WOULD BE ALLOCATED TO THAT DISTRICT UNDER THIS SECTION, AFTER ANY PRORATION UNDER SUBSECTION (14). FOR 2013-2014, THE ALLOCATION UNDER THIS SECTION TO A DISTRICT WITH COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL IN THE CURRENT STATE FISCAL YEAR, AS CALCULATED UNDER SECTION 20, THAT EXCEEDS THE BASIC FOUNDATION ALLOWANCE UNDER SECTION 20 FOR THE CURRENT STATE FISCAL YEAR SHALL NOT EXCEED 40% OF WHAT OTHERWISE WOULD BE ALLOCATED TO THAT DISTRICT UNDER THIS SECTION, AFTER ANY PRORATION UNDER SUBSECTION (14). FOR 2014-2015, THE ALLOCATION UNDER THIS SECTION TO A DISTRICT WITH COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL IN THE CURRENT STATE FISCAL YEAR, AS CALCULATED UNDER SECTION 20, THAT EXCEEDS THE BASIC FOUNDATION ALLOWANCE UNDER SECTION 20 FOR THE CURRENT STATE FISCAL YEAR SHALL NOT EXCEED 60% OF WHAT OTHERWISE WOULD BE ALLOCATED TO THAT DISTRICT UNDER THIS SECTION, AFTER ANY PRORATION UNDER SUBSECTION (14). FOR 2015-2016, THE ALLOCATION UNDER THIS SECTION TO A DISTRICT WITH COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL IN THE CURRENT STATE FISCAL YEAR, AS CALCULATED UNDER SECTION 20, THAT EXCEEDS THE BASIC FOUNDATION ALLOWANCE UNDER SECTION 20 FOR THE CURRENT STATE FISCAL YEAR SHALL NOT EXCEED 80% OF WHAT OTHERWISE WOULD BE ALLOCATED TO THAT DISTRICT UNDER THIS SECTION, AFTER ANY PRORATION UNDER SUBSECTION (14). BEGINNING IN 2016-2017, THE ALLOCATION UNDER THIS SECTION TO A DISTRICT WITH COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL IN THE CURRENT STATE FISCAL YEAR, AS CALCULATED UNDER SECTION 20, THAT EXCEEDS THE BASIC FOUNDATION ALLOWANCE UNDER SECTION 20 FOR THE CURRENT STATE FISCAL YEAR SHALL BE 100% OF WHAT OTHERWISE WOULD BE ALLOCATED TO THAT DISTRICT UNDER THIS SECTION, AFTER ANY PRORATION UNDER SUBSECTION (14)."**

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Anderson offered the following amendments:

1. Amend page 54, line 11, after "for" by striking out the balance of the line through "after" on line 12.
2. Amend page 56, line 10, after "for" by striking out "2010-2011. This adjustment shall not be made after".
3. Amend page 56, line 22, after "for" by striking out "2010-2011. This adjustment shall not be made after".
4. Amend page 68, line 19, after "**EXCEED**" by striking out "**\$3,338,300,000.00**" and inserting "**\$3,338,850,000.00**" and adjusting the totals in section 11 and enacting section 1 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.  
 Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 239****Yeas—13**

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Colbeck	Hopgood	Smith	Young
Gleason			

**Nays—25**

Booher	Hildenbrand	Marleau	Proos
Brandenburg	Hune	Meekhof	Richardville
Casperson	Jansen	Moolenaar	Robertson
Caswell	Jones	Nofs	Rocca
Emmons	Kahn	Pappageorge	Schuitmaker
Green	Kowall	Pavlov	Walker
Hansen			

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendments

1. Amend page 83, line 21, after “allocated” by striking out “**EACH FISCAL YEAR**”.
2. Amend page 83, line 22, by striking out “2011-2012 **AND FOR**”.
3. Amend page 83, line 22, after “exceed” by striking out “\$317,695,500.00” and inserting “**\$347,695,500.00**” and adjusting the totals in section 11 and enacting section 1 accordingly.
4. Amend page 84, line 27, after “**SYSTEM**” by striking out the balance of the line through “agrees” on line 8 of page 85 and inserting “**SHALL AGREE**”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 240****Yeas—14**

Anderson	Hood	Jones	Warren
Bieda	Hopgood	Rocca	Whitmer
Gleason	Hunter	Smith	Young
Gregory	Johnson		

**Nays—24**

Booher	Green	Kowall	Pavlov
Brandenburg	Hansen	Marleau	Proos

Casperson	Hildenbrand	Meekhof	Richardville
Caswell	Hune	Moolenaar	Robertson
Colbeck	Jansen	Nofs	Schuitmaker
Emmons	Kahn	Pappageorge	Walker

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendments:

1. Amend page 42, line 20, after “is” by striking out “\$8,135.00” and inserting “\$8,077.00”.
2. Amend page 58, line 21, after “means” by striking out “\$7,323.00” and inserting “\$7,219.00”.
3. Amend page 68, line 19, after “EXCEED” by striking out “\$3,338,300,000.00” and inserting “\$3,219,300,000.00”.
4. Amend page 74, line 23, by striking out all of section 221.
5. Amend page 176, line 12, by striking out all of section 104C.
6. Amend page 185, following line 6, by inserting:

