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**REGULAR SESSION OF 2015**

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Senate Chamber, Lansing, Wednesday, May 20, 2015.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Margaret E. O'Brien.

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

Ananich—present  
Bieda—present  
Booher—present  
Brandenburg—present  
Casperson—present  
Colbeck—present  
Emmons—present  
Green—present  
Gregory—present  
Hansen—present  
Hertel—present  
Hildenbrand—present  
Hood—present

Hopgood—present  
Horn—present  
Hune—present  
Johnson—present  
Jones—present  
Knezek—present  
Knollenberg—present  
Kowall—present  
MacGregor—present  
Marleau—present  
Meekhof—present  
Nofs—present  
O'Brien—present

Pavlov—present  
Proos—present  
Robertson—present  
Rocca—present  
Schmidt—present  
Schuitmaker—present  
Shirkey—present  
Smith—excused  
Stamas—present  
Warren—present  
Young—present  
Zorn—present

Reverend Guy Lynch of God Land Unity Church of Detroit offered the following invocation:

Heavenly Father, we come before You today to ask and affirm blessings for the great state of Michigan, for its citizens and leaders, and to open our minds to Your direction and guidance.

You have taught us that we are the salt of the earth. You have taught us that we are the light of the world. We seek to honor that ideal today by governing in a way that benefits all and demonstrates Your compassion, forgiveness, and unconditional love. By praying in Your name, we assume Your nature and character in all of our endeavors, recognizing everyone as a child of God. In our service, we express all love and respect. We honor all faiths in this august body today that teach goodness and mercy rule our relationships.

It is said that America is a melting pot. Let it be even more so in our state, and encourage us to honor and respect differences. In the struggles with our own lives, we have one hand up to seek help, first from You, Lord, and then from Your creations who have been more richly blessed than ourselves. In like kind, we have one hand down to lift up those who are currently less fortunate than us, for we have been taught that as one is lifted up, all are lifted to that one.

Let us judge less today and understand more. Where we disagree, let us not fear compromise where we can find any agreement. Where two or more agree, there is a greater power for good among us. We consciously clear our minds and hearts today to start this work fresh. We trust and affirm that each member here has access to Your wisdom and acts for the good of all people. We bless them, acknowledging that You have ordained them to govern.

Let Your compassion and love rule today and every day. Keep Your servants humble in Your service. All this we affirm, for You are a good God. We pray this prayer in the nature and by the example of Jesus Christ. We say Amen and Amen.

The Assistant President pro tempore, Senator O'Brien, led the members of the Senate in recital of the *Pledge of Allegiance*.

The President, Lieutenant Governor Calley, assumed the Chair.

### Motions and Communications

Senator Jones entered the Senate Chamber.

The following communications were received and read:

Office of the Senate Majority Leader

May 19, 2015

I would like Senate Bill 339 re-referred to the Senate Committee on Agriculture.

If you have any questions regarding this matter, please do not hesitate to contact me.

May 19, 2015

I would like House Bills 4203, 4204 and 4205 re-referred to the Senate Committee on Families, Seniors and Human Services.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Arlan Meekhof  
30th Senate District  
Senate Majority Leader

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 19:

**House Bill Nos. 4568 4569**

Senator Hood moved that Senator Young be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senator Smith be excused from today's session.

The motion prevailed.

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 statement is as follows:

It's that time of year in spring when we get to say goodbye to our interns. I have the great pleasure of wishing a fond farewell to Jason Andres. We have interns who come and go in our office, and he is one of the ones I can truly say stands out for a number of reasons. I am just going to read from part of the tribute we have here for him, but we are signing and dedicating this tribute to congratulate Jason on the completion of his internship with the Michigan Senate and his graduation from Michigan State University.

Jason started in our office in January. The internship only lasted this semester. He has made a lasting impression on all of us. From the first day, he has shown a natural willingness to assist in various roles in the legislative office and is able to take on tasks without much instruction and complete them with thoroughness and professionalism that is impressive at this stage of his career. Jason is a self-starter and always eager to learn more, whether it was an area of constituent relations, legislative research, casework management, or observing various steps in the legislative process.

I could go on about Jason, but it truly is a pleasure to present this tribute to him and to wish him all of the best in his future endeavors. I would like to ask my colleagues to help me wish him a fond farewell and future success.

Senator Kowall moved that the rules be suspended and that the following resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

**Senate Resolution No. 50**

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

### Messages from the Governor

The following message from the Governor was received:

May 18, 2015

Attached is a copy of my Special Message on Criminal Justice to the Regular Session of the 98th Michigan Legislature. This message transmitting information on the affairs of state and recommending measures I consider necessary and desirable is presented to the Michigan Senate pursuant to Section 17 of Article V of the Michigan Constitution of 1963.

Sincerely,  
Rick Snyder  
Governor

The special message is as follows:

#### I. Introduction

We see it in the news every day—our criminal justice system in action—police apprehending suspects, juries delivering verdicts, and judges imposing sentences. We hear the tragic stories of victims, and we await punishment of the guilty. But there is much more to our criminal justice system that too often goes overlooked. There are important steps we can take to help victims, prevent crimes before they occur, and provide better outcomes for Michigan.

Let there be no doubt: Protecting the public is the primary purpose of our criminal justice system. Safety and security are essential to a strong economy and a free society. Our system can protect public safety by deterring crime and separate dangerous individuals from society at large. But if we focus on crime and punishment alone, we ignore the opportunity to help break the cycle of crime that plagues too many communities.

We know that most criminals who go to prison will be released one day after they complete their sentence. Wouldn't it be better for Michigan if they return to their communities, earn a job, and be productive members of society—instead of turning back to a life of crime? There are many examples of individuals who have committed crimes and then turned their lives around to earn places of respect within their communities. Let's reform our criminal justice system to produce more of those success stories and bring individuals back into the river of opportunity. We'll do it by imposing the right sanctions while also providing appropriate treatment and training to offenders. Along the way, we must work to ensure that our system is aligned with the needs of employers so that offenders are put into the best position to find meaningful work when they're released from prison.

To be sure, the criminal justice system is expensive, costing Michigan taxpayers billions of dollars each year. The annual budget of the Department of Corrections alone is over two billion dollars and our county governments spend millions more. We have a responsibility to spend intelligently on programs that work to promote public safety and reform offenders so that we provide the best customer service to Michigan residents. If we want to know what programs actually work, then we need to collect data and devote our resources to proven measures. Finally, we should allocate our resources to address the root causes of criminal behavior, such as mental health issues, substance abuse, child neglect and truancy, which can prevent crimes from happening in the first place.

## II. Protecting Crime Victims

There is no amount of money and no form of punishment that can truly make a crime victim whole. Victims suffer the most from crime, and for some, their wounds may never heal. In protecting the public, we must be cognizant of the effects of crime on those victims and take steps to minimize the damaging impacts to the fullest extent possible.

### 1. Notification of Victim's Rights

Michigan citizens victimized by crime should be made aware of their special statutory and constitutional rights in a clear and uncomplicated format. We should deliver the initial notice of rights, along with notification of court hearings, expeditiously and in a manner best suited to the victim. While many crime victims prefer to receive their initial notice of rights by mail, many now would rather receive this information electronically, which is both faster and more cost-effective. We should work to make this option available to crime victims statewide.

### 2. Making Life Safer for Domestic Violence Victims

There are two significant steps Michigan can take to help protect victims of domestic violence. First, I am calling on our Legislature to enact a law that would require law enforcement agencies to provide service of personal protection orders (PPOs) free of charge, thereby eliminating financial barriers for victims who need the assistance of the court system to avoid threats of violence.

To qualify for federal funding, states must certify that petitioners for civil personal protection orders do not "bear the costs" of serving an order. Currently, Michigan satisfies the federal requirement by allowing PPOs to be served by any "legally competent adult." While relying on the free service provided by a friend or family member may work in most cases, it does not work for every victim and may cause additional safety concerns. Michigan should join the majority of states in using funds collected from PPO violators to fund free personal service of PPOs by law enforcement.