“Sec. 147a. From the appropriation in section 11, there is allocated for ~~2011-2012~~ **only 2012-2013** an amount not to exceed ~~\$155,000,000.00~~ **\$177,000,000.00** for ~~1-time~~ payments to participating districts **AND INTERMEDIATE DISTRICTS**. The money allocated in this section represents a portion of the year-end state school aid fund balance for ~~2010-2011~~. A district **OR INTERMEDIATE DISTRICT** that receives money under this section shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the district **OR INTERMEDIATE DISTRICT** for the fiscal year ending September 30, ~~2012~~ **2013**. The amount allocated to each participating district **OR INTERMEDIATE DISTRICT** under this section shall be based on each participating district’s **OR INTERMEDIATE DISTRICT’S** percentage of the total statewide payroll for all participating districts **AND INTERMEDIATE DISTRICTS** for the state ~~IMMEDIATELY PRECEDING~~ fiscal year, ~~ending September 30, 2011~~. As used in this section, “participating district **OR INTERMEDIATE DISTRICT**” means a district **OR INTERMEDIATE DISTRICT** that is a reporting unit of the Michigan public school employees’ retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408, and that reports employees to the Michigan public school employees’ retirement system for ~~September 2011~~. **THE APPLICABLE FISCAL YEAR.**”

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 241**

**Yeas—13**

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Schuitmaker	Whitmer
Gleason	Hunter	Smith	Young
Gregory			

**Nays—25**

Booher	Hansen	Kowall	Pavlov
Brandenburg	Hildenbrand	Marleau	Proos
Casperson	Hune	Meekhof	Richardville
Caswell	Jansen	Moolenaar	Robertson
Colbeck	Jones	Nofs	Rocca
Emmons	Kahn	Pappageorge	Walker
Green			



**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendments:

1. Amend page 56, following line 22, by inserting:

**“(18) IF A DISTRICT OR PUBLIC SCHOOL ACADEMY DID NOT RECEIVE FUNDING UNDER SECTION 147A FOR 2011-2012 OR IS NOT A REPORTING UNIT OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437, THAT REPORTS EMPLOYEES TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM FOR SEPTEMBER 2012, THE DISTRICT’S FOUNDATION ALLOWANCE OR PUBLIC SCHOOL ACADEMY’S PER-PUPIL ALLOCATION UNDER THIS SECTION, AS OTHERWISE CALCULATED UNDER THIS SECTION, IS REDUCED BY \$1,000.00.”** and renumbering the remaining subsections.

2. Amend page 68, line 19, after **“EXCEED”** by striking out **“\$3,338,300,000.00”** and inserting **“\$3,243,300,000.00”** and adjusting the totals in section 11 and enacting section 1 accordingly.

3. Amend page 187, line 3, after **“year.”** by inserting **“IT IS THE INTENT OF THE LEGISLATURE THAT THE SAVINGS REALIZED BY THE REDUCTION UNDER SECTION 20(18) SHALL BE DEPOSITED IN THE MPSERS HEALTH CARE RESERVE FUND AS PAYMENT TOWARD THE UNFUNDED ACCRUED LIABILITY FOR RETIREE HEALTH.”**.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 242**

**Yeas—12**

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

**Nays—26**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendments:

1. Amend page 26, line 13, by striking out “\$10,708,491,400.00” and inserting “\$11,203,091,400.00”.
2. Amend page 42, line 20, after “is” by striking out “\$8,135.00” and inserting “\$8,324.00”.
3. Amend page 58, line 21, after “means” by striking out “\$7,323.00” and inserting “\$7,669.00”.
4. Amend page 68, line 19, after “EXCEED” by striking out “\$3,338,300,000.00” and inserting “\$3,832,900,000.00” and adjusting the totals in enacting section 1 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

### Roll Call No. 243

### Yeas—16

Anderson	Gregory	Hunter	Smith
Bieda	Hansen	Johnson	Warren
Gleason	Hood	Jones	Whitmer
Green	Hopgood	Rocca	Young

### Nays—22

Booher	Hildenbrand	Meekhof	Proos
Brandenburg	Hune	Moolenaar	Richardville
Casperson	Jansen	Nofs	Robertson
Caswell	Kahn	Pappageorge	Schuitmaker
Colbeck	Kowall	Pavlov	Walker
Emmons	Marleau		

### Excused—0

### Not Voting—0

In The Chair: Schuitmaker

Senator Moolenaar offered the following amendments:

1. Amend page 42, line 20, after “is” by striking out “\$8,135.00” and inserting “\$8,153.00”.
2. Amend page 43, line 1, after “had” by striking out the balance of the line through “allowance” on line 6 and inserting “**OPERATIONAL REVENUE FOR THE IMMEDIATELY PRECEDING STATE FISCAL YEAR THAT WAS LESS THAN THE LOWEST AMOUNT OF OPERATIONAL REVENUE AMONG THE 51 DISTRICTS WITH THE HIGHEST AMOUNT OF OPERATIONAL REVENUE**”.
3. Amend page 43, line 16, by striking out all of line 16 through “districts].” on line 25 and inserting “(the difference between the district’s ~~foundation allowance~~ **OPERATIONAL REVENUE** for the immediately preceding state fiscal year and the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to **LOWEST AMOUNT OF OPERATIONAL REVENUE AMONG ALL DISTRICTS FOR** the immediately preceding state fiscal year) in the lowest ~~foundation allowance among all districts~~ **SUM OF THE LOWEST AMOUNT OF OPERATIONAL REVENUE AMONG THE 51 DISTRICTS WITH THE HIGHEST AMOUNT OF OPERATIONAL REVENUE PLUS THE INCREASE IN THE BASIC FOUNDATION ALLOWANCE** for the current state fiscal year and the sum of \$7,108.00 plus the total dollar amount of all adjustments made from 2006-2007 to **LOWEST AMOUNT OF OPERATIONAL REVENUE AMONG ALL DISTRICTS FOR** the immediately preceding state fiscal year]. ~~in the lowest foundation allowance among all districts].”~~.”
4. Amend page 44, line 18, by striking out all of subdivisions (c) and (d) and relettering the remaining subdivisions.
5. Amend page 58, line 21, after “means” by striking out “\$7,323.00” and inserting “\$7,356.00”.

6. Amend page 59, following line 1, by inserting:

**“(K) “OPERATIONAL REVENUE” MEANS THE SUM OF LOCAL REVENUE RAISED UNDER SECTION 1211 OF THE REVISED SCHOOL CODE, MCL 380.1211, PLUS STATE AID RECEIVED UNDER THIS ACT, EXCLUDING AID RECEIVED UNDER SECTIONS 24A, 24C, 31A(6), 31A(7), 51C, AND 104, DIVIDED BY THE DISTRICT’S GENERAL EDUCATION MEMBERSHIP FOR THE IMMEDIATELY PRECEDING STATE FISCAL YEAR.”** and relettering the remaining subdivisions.

The question being on the adoption of the amendments,

Senator Moolenaar requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 244**

**Yeas—25**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker
Green			

**Nays—13**

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Jones	Whitmer
Gleason	Hunter	Smith	Young
Gregory			

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

**Protests**

Senators Hopgood, Whitmer, Smith, Hood, Gregory, Young and Johnson, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 961.

Senator Hopgood moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hopgood’s statement, in which Senators Whitmer, Smith, Hood, Gregory, Young and Johnson concurred in, is as follows:

I rise to speak, and before I get into the rest of my remarks, I do want to commend the subcommittee chair of the school aid subcommittee for his hard work and to the rest of the members for looking at and considering a lot of testimony; a lot of changes and different policy pieces that we worked on over the course of the budget to date.

But here we are in day two of our budget process that not only leaves off where we were yesterday, but it leaves off where we were last year. Looking at the School Aid budget before us, it is quite clear to Michigan families to see that this is the second half of the first two-year budget cycle in Michigan's history. Despite all the protests and despite all of the outcry from Michigan's public, it seems that you have learned nothing from the mistakes made in last year's budget, and nowhere is that more obvious than in the School Aid budget. You once again robbed the blind to fill in the holes you've created in the General Fund. Money that was intended to be spent only on our K-12 schools is being diverted away to pay for untested and unproven corporate tax handouts, all while you pat yourselves on the backs and claim you've balanced the budget.

What you've really done is, once again, show where your values lie, and that's in putting corporate greed over kids in need. By taking more than \$1.5 billion out of the School Aid Fund over the last two years, you have shown that the education of our children—the future of our state—is not as important as ensuring that we line the pockets of the wealthiest out-of-state CEOs. I am sure many of your colleagues in the House will try to claim that this budget is an improvement on last year, as they scramble to convince voters they are pro-education this year. I can assure you that the public will see through that as their schools continue to close and class sizes continue to grow. Make no mistake, this budget you are voting on today is absolutely a cut to education, compounded on top of the massive cut you gave them last year.

Beyond the financial hit you are once again asking our public schools to take, you further muddy the waters of our children's education by including ill-conceived requirements on our schools in this budget. While offering a computer adaptive test in addition to the MEAP may sound like a leap forward in technology, it's one that we don't seem to have thought out totally logistically. Adding yet another test that we don't even know the merits of, let alone whether any of our schools or students are prepared to maneuver, is a far cry from responsible spending.

Instead of handing over our precious dollars to the private, out-of-state vendor who runs this testing, I wish you would leave the school aid money alone. Yet another painfully obvious flaw in this budget is the fact that you intend to throw money at the Education Achievement System, a program that has yet to produce any tangible policy recommendations, despite repeatedly extending its own deadlines. As much as this Republican administration favors the rhetoric of metrics and dashboards, one would think that a flaw such as this would not be overlooked. This is yet another example of the double standard you have imposed on individuals and corporations. If it were our schools themselves extending deadlines you've set for them, I dare say you would not be so accommodating.

We owe it to our children and our future to pass a budget that will give them the education they need to be competitive in the 21st century. I am not willing to sacrifice our students' future and the quality of our education system to pay for yet another tax break for corporations that has no guarantee of creating a single job.

For those planning to vote for this terrible budget, I ask you what is enough? When will you finally decide that the future of our state and the education of our children are more important to this Legislature than ensuring that those at the top make a few extra bucks? I hope that my colleagues will take this opportunity to join me in voting "no."

Senators Anderson and Hopgood asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Anderson's statement is as follows:

I rise to speak to this very important issue amendment to the School Aid Fund. This amendment would restore vital and warranted funding for Garden City, Gibraltar, and Huron schools. This categorical funding for these districts have in every previous budget been to correct a problem that arose with the passage of Proposal A, and compensates them from the disparity the school funding caused by its implementation.

These districts are still getting diminished per-pupil education funding today due to the current formula. There is absolutely no justification for suddenly eliminating this funding now and pulling the rug out from those already underfunded and struggling school districts. This is not an issue of favoritism. It is an issue of fairness.

Senate leadership has been playing favorites, though as you have already seen, it is fit to restore this exact same funding to more than ten other districts, the majority of which are in districts that belong to the other side of the aisle. This money for Garden City and the other districts is deserved. It is owed and it should be honored. Most importantly, it was promised. Like any other organization, school districts plan for the coming year based on the funding at hand. When Garden City in my district was promised \$8 million over ten years, they planned accordingly. Now cutting this proper funding for those schools from the School Aid budget and after making devastating cuts to all K-12 budgets from schools last year, Garden City and these other districts will struggle to stay out of the red.