Second, I call on the Legislature to pass pending bills that would permit a survivor of domestic violence, sexual assault, human trafficking, or stalking to apply to have an address designated by the Attorney General to serve as the victim's address for receiving mail. Allowing perpetrators to have access to a victim's identifying or location information creates additional opportunity for harmful contact for survivors and their family members that can be avoided.

And as we stand guard against domestic violence, we must also confront violence on our campuses. I will be hosting a summit to raise awareness of this issue and to discuss how we can work together to prevent these crimes.

### 3. New Tools to Combat Cybercrime

More must be done to help victims of computer crimes. Improving upon the ability of police officers, prosecutors, jurors and judges to understand the significance of cyber-related evidence will help the successful investigation and fair adjudication of cybercrimes, including those related to child sexually abusive materials, stalking, accessing a computer with intent to defraud, point-of-sale attacks, financial institution penetration, unlawful use of a computer system and traditional hacking. These matters often involve complex enterprises that cross traditional geographic boundaries. We need to examine the possibility of expanding venue to allow these cases to be litigated anywhere in the state.

I am directing the Michigan State Police (MSP) to create a joint forensic team and work with the Michigan Department of Technology, Management and Budget (DTMB) where appropriate to aid in the detection and investigation of cybercrimes in Michigan. If venue for cybercrime is expanded statewide, then law enforcement and the legal community will be able to focus resources in a targeted court or courts, which in turn will develop the expertise necessary to effectively combat cybercrime. My office and the joint forensic team, along with a task force of key stakeholders, will work with the Michigan Supreme Court to pilot a "cybercrime court" by coordinating and concentrating state resources to prosecute cybercrime in a small number of venues. This will allow all involved parties to more quickly develop best practices for investigating and prosecuting cybercrime. The task force will also review the criminal laws to determine whether any changes should be made to facilitate the prosecution of cybercrimes.

### 4. Restitution for Victims of Crime

When a crime occurs, one of the most important things we can do to support crime victims is to require the perpetrator to pay restitution to the victim. Under Michigan law, the collection of restitution for victims is the responsibility of local courts. No statewide department or agency is legally responsible for tracking the enforcement of restitution orders. As a result, we lack reliable information about how frequently restitution is actually paid. To address this shortcoming, I have tasked the Michigan Department of Corrections (MDOC) to take steps to ensure that we are successfully collecting restitution from probationers, prison inmates, and parolees.

## III. Law Enforcement

Local and state police are the front lines of our criminal justice system. They are our first responders, they put their lives on the line every day, and we are thankful for the work they do. We are also greatly appreciative of corrections, probation and parole officers who also risk their safety in our prisons, jails and in the field. As our nation is in the midst of a challenging conversation about law enforcement, I'm proud to say that Michigan is leading by example.

The MSP has helped reduce violent crime in some of our state's most violent cities, and they're doing it by building strong relationships and working with the communities they serve. Through the Secure Cities Partnership, state police work with local law enforcement and community organizations in Flint, Detroit, Pontiac and Saginaw to reduce crime and improve the quality of life. Today, preliminary data shows that violent crime is down from 2012 numbers by over 10% in Detroit, nearly 38% in Flint, nearly 10% in Pontiac, and over 30% in Saginaw.

There is more, though, we can do to ensure our law enforcement officers continue to provide excellent service to the communities they have sworn to protect, including achieving greater racial and gender diversity in recruitment, engaging in partnerships with our communities, and using the latest technology to increase transparency and protect both law enforcement officers and citizens.

#### 1. Diversity in Recruitment

Those who enforce our laws and work in our jails and prisons should reflect the diversity of the communities that they serve. To achieve that goal, we must continue expanding racial and gender diversity among our law enforcement and corrections professionals.

This year, I have personally called on ministers and community leaders to recommend potential trooper candidates who would serve their neighborhoods, cities and state. I renew that call today, but even more work needs to be done to raise awareness among minorities and women about the exciting and rewarding opportunities awaiting them in law enforcement.

The MSP has done great work in increasing their recruiting outreach efforts with more recruiters, updated training and new technology and tactics to reach more diverse candidates. The department expanded entry-level testing from Lansing, Detroit and Marquette to also include Saginaw, Muskegon, Flint, and Kalamazoo. And since 2012, the MSP has participated in 363 recruiting events or job fairs around the state, with nearly three-quarters of these events in urban areas.

In an effort to reach potential applicants earlier in life, the MSP is including a recruiting message during youth outreach efforts, including the Michigan Youth Leadership Academy (a mentoring program for youth from distressed communities) and a variety of education programs for elementary students across the state. In addition, the MSP is establishing a cadet program for young men and women between 14-18 years of age to enhance community engagement and increase opportunities for youth involvement with the MSP. The cadet program will first be piloted in Saginaw, but may be adapted for implementation in other Secure Cities Partnership areas.

MSP recruiters are also expanding community partnerships to improve recruitment. They have turned to college and university placement offices to work with student athletes, criminal justice majors and other fields of study where candidates have a desire to serve others. I am also asking our MSP to continue to engage their outreach activities with our Armed Forces and to seek qualified Military Police and Law Enforcement personnel who are being released from active duty to consider careers in the MSP.

#### 2. Engaging with Our Communities

Mothers, fathers, children, ministers, teachers, doctors, nurses and business owners of every race and creed must be able to trust those who police their streets. Likewise, our police must know that they have cooperative partners in the community so they can do their jobs effectively. I am proud to report that the MSP is already leading efforts to engage with community leaders in order to strengthen these partnerships.

In coordination with the Office of Urban and Metropolitan Initiatives, the MSP has organized three public safety community forums to increase police-community relations. A forum was held in Flint on September 30, 2013, with approximately 150 attendees; in Saginaw on February 10, 2014, with approximately 100 attendees; and in Inkster on October 9, 2014 with approximately 100 attendees. Forums are currently being planned for this summer in Muskegon Heights and Benton Harbor.

**Community Action United Team In Our Neighborhoods (CAUTION).** The MSP has established Community Action United Team In Our Neighborhoods (CAUTION)—a statewide partnership with clergy of all faiths to offer support in critical incidents. Under this program, a city's clergy are part of a quick response team that provides a calming influence and is a liaison between law enforcement and the community. CAUTION members are trained to help diffuse crises, to provide information to their community and to foster improved communications between citizens and law enforcement.

CAUTION was first rolled out in Flint and Saginaw, and today there are approximately 35 CAUTION-trained clergy in these cities. By this summer, CAUTION programs will be established in Inkster, Muskegon Heights, and Benton Harbor. Those members are encouraged to host small community meetings attended by law enforcement to maintain an open dialog where concerns and questions can be discussed.

**Advocates and Leaders for Police and Community Trust (ALPACT).** Nearly 20 years ago, Advocates and Leaders for Police and Community Trust (ALPACT) was formed in Southeast Michigan with leaders and members of the community, civil rights and civil liberties organizations, and leaders from law enforcement. Members meet regularly to examine issues affecting police and community relations, including community perceptions of discriminatory enforcement of laws, racial profiling, and use of force by police officers. ALPACT members work together to explore strategies to increase opportunities for community partnering and to build stronger foundations for higher levels of community trust of law enforcement.

In 2011, the Michigan Department of Civil Rights (MDCR) began expanding the successful ALPACT model to other cities across the state, including in Grand Rapids, Benton Harbor, Flint and Saginaw. Today, the excellent staff at MDCR is working to start ALPACT organizations in four or five more cities. In addition, the MSP Recruiting and Selection Section personnel along with several MSP post commanders attend ALPACT meetings in Detroit, Flint, Saginaw, and Grand Rapids. I'm calling for ALPACT and CAUTION members to work together and coordinate their efforts to foster even greater communication and collaboration among law enforcement and community leaders across our state.

### 3. Body Cameras for Law Enforcement

Body cameras and other video recording technologies have emerged as valuable tools for law enforcement because they offer the potential to protect both citizens and officers with increased transparency and accountability. The MSP is supportive of these technologies and is working to pilot-test body camera capabilities. The pilot will help identify a camera that fits the MSP's needs and assist in developing policies to govern use.

In deployment of this technology, we want to be mindful of officer and citizen privacy. Additionally, we need to make sure appropriate policies and procedures are in place and officers are trained to properly use the technology. Under my direction, the Council on Law Enforcement and Reinvention (CLEAR) has convened a working group on body cameras, and I look forward to receiving and reviewing their recommendations, which are expected by this summer.

## **IV. Smarter Use of Jails and Prisons**

Imprisonment plays an important role in our criminal justice system both by deterring crime and separating wrongdoers from society. But putting people in jail or prison is not always the best answer for all criminal behavior.

It is unwise to send an individual to jail or prison when an alternative sentence, such as probation with treatment of underlying problems like substance abuse, would better protect our communities at lower cost. Likewise, keeping an individual in prison longer than is necessary wastes taxpayer dollars that could be better spent preventing crimes from happening in the first place. At present we have approximately 43,000 incarcerated persons in the Michigan prison system. The average annual cost to the state for housing a prisoner is approximately \$35,000.

I am calling for commonsense reforms to ensure that our jails and prisons are used efficiently and appropriately to best serve the public interest and reduce the cost of incarcerating so many people.

### 1. Pretrial Reform: Better Results, Saving Money

Approximately sixty percent of those housed in our county jails have not been convicted of a crime. Many are held before trial even if they don't pose a serious risk of flight or threat to public safety. As they sit in jail awaiting trial, they risk losing their jobs, their homes, and even their veteran's benefits. It's costly for counties to house people in jail, and it's costly for those individuals. There are steps we can take to identify those who do not need to be held in custody, saving money and achieving better results.

Before a defendant goes to trial, risk assessment tools can help judges identify low-risk offenders as they decide whether to release them without bonds, or with pretrial supervision in the form of weekly check-ins and electronic monitoring (which in some cases may be paid for by the defendant).

Kent County has done a great job implementing these tools. In Kent, the average stay in jail during the pretrial phase is 75% less than the average of comparable counties without similar programs. This saves money and it improves outcomes for defendants. At sentencing, those who were released from pretrial detention and complied with all of the conditions of release typically receive less harsh sentences than those who have been locked in jail for the entire pretrial phase and have not had an opportunity to show good public behavior to the sentencing judge. In this way, smart pretrial practices lead to better outcomes both before and after sentencing.

I encourage all Michigan counties to consider the benefits of devoting resources to engaging in smart pretrial reform using proven risk assessment tools.

### 2. Diversion: Tools to Help Offenders Succeed

Under the right circumstances, diverting a person convicted of a crime away from a prison sentence and into a treatment program is better for the public and the offender. For example, if mental health or substance abuse leads someone to crime, then treating those problems can improve their lives and prevent them from committing new crimes. Some diversion programs can be designed so the offender can avoid having a permanent criminal record if they complete the program. That makes it easier for them to return to their community as a productive, employable person.

Prosecutors and judges will not opt for diversion if they can't access treatment programs that make sense for eligible defendants. We should take steps to ensure that they have the necessary tools to permit diversion when appropriate. Effective treatment programs are expensive, but it is money well spent if offenders turn their lives around. Money we save with criminal justice reforms should be reinvested back into the "front end" of the process to fund treatment programs that will reduce the impact of crime by preventing it before it happens.

Michigan already has some diversion programs in place, administered as stand-alone programs or through problem-solving courts. These courts address substance and alcohol abuse, domestic violence issues, veterans' issues, and others. Their hallmark is substantial involvement from engaged judges, frequent interaction between the offender and the judge for monitoring, encouragement when things are going well and immediate consequences when they are not. There are also other resources from probation officers, other court officers, and coordination with other service providers to help give the offender every reasonable opportunity to succeed. We should expand the capacity for all courts to implement these processes through better coordination of already available services, partnerships between MDOC and the Michigan Department of Health and Human Services (DHHS), and to remove administrative burdens that otherwise restrict where resources can be placed. Our goal is for as many courts and judges as possible to have the resources of our highly successful problem-solving courts.

It's a tragedy when Michigan's youth turn to crime, and it's an even greater tragedy when they exit our criminal justice system as adults with no good future at all. The Holmes Youthful Trainee Act (HYTA) was enacted in the 1960s to give young offenders between the ages of 17 and 20 an opportunity to plead guilty to their crime and successfully complete a term of supervision or incarceration. In exchange, their offense does not appear on their criminal record. Under HYTA, courts can hold offenders accountable while giving them a second chance to move forward with their lives. Thousands of trainees complete a HYTA sentence each year, which may consist of probation, jail, or time in prison. That's a good result for our youth and our communities.

I intend to sign three new bills that will expand the use of HYTA, while increasing the public safety aspects of this law and reducing the number of non-violent young offenders entering Michigan's prison system. These bills will expand HYTA eligibility from an offender's 21st birthday until their 24th birthday, allowing 21-through 23-year olds to plead guilty to a HYTA offense with the consent of the prosecuting attorney. They also require that a HYTA trainee be in school, working, or actively looking for work to maintain this special status.

It is important that the use of HYTA prison be reserved for those cases where it is necessary to protect public safety. The new legislation will allow the courts to continue to use prison as an option in certain HYTA cases, but will reduce the maximum sentence by one year, while excluding certain non-violent youthful offenders from being housed in prison under HYTA. The legislative package also includes a new provision that will require that HYTA status automatically be revoked if the offender commits a subsequent serious offense. This provision will help ensure that this law is about providing a second chance to youthful offenders, not providing unlimited chances to those that continue to break the law.

### 3. Criminal Trials

The criminal justice system can only work properly when we have confidence that just verdicts are being reached, resulting in convictions for the appropriate crime when supported by the evidence after a fair trial. Competent and well-trained prosecutors and criminal defense attorneys are necessary to ensure that the system works as intended.

**Right to Counsel for Low-Income Michiganders.** In 2013, I signed Public Acts 93 and 94, to create the permanent Michigan Indigent Defense Commission (MIDC). This legislation marked an important first step for reform so that Michigan may guarantee the constitutional right to counsel for low-income individuals facing criminal charges. The MIDC has started its work to collect data and establish minimum standards to regulate and make the state's indigent criminal defense systems more efficient. As these standards are enacted, additional funding from the state will be needed in the form of grants administered by the MIDC so that courts may meet the standards and reform our indigent defense system to protect our communities, our tax dollars and the constitutional rights of all Michiganders. I look forward to working with the Legislature to ensure the ongoing success of the Commission's efforts and I am excited to watch Michigan become the model for other states to follow.

**Training Funds.** Our criminal justice system functions best when prosecutors and defense attorneys are well-trained in best practices and the latest developments in criminal law. In recent years, public funds available to support training for the prosecutors and public defenders who serve the public in our criminal courts has been steadily declining. And this funding is scheduled to be eliminated next year. Training is important because it prevents mistakes from happening. Accordingly, we need to investigate ways to ensure that necessary training for prosecutors and public defenders continues.

**Helping Exonerees.** While we have confidence in our criminal justice system, we know that even the best systems have flaws. Unfortunately, there are instances when innocent people are convicted of crimes they did not commit. Michigan has seen 55 exonerations since 1989 listed on The University of Michigan Law School's National Registry of Exonerations. Many of those individuals found themselves behind bars because of false accusations, perjured testimony, mistaken identification, or ineffective assistance of counsel. In each case, those individuals were exonerated and set free. As we work to ensure that mistakes like these do not occur in the future, we should also acknowledge that wrongfully accused individuals face unique challenges. Though we can never fully repay them for their hardships, I am calling for legislation that will help exonerees get back on their feet after a wrongful conviction.

### 4. Sentencing Reform

In a report commissioned by the Legislature and the Governor's Office, the Justice Center of the Counsel of State Governments (CSG) concluded—after an intensive review of Michigan's criminal sentencing system—that “Michigan can improve its sentencing system to achieve more consistency and predictability in sentencing outcomes, stabilize and lower costs for the state and counties, and direct resources to reduce recidivism and improve public safety.” In 2014 our Legislature enacted some of the policy changes recommended in the report. I urge the Legislature to make additional reforms this term.