I would ask for support of this amendment to bring some justice and fairness in this budget. I would hope that this body would honor its commitments and keep its promises to these districts just as it already has for many others. I urge you all to join me in supporting this level-headed and even-handed amendment.

Senator Hopgood's first statement is as follows:

This amendment builds up from conversations that we had previously with the Pappageorge amendment in terms of 20j or former 20j school districts having access to the at-risk funding, which was a good amendment. Madam President, this

is a better amendment. It actually does not create a situation where we are having districts' at-risk funding compete against each other.

This actually puts the funding in there so that we are recognizing the needs and the issues that some school districts are facing that were former 20j school districts. Quite frankly, they are all over the state. They are in all of our districts, and we know many of them. I just wanted to share a couple that are out there, including the Waverly school district, Warren Consolidated, Midland, Jefferson, Birmingham, West Bloomfield, Lamphere—all over, quite frankly, Madam Chair. So this affects all of us. It is literally thousands of students. We should be supporting the funding that will help them—these students in these school districts—reach their full potential.

With that, I would ask for members to support this amendment. It will help make sure that our kids have a good opportunity in the schools, and it will really address a basic fairness issue, as one of the previous speakers talked about with the elimination of the 20j funding and with us, quite frankly, moving to a 2s formula, which is something that, I think, in many of our minds and thoughts we want to see happen. We want to see a way to close the difference in funding between the school districts, but let's make sure we are doing it equitably, and let's restore some of that balance.

Senator Hopgood's second statement is as follows:

This amendment restores the MPSERS line that was originally proposed in the Governor's budget earlier this year. The reason that this is an important way to do this is because the funding was proposed as a way to help address costs that we have in our retirement system. We are actually trying to send the money where the cost burden is, and that is the whole basis for why the amendment and the funding were set up and proposed in the first place.

So it really should not go to school districts based on how they are incurring the retirement costs. It is something that we see and talk about. We know that this is happening locally. We talked about it as a state issue, and this is a way for us to help address this issue. We would love to see it as a piece of ongoing funding that continues into the future.

I think it is important to recognize that the state budget does actually have a role in terms of stabilizing our retirement system and supporting our schools. We should be doing this sort of policy. I ask for the members' support.

Senator Hopgood's third statement is as follows:

I rise to speak about this amendment. This would remove \$1,000 per pupil from the allowance for school districts that are not a part of and contribute to. This number is volatile to what most school districts contribute per pupil to the retirement system.

As a colleague noted recently in the budget deliberations, it really is not fair that additional school districts pay about \$1,000 per pupil while others avoid the costs. Not paying into the MPSERS fund while accounting for it in their foundation allowance is simply a flawed system that gives some schools an unfair advantage. It is also one of the reasons that the MPSERS is in the condition that it is in today.

I think that this is an amendment that we should all have an easy time agreeing upon. I ask my colleagues to support this amendment.

Senator Hopgood's fourth statement is as follows:

This is the last amendment on the School Aid budget. I ask to speak on Amendment No. 8. As mentioned, this budget provides nowhere near the amount of money necessary for our school districts to operate in a way that will allow our students to have a competitive future. The amendment I have proposed will return the money that you intend to divert elsewhere in your ill-advised budget by investing in the foundation. The School Aid Fund is not Monopoly money for you to play with and plug into the gaping holes left in the General Fund left by your corporate handouts.

By providing \$490 million to the foundation, we would bring the per-pupil numbers much closer to their fiscal year 2011 amounts. While this rate does not begin to account for inflation and other factors, it is the very least that we can do to provide our students with the education they need to invest in Michigan's' future. The people of Michigan have spoken, and the resounding conclusion is that we must stop cutting checks from the School Aid Fund to fund tax breaks for businesses. They want us to be a partner to our children's education, not an obstacle.

This amendment will allow us to begin to repair that partnership with our schools. I ask my colleagues to do the right thing by supporting the amendment.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 3:10 p.m.

3:36 p.m.

The Senate was called to order by the Assistant President pro tempore, Senator Hansen.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Hopgood as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Hansen, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 949, entitled**

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 1, after "(2)" by striking out "AND (4)" and inserting a comma and "(4), AND (5)".
2. Amend page 2, line 5, after "(2)" by striking out "AND (4)" and inserting a comma and "(4), AND (5)".
3. Amend page 5, following line 6, by inserting:

**"(5) FROM THE APPROPRIATIONS DESCRIBED IN SUBSECTION (1), AN AMOUNT NOT TO EXCEED \$100.00 IS APPROPRIATED FOR FISCAL YEAR 2012-2013 FOR REIMBURSEMENT TO COMMUNITY COLLEGES UNDER SECTION 12(3) OF THE MICHIGAN RENAISSANCE ZONE ACT, 1996 PA 376, MCL 125.2692, FOR TAX REVENUE LOST BY COMMUNITY COLLEGES FROM TAXES LEVIED IN 2012 AS A RESULT OF THE EXEMPTION OF PROPERTY UNDER THE MICHIGAN RENAISSANCE ZONE ACT, 1996 PA 376, MCL 125.2681 TO 125.2696."** and adjusting the subtotals and totals in this section and enacting section 1 accordingly.