One reform enacted into law last year was the creation of the Criminal Justice Policy Commission. Most states that have sentencing guidelines also have a sentencing commission to provide ongoing recommendations to the Legislature about the effectiveness and appropriateness of the sentencing guidelines, which may need to be adjusted from time to time as public attitudes shift, new crimes are created, and jails and prisons become more or less crowded. Effective this year, Michigan will have a 17-member Criminal Justice Policy Commission to play this important role. The Commission is charged with the responsibility to collect and analyze data relevant to sentencing practices in Michigan and to make policy recommendations to the Legislature about the sentencing guidelines. Additionally, the Commission is empowered

to make recommendations to the Legislature about any law, rule, or policy that effects incarceration in Michigan. I am hopeful that the Commission will be able to provide valuable insight to the Legislature leading to the kinds of reforms recommended by CSG and I look forward to receiving the Commission's recommendations for reform.

#### 5. Probation & Parole Reform

Most individuals convicted of crimes do not go to prison but instead are sentenced to probation. This allows these individuals the opportunity to reform their behavior without the major disruption of prison incarceration. But too many probationers end up in prison serving long detentions as sanctions for violations, including technical violations. Michigan spends \$250 million annually to confine revoked probationers in prison for sanction periods that average 25 to 37 months. Likewise, our counties spend \$57 million annually for probationers revoked to jails for an average sanction period of seven months. The number of revoked probationers returned to prison has been steadily increasing for the past five years.

To address the growing cost of revoking probation, the CSG report recommended that Michigan incorporate swift and certain principles in community supervision and set clear parameters around the length of confinement as a response to probation violations. Short and certain periods of detention ordered in response to probation violations are equally or more effective than long probation revocations at much lower cost. Accordingly, I am calling on the Legislature to address the problem of unregulated and inconsistent probation violation sanctions. Placing a 30-day cap on sanctions for the most common kinds of probation violations would save millions every year. These savings could be reinvested in substance abuse and mental health treatment to further reduce the incidence of crime and increase public safety.

Also as a result of the work done by the CSG group in 2014, the Legislature has considered a proposal that would have instituted presumptive parole at the earliest release date for inmates determined to have a high probability of success. This reform would result in significant savings without having a substantial negative impact on the rate of recidivism. Money saved paroling those prisoners with a high probability of success could be reinvested at the front end of the criminal justice system with additional resources devoted to treatment to address the root causes of crime and have a much greater positive impact on public safety.

#### 6. Overcriminalization

Michigan's criminal code is one of the longest in the nation with more than 3,000 separate crimes in statute. Most of these crimes have not undergone review since their enactment. The result is a steady increase in the number of criminal laws that impact Michigan's residents and the penalties that can result. Between 2008 and 2013, Michigan enacted an average of 45 new laws each year, and the average minimum prison sentence increased 8.5 months between 2006 and 2014. These trends cost taxpayers tens of millions of dollars per year and have resulted in nearly 1% of Michigan's residents being under the supervision of the MDOC at any given time.

Discussions have already begun in the Legislature about eliminating redundant and outdated crimes. The initial recommendations include many laws that have not been enforced in decades. Under our criminal code today, accepting a challenge to a duel is punishable by up to one year in jail. Posting reproachful or contemptuous language about a person who refuses a duel, on the other hand, is a six-month misdemeanor. Other Michigan crimes include singing the Star Spangled Banner with "embellishments," and promoting walkathons that last more than 12 hours.

The work to clean up Michigan's criminal code must continue. Consideration should also be given to the penalties currently in place for a number of laws that are being routinely enforced. Low-level felonies should be reviewed to determine if they are more appropriately classified as misdemeanors and misdemeanors should be reviewed to determine if they should be civil infractions that would not result in a criminal record.

#### 7. Healthcare Costs

One of the biggest cost drivers in our corrections system is health care, and, like health care outside prison walls, some individuals can drive the overall spending in the system. In prison, these can include elderly individuals who have severe and expensive health conditions, like cancer, and in many cases will die behind the prison walls from their illnesses. Now these can be individuals who have committed horrible crimes and they should not be paroled, but their illnesses have left them debilitated and they require constant expensive care, which is funded solely by our general fund. As such, I want to partner with the Legislature to examine this unique issue to try to make reforms that can save taxpayers resources by trying to find the best unique setting or settings for these individuals.

Additionally, within the next month we will be rebidding our prison health care services. Today mental health and physical health services are managed separately, but we will now insist that we integrate care behind the walls. This reform combined with the ability to enroll these individuals into health care programs, like Healthy Michigan, when they leave prison will ensure that there is a continuum of care for these individuals so they can have access to health care services that will aid in their transition to society.

### **V. Reforming Prison Inmates for Successful Reentry into Society**

Most offenders who enter prison will eventually be released back into society. It is in everyone's best interest to use the time prisoners spend in prison to train them in skills that will help them find employment. A prisoner released from confinement without any skills or ability to earn an honest living is more likely to commit additional crimes than a prisoner who has the ability to secure employment and be productive. For vocational training of prisoners to work, it must be designed to provide inmates with skills that are in demand in Michigan. By devoting resources to smart reentry programs, we can substantially improve the likelihood that persons released from prison will not return.

### 1. Prisoner Reentry

For too many ex-offenders, returning to prison is the norm, not the exception. Three of every ten offenders released from prison in Michigan are likely to return within three years. While we've made improvements with our prisoner reentry programs, we can do better. Recidivism is costly. Victims suffer at the hands of criminals who re-offend; families of those offenders suffer as their loved ones return to prison; and all of us pay the price of incarcerating repeat offenders over again. In total, recidivism costs the MDOC over \$150 million per year. If the recidivism rate dropped from 29% down to 24%, Michigan would be in a position to close a prison, which would save tax payers approximately \$35 million per year.

Myriad factors contribute to an ex-offender's return to crime, but one key factor is whether they have a job. Today, Michigan's economy is on the upswing as more and better jobs are being created. Our unemployment rate is at its lowest level since 2001 and 400,000 private sector jobs have been created since December 2010. Meanwhile, there are 95,000 available jobs in Michigan on MiTalent.org. Our economy is growing, and employers need skilled employees. As offenders serve their time and pay their debt to society, let's work to make sure they're qualified for employment when they leave prison.

Some Michigan companies have recognized the benefit of viewing ex-offenders as a source of skilled, motivated workers. Cascade Engineering and Butterball Farms have set the tone in West Michigan by hiring many of these returning citizens. And Sakthi Automotive is now leading the way in Southeast Michigan. The MDOC first engaged with Sakthi Automotive to highlight its vocational CNC and machining programs, which are producing employees ready to work on the first day. Sakthi interviewed ten parolees and hired four on the spot. Within the first week, these four employees were producing parts 30% faster than employees hired off the street. Now Sakthi has asked for thirty additional resumes and plans to hire twenty more workers trained by the MDOC. This is a success story for the individual workers, the company, and all of Michigan. Rather than by relying on government benefits or resorting to new criminal activity, these returning citizens have reentered the mainstream of the river of opportunity.

Despite these success stories, vocational training in prison too often falls short. We can do better. That's why I'm calling for reform in our reentry system and a smarter effort to educate prisoners, connect them with job opportunities, and prepare them for life outside the prison walls.

The first step to reducing recidivism and preparing offenders for the workforce is to build an infrastructure for success through which we systematically identify the skills that are needed for the jobs that are available and create the capacity to train prisoners for employment. To that end, I'm directing the newly created Talent Investment Agency (TIA) to provide quarterly job-demand data to the MDOC and work with employers to identify specific occupational demands that aren't being met by our existing workforce.

I'm also calling for TIA and the MDOC, together, to:

- Bring local employment service activities into the prison system as the entry point in connecting career pathways.
- Create partnerships with private industry to design and support targeted vocational training;
- Partner with the Michigan's Career Tech Prep and TIA to develop contextualized education programs for inmates, allowing offenders to prepare for GED completion while learning valuable vocational skills; and provide wraparound services to hire ex-offenders, including the placement of a parole officer at a workplace if a sufficient number of ex-offender employees are present.

Though offenders today may receive education and job training in our corrections facilities, the MDOC does not have systems in place to ensure that prisoners are preparing for a successful re-entry from day one or that training is completed before offenders are released. In addition to current intake practices, all incoming prisoners should receive a standardized employment skill and aptitude assessment during intake so we know what skills they have, what skills they need, and how to put them on the right track. That assessment should be used to create an individual employment plan to be reviewed with each inmate. The MDOC should also make all reasonable efforts to place inmates in a facility where the needed and appropriate training is available.

We should also take steps to improve the quality of training so inmates are truly prepared for real-world employment and life outside prison—that means hands-on skilled trades training and learning what it means to earn a wage, keep a job, pay bills, find housing, follow the law, and understand that actions have consequences.

The MDOC and TIA should work to develop partnerships with employers to provide qualified inmates who have completed vocational training with opportunities to actually work in a skilled trade and earn a market-rate wage that could go toward victim restitution. Doing so would help inmates develop a work ethic while helping to repay victims and society. The job of putting an offender on the right track doesn't end when they leave the prison walls. In addition to finding employment, they need proper legal documents like Social Security cards, suitable housing, transportation and access to health care—the absence of which could increase the odds that ex-offenders return to a life of crime, harming victims and costing taxpayers. To help an offender smoothly transition back to society, I'm directing MDOC to ensure that prisoners have all vital documents necessary to begin employment at the day of release. The process for collecting these documents should begin at intake. The MDOC should also connect ex-offenders with all necessary and available services upon release, such as Medicaid or VA services.

## 2. Certificate of Employability

Many parolees with job skills and a desire to work are still finding it difficult to secure employment upon release from prison. Last year, Michigan enacted a Certificate of Employability law that will help qualified parolees secure employment within their communities. Now all parolees leaving prison receive a document to share with potential employers that describes their offense and the steps they took while incarcerated to prepare for release and employment. This document, which contains information about the offender's educational and vocational programming, their behavior in prison, and reports from their supervisors, will allow employers to better ascertain the qualifications of offenders lacking a work history or references from their time prior to incarceration. This information will help guide the hiring decisions of employers and hopefully help eliminate the stigma of hiring returning citizens.

Certain qualified parolees also receive a second document, called a "Certificate of Employability," which is issued only to those parolees who have successfully completed a vocational skills program, maintained an exemplary conduct record while in prison, and completed a nationally recognized job skills assessment at a level where a National Career Readiness Certificate can be issued. Under the new law, an employer that hires a parolee with a "Certificate of Employability" is protected from lawsuits related to the hiring of an employee with a criminal record.

## 3. Prison Rape Elimination Act

While we work to make prisoners' time behind bars more productive, it is imperative that we also take the steps necessary to make Michigan's prisons as safe as possible. In 2014, pursuant to the Prison Rape Elimination Act (PREA), the Department of Justice promulgated national standards to move American prisons toward a goal of zero tolerance for prison rape. Like the majority of other states, Michigan is committed to becoming PREA compliant. Rape and abuse in our prisons cannot be tolerated. Last week I certified to the Department of Justice that Michigan will continue working towards the national zero tolerance standard. Over the past year, the MDOC has taken a number of steps toward PREA compliance. It has moved all male prisoners under the age of 18 to a single facility where they live and complete programming with sight and sound separation from adult prisoners. This allows the MDOC to protect this population while focusing on their specific needs, such as GED completion. The MDOC has begun screening all offenders to ensure that prisoners that may pose a threat to other prisoners are not housed with prisoners that could be victimized. In total, the MDOC has invested over \$10 million in physical plant upgrades and staff training to become compliant with PREA. This training now totals more than 70,000 hours for staff that has direct contact with prisoners in MDOC facilities.

## **VI. Ensuring a Juvenile Justice System that Works for Michigan's Children**

The best opportunity to secure Michigan's communities is to secure the future of Michigan's children. More than any other type of offender, it is critical that we work to divert juveniles from the criminal justice system, properly assess the risks and needs of juvenile offenders to ensure the right type and amount of treatment, treat the underlying causes of their behavior, and invest in high-quality, community-based treatment that will better prepare young offenders for long-term success.

Michigan's juvenile justice system is largely run at the county level. As a result, we have essentially 83 different juvenile justice systems in Michigan. This provides many benefits, such as promoting innovation and allowing local decision-makers to invest in treatment that makes the most sense for their residents. But this system also poses challenges for consistency and accountability of treatment programs statewide.

Removing a juvenile offender from their home and community to place them in a residential treatment facility should be a last resort. Diversion programs keep children out of the juvenile justice system entirely by avoiding an adjudication that would result in a criminal record. Likewise, community-based programming—where available—is generally more effective and less expensive than residential placement. Accordingly, I call on the Legislature to consider amending the Juvenile Diversion Act to encourage diversion as the default placement when appropriate based on needs and risk assessments.

We know that a number of youth do not receive the most appropriate placements or the right type or amount of treatment. It is not uncommon for Michigan youth to experience multiple failed placements, resulting in less effective and costlier treatment. Failed placements can be detrimental and disruptive to youth, contributing to additional misconduct. It is crucial that we use the tools at our disposal to properly treat juvenile offenders the first time they come into contact with the system.

We can be more successful at diversion and placement in treatment programs by using high quality assessments to identify and treat underlying issues that, left untreated, are likely to result in continued criminal behavior. For this reason, it is imperative that quality assessments guide treatment and placement decisions for juvenile offenders. While many counties are using quality assessments to guide treatment, others are not. Too often, placement decisions are driven by anecdotal experience or the cost of treatment. Improper placements lead to poor outcomes for our youth and waste money.

A number of best-practice and evidence-based assessment tools exist that can guide treatment decisions. Use of these assessment tools results in more appropriate placements at the outset. Accordingly, I encourage all counties to use best-practice or evidence-based assessment tools to guide placement decisions. To assist in these efforts, I am asking the DHHS to work with local stakeholders to identify a list of best practice and evidence based tools that counties can adopt. Tools like the Michigan Juvenile Justice Assessment System (MJJAS), currently used by the department, are evidence-based

and can be made available to counties at no cost. It is not essential that all counties use the same assessment tool, but it is critical that quality assessments are being used to determine treatment.

Quality treatment options must also be available to support the needs identified when a juvenile is assessed. Unfortunately, that is not the case today. Some counties may have only a handful of juvenile offenders in a given year and as a result are unable to maintain high quality community-based and in-home treatment programs. This is more often the case in our rural communities. Other counties may face fiscal challenges that make it difficult for them to commit funds to the start-up costs necessary install new treatment systems. In order to ensure a basic standard of quality care across Michigan, we must acknowledge the gaps of service that exist. As a state, we should take steps to ensure that all treatment programs—especially those which are funded in part by the state—meet basic quality standards. At a minimum, all programming for youthful offenders should be evidence-based or based on promising practices. That is why I am tasking the DHHS to work with local courts and counties to identify gaps in service in our state and to design a grant program that would allow for the development of a more robust network of community-based programs and in-home care in these areas. I applaud the Legislature for their previous work in this area and look forward to partnering to continue the work.

Finally, we need to do a better job tracking outcomes in the juvenile justice system to understand what approaches to juvenile justice produce the best results. State and county partners invest significant funds into the juvenile justice system each year. Both are working toward the same outcomes, increased public safety and rehabilitated young offenders. However, it is currently not possible to measure the efficacy of juvenile justice programming on recidivism, education outcomes or community public safety. This must change. I am tasking the DHHS to develop and include quality metrics in all future juvenile justice provider contracts, including but not limited to (1) recidivism, (2) number of placements, (3) length of stay, and (4) cost. Additionally, I'm tasking the DHHS to work with the State Court Administrative Office and the Michigan County Court Administrators to develop recommendations related to sharing of county juvenile justice data related to outcomes.

These changes are important because of the people that they affect, people like Alex and his family. Alex was in high school when he was arrested for shoplifting. An assessment showed that he wasn't a safety risk and that he had a number of issues that needed to be addressed. He was referred to counseling and numerous community-based programs. He was angry at first and informed the counselor that she would get rid of him like everyone else had. Alex did his best to push the counselor away, refusing to complete his treatment requirements, twice. He waited to be kicked out of the program and in some counties he would have been. But the counselor refused to give up on Alex. Together they identified a new set of treatment programs and goals, including a shoplifting remediation program, employment and steps to reconcile with those he'd hurt. This time, Alex completed the treatment. Since his completion, he has rebuilt a relationship with his mom, maintained employment and is doing great.