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 955, entitled**

A bill to make appropriations for higher education for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 2, after "(5)" by striking out "(7)" and inserting "(9)".
2. Amend page 2, line 6, after "(5):" by striking out "(7)" and inserting "(9)".
3. Amend page 7, following line 24, by inserting:

**"(5) FOR THE STATE FISCAL YEAR ENDING SEPTEMBER 30, 2013, THERE IS APPROPRIATED FROM STATE GENERAL FUND/GENERAL PURPOSE MONEY, ON A 1-TIME BASIS ONLY, \$500,000.00 TO EASTERN MICHIGAN UNIVERSITY FOR THE AUTISM COLLABORATIVE CENTER.**

**(6) FOR THE STATE FISCAL YEAR ENDING SEPTEMBER 30, 2013, \$50,000.00 IS APPROPRIATED FROM STATE GENERAL FUND/GENERAL PURPOSE MONEY TO CENTRAL MICHIGAN UNIVERSITY FOR THE CENTRAL ASSESSMENT LENDING LIBRARY PROGRAM."** and renumbering the remaining subsections and adjusting the subtotals and totals in section 236 and enacting section 1 accordingly.

4. Amend page 8, line 13, after "(6)," by striking out "(8)" and inserting "(10)".
5. Amend page 8, line 24, after "(5)" by striking out "(7)" and inserting "(9)".
6. Amend page 14, following line 26, by inserting:

**"(iv) CAMPUS SECURITY POLICIES AND CRIME STATISTICS PURSUANT TO THE STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT, PUBLIC LAW 101-542, 104 STAT. 2381. INFORMATION SHALL INCLUDE ALL MATERIAL PREPARED PURSUANT TO THE PUBLIC INFORMATION REPORTING REQUIREMENTS UNDER THE CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990, TITLE II OF THE STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT, PUBLIC LAW 101-542, 104 STAT. 2381."**

7. Amend page 24, following line 19, by inserting:

**"Sec. 261. The University of Michigan biological station at Douglas Lake in Cheboygan County is regarded as a unique resource and is designated as a special research reserve. It is the intent of the legislature to protect and preserve the unique long-term research value and capabilities of the biological station area and Douglas Lake. ~~The legislature further intends~~ AND that no state programs or policies be developed that would have a deleterious impact on the research value of Douglas Lake."**

8. Amend page 44, line 26, by striking out all of section 292.
9. Amend page 46, line 17, after "237a," by striking out "261,".
10. Amend page 46, line 18, after "290," by inserting "292,".
11. Amend page 46, line 19, after "388.1837a," by striking out "388.1861,".
12. Amend page 46, line 20, after "388.1890," by inserting "388.1892,".

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 949**

**Senate Bill No. 955**

The motion prevailed, a majority of the members serving voting therefor.

The following bill was read a third time:

**Senate Bill No. 949, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201, 201a, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212, 213, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, and 230 (MCL 388.1801, 388.1801a, 388.1802, 388.1803, 388.1804, 388.1805, 388.1806, 388.1807, 388.1808, 388.1809, 388.1810, 388.1812, 388.1813, 388.1817, 388.1818, 388.1819, 388.1820, 388.1821, 388.1822, 388.1823, 388.1824, 388.1825, 388.1826, 388.1827, 388.1828, 388.1829, and 388.1830), as added by 2011 PA 62, and by adding sections 202a and 229a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Anderson offered the following amendment:

1. Amend page 1, line 1, by striking out all of section 201 and inserting:

"Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in ~~subsection~~**SUBSECTIONS (2) AND (4)** are appropriated for community colleges for the fiscal year ending September 30, ~~2012,~~**2013**, from the funds indicated in this section. The following is a summary of the appropriations in ~~subsection~~**SUBSECTIONS (2) AND (4)**:

(a) The gross appropriation is ~~\$283,880,500.00.~~ **\$297,614,100.00.** After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$283,880,500.00.~~ **\$297,614,100.00.**

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, \$0.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, ~~\$195,880,500.00.~~ **\$0.00.**

(v) State general fund/general purpose money, ~~\$88,000,000.00.~~ **\$297,614,100.00.**

(2) Subject to subsection (3), the amount appropriated for community college operations is ~~\$283,880,500.00.~~ **\$295,880,500.00**, allocated as follows:

(a) Alpena Community College, ~~\$4,984,300.00.~~ **\$5,163,100.00.**

(b) Bay de Noc Community College, ~~\$5,040,200.00.~~ **\$5,210,800.00.**

(c) Delta College, ~~\$13,336,200.00.~~ **\$13,866,800.00.**

(d) Glen Oaks Community College, ~~\$2,320,900.00.~~ **\$2,408,300.00.**

(e) Gogebic Community College, ~~\$4,140,500.00.~~ **\$4,270,900.00.**

(f) Grand Rapids Community College, ~~\$16,649,700.00.~~ **\$17,220,000.00.**

(g) Henry Ford Community College, ~~\$20,145,000.00.~~ **\$20,781,500.00.**

(h) Jackson Community College, ~~\$11,219,700.00.~~ **\$11,602,600.00.**

(i) Kalamazoo Valley Community College, ~~\$11,522,700.00.~~ **\$11,953,300.00.**