Alex's story could have been different if there was no assessment and no available treatment. Thankfully, many counties have already begun the hard work to improve our juvenile justice system and Livingston County, where Alex is from, is one of those counties. By developing a consistent process for quality assessments, investing in proven programs that take a whole-family approach and building strong local partnerships, Livingston has demonstrated how common-sense reforms and strong partnerships can make a big difference.

The results have been dramatic. The number of days Livingston County youth were placed out of home was reduced from 12,827 days in 2011 to 4,393 days in 2014, for a 66% reduction. This means youth and families are receiving the support and treatment they need while still in their home, family, neighborhood and school. The resulting savings to both county and state have also been impressive. The annual cost reduction in Livingston County in 2014, as compared to 2011, was over \$900,000, with the state and county sharing equally in the savings. The cumulative savings in just the first three years was over \$2.1 million.

We must continue to innovate, invest and work together to improve long-term outcomes for our juveniles and our communities.

**Truancy Update.** One of the most important risk factors for youth and crime is school attendance. Numerous studies have shown that being absent from school as a child greatly increases the likelihood of committing crimes as an adult. In my 2012 message on public safety I called on state government and community partners to address the problem of truancy. Significant progress has been made on the issue since then. Among other collaborative efforts to combat truancy, the Pathways to Potential program within the DHHS has placed "Success Coaches" in 219 schools to address barriers to self-sufficiency, with a special focus on reducing absenteeism. In the 2013-2014 school year, schools with Success Coaches in the Pathways to Potential program saw an average decrease in chronic absenteeism of 33.91%. In large measure, these good results have been achieved simply by paying attention to when and why kids miss school and then helping families address the underlying barriers to school attendance. If we can keep kids in school, we're keeping them out of prison. That makes for a stronger community, too.

Michigan can strengthen our efforts to combat truancy by enacting legislation that will establish a statewide definition of truancy, place an emphasis on early intervention into absenteeism, and reform zero tolerance policies that sometimes do more harm than good. Too often, zero tolerance laws have the unintended effect of taking our children out of school and putting them into the juvenile justice system.

### VII. Preventing Crime with Stronger Communities

In this message, I have called for reforms to our criminal justice system so we can more effectively protect victims and prevent criminals from committing new crimes. That is what the criminal justice system is designed to do—police apprehend suspects, prosecutors charge the accused, judges and juries find guilt, and prisons punish, detain and attempt to reform the guilty.

Though our system is intended to deter crime by swiftly and justly punishing the guilty, crime remains. We see a cycle of violence where many of our children go from the classroom to the prison cell, never knowing what it means to lead a productive life. The consequences are plain to see in Michigan's most challenged cities. No matter how good our criminal justice system is, if we don't solve the root causes of crime, crimes will continue to occur.

The criminal justice system can only do so much—usually only after a crime occurs. That doesn't mean we shouldn't work to make our criminal justice system better. Working together, we can achieve great results. But if we care about preventing someone from committing their first crime, we have to change the environment that leads them to it. At the state level, we have undertaken efforts to make that environment better. With the Healthy Michigan Plan, nearly 600,000 low-income Michiganders now have access to health care that they didn't have before, including treatment for mental health. This removes one more barrier for our fellow citizens to find a job, and that means less of a reason to turn to crime.

We also know that highly concentrated poverty is correlated to crime in our communities. The Michigan State Housing Development Authority, working with the federal government, has undertaken an initiative to decrease the concentration of poverty by encouraging those with housing vouchers to choose better neighborhoods. If recipients exercise that choice, they will have an opportunity to live in more stable communities with better outcomes—hopefully resulting in less crime.

In 2012, the Department of Natural Resources created the Summer Youth Employment Initiative to engage at-risk youth, ages 16 to 19 years old, in the four urban areas in Michigan with the highest crime rate—Flint, Saginaw, Pontiac and Detroit. This program exposes youngsters to the great outdoors, gives them work experience, and provides them direction. It's one way to help mentor our youth so they focus on positive goals instead of reverting to crime. After the first two summers, nearly 40 percent of the participants have secured employment or gone on to college.

We all have a role to play, and I am calling on our state departments to consider how they can better serve their customers - and our state - by helping to improve the environment in our communities so that together we can break the cycle of crime before it starts.

### VIII. Conclusion

When a crime is committed, it is up to the criminal justice system to step in and fulfill its obligation of protecting the public, punishing the guilty and reforming offenders so they do not commit crimes again.

We can make that system smarter and better when we can treat the causes of crime. With successful implementation of the recommended reforms, we can make Michigan stronger and a safer place to live.

The message was referred to the Secretary for record.

### Messages from the House

The House of Representatives returned, in accordance with the request of the Senate

#### **House Bill No. 4075, entitled**

A bill to amend 1895 PA 161, entitled "An act to require county treasurers to furnish transcripts and abstracts of records, and fixing the fees to be paid therefor," by amending section 1 (MCL 48.101), as amended by 1984 PA 291.

Senator Kowall moved that rule 3.311 be suspended to permit reconsideration of the vote by which the bill was passed.

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

Senator Kowall moved to reconsider the vote by which the bill was passed.

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

Senator Kowall moved that the bill be referred to the Committee of the Whole and placed on the General Orders calendar for consideration today.

The motion prevailed.

Senator Kowall moved that rule 3.202 be suspended to permit immediate consideration of the following bills:

**Senate Bill No. 115**

**Senate Bill No. 118**

**Senate Bill No. 119**

**Senate Bill No. 122**

- Senate Bill No. 124**
- Senate Bill No. 125**
- Senate Bill No. 128**
- Senate Bill No. 131**
- Senate Bill No. 132**
- Senate Bill No. 133**

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

**Senate Bill No. 115, entitled**

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 196**

**Yeas—1**

Green

**Nays—35**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Gregory	Jones	Pavlov	Zorn
Hansen	Knezek	Pros	

**Excused—2**

Smith

Young

**Not Voting—0**

In The Chair: President

**Senate Bill No. 118, entitled**

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:



**Excused—3**

Ananich

Smith

Young

**Not Voting—0**

In The Chair: President

**Senate Bill No. 122, entitled**

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2016; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 199****Yeas—0****Nays—35**

Bieda  
Booher  
Brandenburg  
Casperson  
Colbeck  
Emmons  
Green  
Gregory  
Hansen

Hertel  
Hildenbrand  
Hood  
Hopgood  
Horn  
Hune  
Johnson  
Jones  
Knezek

Knollenberg  
Kowall  
MacGregor  
Marleau  
Meekhof  
Nofs  
O'Brien  
Pavlov  
Proos

Robertson  
Rocca  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Warren  
Zorn

**Excused—3**

Ananich

Smith

Young

**Not Voting—0**

In The Chair: President

**Senate Bill No. 124, entitled**

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 200****Yeas—0****Nays—35**

Bieda	Hertel	Knollenberg	Robertson
Booher	Hildenbrand	Kowall	Rocca
Brandenburg	Hood	MacGregor	Schmidt
Casperson	Hopgood	Marleau	Schuitmaker
Colbeck	Horn	Meekhof	Shirkey
Emmons	Hune	Nofs	Stamas
Green	Johnson	O'Brien	Warren
Gregory	Jones	Pavlov	Zorn
Hansen	Knezek	Pros	

**Excused—3**

Ananich	Smith	Young
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**Not Voting—0**

In The Chair: President

Senator Young entered the Senate Chamber.

**Senate Bill No. 125, entitled**

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 201****Yeas—0****Nays—36**

Bieda	Hertel	Knollenberg	Robertson
Booher	Hildenbrand	Kowall	Rocca
Brandenburg	Hood	MacGregor	Schmidt
Casperson	Hopgood	Marleau	Schuitmaker
Colbeck	Horn	Meekhof	Shirkey
Emmons	Hune	Nofs	Stamas
Green	Johnson	O'Brien	Warren
Gregory	Jones	Pavlov	Young
Hansen	Knezek	Pros	Zorn

**Excused—2**

Ananich	Smith
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**Not Voting—0**

In The Chair: President

**Senate Bill No. 128, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 202****Yeas—0****Nays—36**

Bieda	Hertel	Knollenberg	Robertson
Booher	Hildenbrand	Kowall	Rocca
Brandenburg	Hood	MacGregor	Schmidt
Casperson	Hopgood	Marleau	Schuitmaker
Colbeck	Horn	Meekhof	Shirkey
Emmons	Hune	Nofs	Stamas
Green	Johnson	O'Brien	Warren
Gregory	Jones	Pavlov	Young
Hansen	Knezek	Proos	Zorn

**Excused—2**

Ananich	Smith
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**Not Voting—0**

In The Chair: President

**Senate Bill No. 131, entitled**

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 203****Yeas—0****Nays—36**

Bieda	Hertel	Knollenberg	Robertson
Booher	Hildenbrand	Kowall	Rocca

Brandenburg	Hood	MacGregor	Schmidt
Casperson	Hopgood	Marleau	Schuitmaker
Colbeck	Horn	Meekhof	Shirkey
Emmons	Hune	Nofs	Stamas
Green	Johnson	O'Brien	Warren
Gregory	Jones	Pavlov	Young
Hansen	Knezek	Proos	Zorn

**Excused—2**

Ananich	Smith
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**Not Voting—0**

In The Chair: President

**Senate Bill No. 132, entitled**

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 204****Yeas—0****Nays—36**

Bieda	Hertel	Knollenberg	Robertson
Booher	Hildenbrand	Kowall	Rocca
Brandenburg	Hood	MacGregor	Schmidt
Casperson	Hopgood	Marleau	Schuitmaker
Colbeck	Horn	Meekhof	Shirkey
Emmons	Hune	Nofs	Stamas
Green	Johnson	O'Brien	Warren
Gregory	Jones	Pavlov	Young
Hansen	Knezek	Proos	Zorn

**Excused—2**

Ananich	Smith
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**Not Voting—0**

In The Chair: President

**Senate Bill No. 133, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2016 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 205****Yeas—0****Nays—36**

Bieda	Hertel	Knollenberg	Robertson
Booher	Hildenbrand	Kowall	Rocca
Brandenburg	Hood	MacGregor	Schmidt
Casperson	Hopgood	Marleau	Schuitmaker
Colbeck	Horn	Meekhof	Shirkey
Emmons	Hune	Nofs	Stamas
Green	Johnson	O'Brien	Warren
Gregory	Jones	Pavlov	Young
Hansen	Knezek	Proos	Zorn

**Excused—2**

Ananich	Smith
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**Not Voting—0**

In The Chair: President

By unanimous consent the Senate proceeded to the order of

**Resolutions**

Senator Kowall moved that consideration of the following concurrent resolution be postponed for today:

**House Concurrent Resolution No. 3**

The motion prevailed.

**Senate Resolution No. 50.**

A resolution to proclaim May 17-23, 2015, as AMBER Alert Awareness Week.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Schmidt offered the following resolution:

**Senate Resolution No. 60.**

A resolution to recognize May 2015 as Bike Month.

Whereas, An estimated 2 million Michiganders ride bicycles because they are a viable and environmentally-sound form of transportation and recreation, an excellent form of fitness, and help improve quality of life and sense of place; and

Whereas, Thousands of people throughout Michigan will experience the joys of bicycling during the month of May, through educational programs, commuting events, trail work days, helmet promotions, and charity rides; and

Whereas, In 2015, thousands of cyclists from across the country will participate in hundreds of organized Michigan cycling events to experience our beautiful scenery, many parks, attractions, and historic sites; and

Whereas, A Michigan Department of Transportation study recently reported that cycling tourists provide \$668 million per year in economic benefit to Michigan's economy, including employment, retail revenue, tourism expenditure, and increased health and productivity; and

Whereas, Bicyclists are recognized as legitimate roadway users. Teaching bicyclists and motorists to share the road is important to ensure the safety and comfort of all users; and

Whereas, Michigan has the most Complete Streets efforts in the nation, with more than 96 local ordinances, resolutions, and policies that ensure bicyclists will be accommodated in future transportation projects; and

Whereas, Michigan is known as the No. 1 trail state, with the greatest number of rail-trail mileage at more than 2,700 miles, along with 1,600 miles of looped mountain biking trails on state-managed lands, in addition to the internationally-recognized mountain biking trail network in Copper Harbor; and

Whereas, Ranked as the 14th most Bicycle Friendly State by the League of American Bicyclists, Michigan has 10 recognized Bicycle Friendly Communities, 4 Bicycle Friendly Universities, and 17 Bicycle Friendly Businesses; and

Whereas, This state has over 200 bicycle shops, 70 bike clubs, and 30 bicycle-related industries; and

Whereas, Michigan has three officially designated cross state U.S. Bicycle Routes (USBR), totaling more than 1,000 miles, and was the first state in the country to have newly-designated north-south and east-west USBRs; and

Whereas, Through education and events such as the IRide, Ability Tour, and Celebration of Cycling, Michigan is the leader of inclusive cycling opportunities which demonstrate everyone can ride; and

Whereas, Michigan's own Horatio Earle led the Good Roads Movement that banded millions of American bicyclists together to promote safer cycling, which resulted in the creation of the Michigan State Highway Department (now Michigan Department of Transportation) and Woodward Avenue becoming the first mile of concrete highway in the world; and

Whereas, The month of May has been declared National Bike Month by the League of Michigan Bicyclists, Michigan Trails and Greenways Alliance, Michigan Mountain Biking Association, and Programs to Educate All Cyclists, to increase awareness about bicycling opportunities through organized activities such as bike-to-work days and bicycle rodeos for children; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize May 2015 as Bike Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Secretary of State Ruth Johnson.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Booher, Brandenburg, Gregory, Hansen, Hood, Hopgood, Knollenberg, Kowall, MacGregor, Marleau, O'Brien, Pavlov, Proos, Rocca, Warren and Zorn were named co-sponsors of the resolution.

### Recess

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

The motion prevailed, the time being 10:39 a.m.

11:30 a.m.

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

During the recess, Senator Ananich entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

### Third Reading of Bills

Senator Kowall moved that the following bill be placed at the head of the Third Reading of Bills calendar:

**Senate Bill No. 103**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 103, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1249 and 1249a (MCL 380.1249 and 380.1249a), section 1249 as amended by 2014 PA 257 and section 1249a as added by 2011 PA 102, and by adding sections 1249b and 1531j; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator O’Brien offered the following amendments:

1. Amend page 8, line 14, after “**YEAR,**” by striking out “**THE**” and inserting “**A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT ITS EVALUATION TOOL OR TOOLS FOR TEACHERS MEET ALL OF THE FOLLOWING:**

(i) **ARE DESIGNED, TESTED, AND CALIBRATED USING EMPIRICAL RESEARCH ON EFFECTIVE PEDAGOGY PRACTICE AND STUDENT LEARNING.**

(ii) **ARE DEVELOPED BY AUTHORS WITH EXPERTISE IN EVALUATING TEACHERS. ANY LOCAL ADAPTATION OR MODIFICATION OF AN EVALUATION TOOL OR TOOLS MUST ALSO BE DEVELOPED BY AUTHORS WITH EXPERTISE IN EVALUATING TEACHERS.**

(iii) **THERE IS DEMONSTRATED EVIDENCE OF RELIABILITY, VALIDITY, AND EFFICACY OR A PLAN IN PLACE FOR COLLECTING THAT EVIDENCE.**

(G) **THE**” and relettering the remaining subdivisions.