(j) Kellogg Community College, ~~\$9,047,900.00.~~ **\$9,388,100.00.**

(k) Kirtland Community College, ~~\$2,872,900.00.~~ **\$3,007,400.00.**

(l) Lake Michigan College, ~~\$4,937,700.00.~~ **\$5,108,900.00.**

(m) Lansing Community College, ~~\$28,651,900.00.~~ **\$29,614,500.00.**

(n) Macomb Community College, ~~\$30,490,300.00.~~ **\$31,499,400.00.**

(o) Mid Michigan Community College, ~~\$4,266,800.00.~~ **\$4,445,100.00.**

(p) Monroe County Community College, ~~\$4,094,000.00.~~ **\$4,276,500.00.**

- (q) Montcalm Community College, ~~\$2,946,800.00~~ **\$3,076,000.00**.  
 (r) C.S. Mott Community College, ~~\$14,526,400.00~~ **\$15,039,100.00**.  
 (s) Muskegon Community College, ~~\$8,256,700.00~~ **\$8,537,500.00**.  
 (t) North Central Michigan College, ~~\$2,886,500.00~~ **\$3,018,000.00**.  
 (u) Northwestern Michigan College, ~~\$8,430,300.00~~ **\$8,703,400.00**.  
 (v) Oakland Community College, ~~\$19,455,900.00~~ **\$20,191,000.00**.  
 (w) St. Clair County Community College, ~~\$6,534,100.00~~ **\$6,763,900.00**.  
 (x) Schoolcraft College, ~~\$11,477,300.00~~ **\$11,932,700.00**.  
 (y) Southwestern Michigan College, ~~\$6,143,700.00~~ **\$6,320,100.00**.  
 (z) Washtenaw Community College, ~~\$11,827,300.00~~ **\$12,411,800.00**.  
 (aa) Wayne County Community College, ~~\$15,425,900.00~~ **\$15,950,900.00**.  
 (bb) West Shore Community College, ~~\$2,248,900.00~~ **\$2,318,400.00**.  
**(CC) LOCAL STRATEGIC VALUE, \$1,800,500.00.**

(3) The amount appropriated in subsection (2) for community college operations is appropriated from the following:

- (a) School aid fund, ~~\$195,880,500.00~~ **\$0.00**.  
 (b) State general fund/general purpose money, ~~\$88,000,000.00~~ **\$295,880,500.00**.

**(4) FROM THE APPROPRIATIONS DESCRIBED IN SUBSECTION (1), THERE IS APPROPRIATED FOR FISCAL YEAR 2012-2013 AN AMOUNT NOT TO EXCEED \$1,733,600.00 FOR PAYMENTS TO COMMUNITY COLLEGES FROM STATE GENERAL FUND/GENERAL PURPOSE MONEY. A COMMUNITY COLLEGE THAT RECEIVES MONEY UNDER THIS SUBSECTION SHALL USE THAT MONEY SOLELY FOR THE PURPOSE OF OFFSETTING A PORTION OF THE RETIREMENT CONTRIBUTIONS OWED BY THE COLLEGE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013. THE AMOUNT ALLOCATED TO EACH PARTICIPATING COMMUNITY COLLEGE UNDER THIS SUBSECTION SHALL BE BASED ON EACH PARTICIPATING COLLEGE'S TOTAL PAYROLL COVERED BY THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM IN PROPORTION TO THE TOTAL MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM-COVERED PAYROLL FOR ALL PARTICIPATING COLLEGES FOR THE IMMEDIATELY PRECEDING STATE FISCAL YEAR. AS USED IN THIS SUBSECTION, "PARTICIPATING COLLEGE" MEANS A COMMUNITY COLLEGE THAT IS A REPORTING UNIT OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1408, AND THAT REPORTS EMPLOYEES TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM FOR THE STATE FISCAL YEAR." and adjusting enacting section 1 accordingly.**

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 245**

**Yeas—16**

Anderson	Green	Hunter	Smith
Bieda	Gregory	Johnson	Warren
Emmons	Hood	Jones	Whitmer
Gleason	Hopgood	Rocca	Young

**Nays—22**

Booher	Hildenbrand	Meekhof	Proos
Brandenburg	Hune	Moolenaar	Richardville
Casperson	Jansen	Nofs	Robertson
Caswell	Kahn	Pappageorge	Schuitmaker
Colbeck	Kowall	Pavlov	Walker
Hansen	Marleau		

**Excused—0**



**Not Voting—0**

In The Chair: Hansen

Senator Anderson offered the following amendments:

1. Amend page 2, line 16, by striking out “\$294,130,500.00” and inserting “\$0.00”.
2. Amend page 2, line 18, by striking out “\$0.00” and inserting “\$294,130,500.00”.
3. Amend page 4, line 12, after “fund,” by striking out “\$292,396,900.00” and inserting “\$0.00”.
4. Amend page 4, line 14, by striking out “\$0.00” and inserting “\$292,396,900.00”.
5. Amend page 4, line 17, after “FROM” by striking out “THE STATE SCHOOL AID FUND” and inserting “STATE GENERAL FUND/GENERAL PURPOSE MONEY”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 246****Yeas—19**

Anderson	Green	Hunter	Smith
Bieda	Gregory	Johnson	Warren
Caswell	Hansen	Jones	Whitmer
Colbeck	Hood	Nofs	Young
Gleason	Hopgood	Rocca	

**Nays—19**

Booher	Hune	Meekhof	Richardville
Brandenburg	Jansen	Moolenaar	Robertson
Casperson	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker
Hildenbrand	Marleau	Proos	

**Excused—0****Not Voting—0**

In The Chair: Hansen

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 247****Yeas—20**

Booher	Hildenbrand	Meekhof	Proos
Brandenburg	Hune	Moolenaar	Richardville
Casperson	Kahn	Nofs	Robertson
Caswell	Kowall	Pappageorge	Schuitmaker
Emmons	Marleau	Pavlov	Walker

**Nays—18**

Anderson	Gregory	Jansen	Smith
Bieda	Hansen	Johnson	Warren
Colbeck	Hood	Jones	Whitmer
Gleason	Hopgood	Rocca	Young
Green	Hunter		

**Excused—0****Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

**Protests**

Senators Anderson, Whitmer and Gleason, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 949.

Senator Anderson's statement, in which Senators Whitmer and Gleason concurred, is as follows:

I rise today to explain my "no" vote for the Community Colleges budget that was just passed. I hope that we can all agree that community colleges are integral to the success of transforming our state into a successful and fruitful player in the 21st century economy.

Unfortunately, as property tax revenues have declined and student populations have increased, our community colleges have been forced to do more with less. In fact, they were forced to do it with far less after the cuts they received in your budget passed last year. And this year, while you try to cover up the damage that you've already created by providing a minimal increase that doesn't make up for last year, it is clear to see this budget is no welcome sight for our community colleges across the state.

You call it an increase in support, but how can you seriously expect anyone to swallow that when our community colleges are receiving drastically fewer dollars than they were two years ago? You'll claim it offers a 3 percent increase in state support, but again, can you honestly call that progress when the rate of inflation is above that? You add unnecessary and unhelpful strings to those dollars; hoops these schools will have to jump through just to be able to make ends meet; hoops that you don't require of the countless corporations this state gives billions of dollars in tax breaks to on an annual basis. Worst of all, while you continue to erode the support our state offers community colleges, you continue to take those dollars from those who need them most—Michigan's children.

This budget continues a now two-year trend of robbing Peter's lunch money to pay for Paul's higher education. Senate Republicans are, yet again, raiding an already-stressed School Aid Fund to the tune of \$294.1 million, which taxpayers agree should be used solely for paying K-12 education, to patch over a Community Colleges budget that should be paid for out of the General Fund.

After one of the largest cuts in history to K-12 funding last year, I find it particularly troubling to appropriate money that could be used to help stem the bleeding from other attacks on public education. It is not as if money does not exist in the General Fund to adequately provide for our community colleges. Senate Republicans were able to find enough General Fund dollars to support a \$1.8 billion tax giveaway to their corporate allies last year, and continue to fund billions in tax subsidies on an annual basis.

I cannot support this budget because of the items I just mentioned. I will not support another budget that puts our children's future in jeopardy by asking them to finance budget items that should be and could be paid for with dollars being handed out to corporations.

Senator Anderson asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Anderson's first statement is as follows:

I rise to offer an amendment that would restore funding for community colleges to their fiscal year 2011 funding level. It would return to funding these institutions out of the General Fund. We simply cannot expect our community colleges to provide the topnotch education we expect if we are not willing to provide the tools to do so. After last year's significant cuts, it is insulting to call this a budget of progress when it doesn't even allow our community colleges to keep up with the rate of inflation. We owe our students more.

Further, it is unacceptable to rob the School Aid Fund of much-needed dollars to the tune of \$294 million to make up for the hole that you punched in the General Fund budget. Yes, that is exactly what this budget would do. After one of the largest education cuts we have seen, ever seen last year, to continue robbing our children of a proper education is deplorable. Even in the School Aid budget more cuts are coming despite having a surplus as a result of raiding that fund.

I ask for your support in placing the proper value on the important role our community colleges play and funding these institutions out of the General Fund.

Senator Anderson's second statement is as follows:

My second amendment will focus solely on the issue of raiding the School Aid Fund for this budget and would restore this funding from the General Fund. If my colleagues cannot support adequate funding for our community colleges, my hope is that they can at least agree that it is unacceptable to divert funding away from our K-12 system.

Last year saw one of the most dramatic cuts to education in our state's history. The result has been increased class sizes, schools on the brink of financial ruin, and teachers being forced to purchase school supplies out of pocket. On top of that, your budget handed out a \$1.8 billion business tax cut and now continues to fund billions annually in business tax credits, all out of the General Fund. It's curious to think that prior to your actions, we were able to pay for our community colleges system. How were we supposed to do this out of the General Fund? Suddenly, we are told we have to siphon money away from our K-12 schools in order to make ends meet.

It doesn't take a team of economists to realize that if the General Fund wasn't strained so significantly in order to fund those corporate handouts, we could provide adequate funding for our community colleges without dipping into money for our schools. I think it is time the majority readjust their priorities and fund community colleges out of the General Fund instead of robbing our children of the educational opportunities they deserve.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

Senator Meekhof moved that consideration of the following resolutions be postponed for today:

**Senate Resolution No. 115**

**Senate Concurrent Resolution No. 26**

**Senate Resolution No. 34**

**Senate Resolution No. 67**

**Senate Resolution No. 85**

**Senate Resolution No. 105**

**House Concurrent Resolution No. 29**

**Senate Resolution No. 112**

**House Concurrent Resolution No. 6**

**Senate Resolution No. 120**

**Senate Resolution No. 127**

The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:

**Senate Resolution No. 142**

The resolution consent calendar was adopted.

Senator Hopgood offered the following resolution:

**Senate Resolution No. 142.**

A resolution declaring May 2012 as Asian Pacific American Heritage Month in the state of Michigan.

Whereas, The state of Michigan is fortunate to be home to more than 230,000 residents of Asian and Pacific Island descent; and

Whereas, Asian Pacific Americans comprise one of the fastest-growing populations in both the state and the nation; in fact, the largest-growing population in Michigan, according to the 2010 U.S. Census; and

Whereas, The Asian and Pacific Island regions are tremendously diverse; with more than thirty countries, sixteen major ethnic groups, nine languages, and numerous belief systems bringing their culture to Michigan; and

Whereas, Citizens of Asian and Pacific Island descent, in each generation, have enhanced our culture, quality of life, and economic vitality through leadership, commitments to knowledge and advancement, and dedication to their communities; and

Whereas, The state of Michigan and the United States of America have been enriched by the contributions of Asian Pacific Americans to all facets of life, including the arts, sciences, business, education, and philanthropy; and

Whereas, The culture and contributions of our Asian and Pacific Island residents will continue to grow in significance as more Asian Pacific Americans choose to make Michigan their home and as our economy becomes increasingly intertwined with the economies throughout Asia; and

Whereas, Asian Pacific Americans, through advocating issues of justice and equality, continue to break down the barriers of discrimination, indifference, and intolerance, thereby opening doors for all Asian Pacific Americans; and

Whereas, Asian Pacific American residents are proudly served in Michigan by many dedicated organizations, including the Asian Pacific American Affairs Commission, Asian Pacific American Chamber of Commerce, Council of Asian Pacific Americans, Asian American Citizens for Justice, Asian Pacific American Women's Association, Mid-Michigan Asian Pacific American Association, Asian Center, Michigan Asian and Pacific Islander American Vote, and Michigan Asian Pacific American Bar Association; and

Whereas, The state of Michigan takes pride in its cultural diversity and welcomes the opportunity to honor our Asian Pacific American residents for their lasting, expanding imprint upon our state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare May 2012 as Asian Pacific American Heritage Month in the state of Michigan. We encourage all citizens to celebrate the individual and collective contributions of Asian Pacific Americans to this state and to this country; and be it further

Resolved, That copies of this resolution be transmitted to the Asian Pacific Affairs Commission and Michigan Department of Civil Rights with our highest esteem.

Senators Anderson, Bieda, Booher, Brandenburg, Green, Hansen, Hood, Jansen, Johnson, Marleau, Proos and Rocca were named co-sponsors of the resolution.

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

**Senate Resolution No. 143**

The motion prevailed, a majority of the members serving voting therefor.

Senators Kahn, Caswell, Jansen, Johnson, Gregory, Hood, Young, Smith, Hunter and Marleau offered the following resolution:

**Senate Resolution No. 143.**

A resolution commemorating Wolverine Human Services on 25 years of exemplary efforts to help improve the lives of Michigan's troubled youth.

Whereas, We are honored to recognize the important role that Wolverine Human Services has played in contributing to youth development; and

Whereas, Wolverine Human Services was founded in 1987 under the experience and visionary leadership of Robert E. Wollack; and

Whereas, This organization is a statewide human service agency whose mission is devoted to providing safety, sustenance, nurturing, and therapeutic intervention to Michigan's youth; and

Whereas, Wolverine Human Services has a longstanding commitment to helping adolescents and children overcome the trauma of abuse and delinquency, with a comprehensive array of services and programs that daily serve more than 500 youth in 54 counties throughout the state of Michigan; and

Whereas, Wolverine Human Services is devoted to meet the ever-changing challenges faced by our children through unconditional care and a dedicated staff. It has sustained and built upon its mission of "Helping Children to be Victors"; now, therefore, be it

Resolved by the Senate, That we hereby commemorate Wolverine Human Services on its 25 years of service to the troubled youth of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Robert and Judith Wollack, founder and CEO of Wolverine Human Services, as a token of our highest esteem.

The question being the adoption of the resolution,

The resolution was adopted.

Senators Bieda, Booher, Brandenburg, Casperson, Colbeck, Emmons, Gleason, Green, Hansen, Hildenbrand, Hopgood, Jones, Kowall, Meekhof, Moolenaar, Nofs, Pappageorge, Proos, Robertson, Schuitmaker and Walker were named co-sponsors of the resolution.

**Committee Reports**

The Committee on Insurance reported

**House Bill No. 5408, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401k.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Hansen, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**House Bill No. 5421, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3476.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Hansen, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Insurance submitted the following:

Meeting held on Tuesday, April 24, 2012, at 12:33 p.m., Room 210, Farnum Building

Present: Senators Hune (C), Marleau, Hansen, Robertson, Smith and Bieda

Excused: Senator Brandenburg

The Committee on Judiciary reported

**Senate Bill No. 58, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5c (MCL 28.425c), as amended by 2002 PA 719; and to repeal acts and parts of acts.

With the recommendation that the bill be referred to the Committee on Natural Resources, Environment and Great Lakes.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Rocca

Nays: None

The bill was referred to the Committee on Natural Resources, Environment and Great Lakes.

The Committee on Judiciary reported

**Senate Bill No. 901, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 144 (MCL 559.244), as added by 1982 PA 538.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 902, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5070 (MCL 600.5070), as added by 2000 PA 419, and by adding section 5037 to chapter 50; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 903, entitled**

A bill to provide for the enforceability of agreements to arbitrate disputes; to provide procedures for the arbitration of disputes; to provide remedies, including remedies for the enforcement of arbitration agreements, rulings, and awards; and to provide immunity from civil liability and testimonial privileges.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, April 24, 2012, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, April 24, 2012, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Brandenburg (C), Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, April 24, 2012, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Pavlov, Hansen, Gleason and Hood

Excused: Senator Brandenburg

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, April 25, 2012, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators Brandenburg (C), Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

## COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Wednesday, April 25, 2012, at 1:00 p.m., Room 110, Farnum Building  
Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons, Hansen, Hunter and Smith

**Scheduled Meetings**

**Agriculture** - Thursday, April 26, 8:30 a.m., Room 110, Farnum Building (373-5312)

**Appropriations -****Subcommittee -**

**Capital Outlay** - Thursday, April 26, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Banking and Financial Institutions** - Thursday, April 26, 1:30 p.m., Room 100, Farnum Building (373-5324)

**Natural Resources, Environment and Great Lakes** - Thursday, April 26, 8:30 a.m., Room 210, Farnum Building (373-5323)

**Outdoor Recreation and Tourism** - Thursday, April 26, 12:30 p.m., Room 210, Farnum Building (373-5323)

**Regulatory Reform** - Thursday, April 26, 12:30 p.m., Room 110, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 4:06 p.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Thursday, April 26, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