2. Amend page 20, line 25, after “**DIRECTORS.**” by inserting “**A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT ITS EVALUATION TOOL OR TOOLS FOR SCHOOL ADMINISTRATORS MEET ALL OF THE FOLLOWING:**

(i) **ARE DESIGNED, TESTED, AND CALIBRATED USING EMPIRICAL RESEARCH ON EFFECTIVE ADMINISTRATIVE PRACTICE AND STUDENT LEARNING.**

(ii) **ARE DEVELOPED BY AUTHORS WITH EXPERTISE IN EVALUATING SCHOOL ADMINISTRATORS. ANY LOCAL ADAPTATION OR MODIFICATION OF AN EVALUATION TOOL OR TOOLS MUST ALSO BE DEVELOPED BY AUTHORS WITH EXPERTISE IN EVALUATING SCHOOL ADMINISTRATORS.**

(iii) **THERE IS DEMONSTRATED EVIDENCE OF RELIABILITY, VALIDITY, AND EFFICACY OR A PLAN IN PLACE FOR COLLECTING THAT EVIDENCE.”.**

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

Senator Hood 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. 206**

**Yeas—18**

Ananich	Hopgood	Nofs	Schuitmaker
Bieda	Horn	O’Brien	Warren
Gregory	Johnson	Robertson	Young
Hertel	Jones	Rocca	Zorn
Hood	Knezek		

**Nays—19**

Booher	Green	Kowall	Proos
Brandenburg	Hansen	MacGregor	Schmidt
Casperson	Hildenbrand	Marleau	Shirkey
Colbeck	Hune	Meekhof	Stamas
Emmons	Knollenberg	Pavlov	

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

Senator O'Brien offered the following amendment:

1. Amend page 4, line 6, after "**ADMINISTERED,**" by inserting "**AND FOR WHICH STUDENT GROWTH AND ASSESSMENT DATA FROM THE STATE ASSESSMENT ARE AVAILABLE FOR THE MOST RECENT 3-CONSECUTIVE-SCHOOL-YEAR PERIOD,**".

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

Senator Hood requested the yeas and nays.

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

The amendment was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 207****Yeas—20**

Ananich	Hertel	Jones	Rocca
Bieda	Hood	Knezek	Schuitmaker
Casperson	Hopgood	Nofs	Warren
Emmons	Horn	O'Brien	Young
Gregory	Johnson	Robertson	Zorn

**Nays—17**

Booher	Hildenbrand	MacGregor	Proos
Brandenburg	Hune	Marleau	Schmidt
Colbeck	Knollenberg	Meekhof	Shirkey
Green	Kowall	Pavlov	Stamas
Hansen			

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

Senator Pavlov offered the following amendments:

1. Amend page 20, line 26, after "**ANNUAL**" by striking out "**YEAR-END**".
2. Amend page 21, line 1, after "**ANNUAL**" by striking out the balance of the line through "**END**" on line 2.
3. Amend page 21, line 4, after "**ANNUAL**" by striking out "**YEAR-END**".
4. Amend page 21, line 10, after "**ANNUAL**" by striking out "**YEAR-END**".
5. Amend page 22, line 27, after "**ANNUAL**" by striking out the balance of the line through "**END**" on line 1 of page 23.
6. Amend page 23, line 4, after "**ANNUAL**" by striking out "**YEAR-END**".
7. Amend page 23, line 11, after "**ANNUAL**" by striking out "**YEAR-END**".
8. Amend page 23, line 14, after "**ANNUAL**" by striking out "**YEAR-END**".
9. Amend page 23, line 16, by striking out "**YEAR-END**".
10. Amend page 23, line 18, after "**BIENNIAL**" by striking out "**YEAR-END**".

11. Amend page 23, line 19, after “ANNUAL” by striking out “YEAR-END”.

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

Senator Kowall moved to reconsider the vote by which the amendments were not adopted.

The motion prevailed.

The question being on the adoption of the amendments,

The amendments were adopted, a majority of the members serving voting therefor.

Senator Knezek offered the following amendments:

1. Amend page 9, line 18, after “employment.” by inserting “**HOWEVER, THIS SUBDIVISION APPLIES ONLY IF THE 3 CONSECUTIVE ANNUAL YEAR-END EVALUATIONS ARE CONDUCTED USING THE SAME EVALUATION TOOL AND UNDER THE SAME PERFORMANCE EVALUATION SYSTEM.**”.

2. Amend page 23, line 7, after “employment.” by inserting “**HOWEVER, THIS SUBDIVISION APPLIES ONLY IF THE 3 CONSECUTIVE ANNUAL YEAR-END EVALUATIONS ARE CONDUCTED USING THE SAME EVALUATION TOOL AND UNDER THE SAME PERFORMANCE EVALUATION SYSTEM.**”.

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

Senator Hood 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. 208**

**Yeas—15**

Ananich	Hood	Knezek	Schuitmaker
Bieda	Hopgood	Nofs	Warren
Gregory	Johnson	O’Brien	Young
Hertel	Jones	Rocca	

**Nays—22**

Booher	Hansen	MacGregor	Robertson
Brandenburg	Hildenbrand	Marleau	Schmidt
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Pavlov	Stamas
Emmons	Knollenberg	Proos	Zorn
Green	Kowall		

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

Senator Knezek offered the following amendments:

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

“(vi) **A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT AN INDIVIDUAL ACTING AS AN OBSERVER RECEIVES TRAINING FROM THE VENDOR OF THE EVALUATION TOOL, OR FROM A TRAINER CERTIFIED BY THE VENDOR, ON**

USING THE EVALUATION TOOL THAT IS USED BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY. A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT AN INDIVIDUAL ACTING AS AN OBSERVER RECEIVES TRAINING AT LEAST ONCE EVERY 3 YEARS IN COACHING, PROVIDING FEEDBACK, AND RATER RELIABILITY.”

2. Amend page 21, following line 9, by inserting:

“(C) A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT AN INDIVIDUAL ACTING AS AN EVALUATOR RECEIVES TRAINING FROM THE VENDOR OF THE EVALUATION TOOL, OR FROM A TRAINER CERTIFIED BY THE VENDOR, ON USING THE EVALUATION TOOL THAT IS USED BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY. A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT AN INDIVIDUAL ACTING AS AN EVALUATOR RECEIVES TRAINING AT LEAST ONCE EVERY 3 YEARS IN COACHING, PROVIDING FEEDBACK, AND RATER RELIABILITY.” and relettering the remaining subdivisions.

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

Senator Hood 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. 209**

**Yeas—15**

Ananich	Hood	Knezek	Schuitmaker
Bieda	Hopgood	Nofs	Warren
Gregory	Johnson	O’Brien	Young
Hertel	Jones	Rocca	

**Nays—22**

Booher	Hansen	MacGregor	Robertson
Brandenburg	Hildenbrand	Marleau	Schmidt
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Pavlov	Stamas
Emmons	Knollenberg	Proos	Zorn
Green	Kowall		

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

Senator Knezek offered the following amendment:

1. Amend page 10, line 9, after the second “superintendent,” by inserting “DEPARTMENT,”.

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

Senator Hood 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. 210****Yeas—12**

Ananich  
Bieda  
Gregory

Hertel  
Hood  
Hopgood

Johnson  
Jones  
Knezek

Rocca  
Warren  
Young

**Nays—25**

Booher  
Brandenburg  
Casperson  
Colbeck  
Emmons  
Green  
Hansen

Hildenbrand  
Horn  
Hune  
Knollenberg  
Kowall  
MacGregor

Marleau  
Meekhof  
Nofs  
O'Brien  
Pavlov  
Pros

Robertson  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Zorn

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

Senator Knezek offered the following amendments:

1. Amend page 15, line 11, after “measures” by inserting “**OR OTHER MEANS OF ADJUSTING FOR PREVIOUS STUDENT GROWTH AND ASSESSMENT DATA AND OTHER FACTORS THAT IMPACT STUDENT PERFORMANCE**”.

2. Amend page 24, line 5, after “**MEASURES**” by inserting “**OR OTHER MEANS OF ADJUSTING FOR PREVIOUS STUDENT GROWTH AND ASSESSMENT DATA AND OTHER FACTORS THAT IMPACT STUDENT PERFORMANCE**”.

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

Senator Hood 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. 211****Yeas—12**

Ananich  
Bieda  
Gregory

Hertel  
Hood  
Hopgood

Johnson  
Jones  
Knezek

Rocca  
Warren  
Young

**Nays—25**

Booher  
Brandenburg  
Casperson  
Colbeck

Hildenbrand  
Horn  
Hune  
Knollenberg

Marleau  
Meekhof  
Nofs  
O'Brien

Robertson  
Schmidt  
Schuitmaker  
Shirkey

Emmons  
Green  
Hansen

Kowall  
MacGregor

Pavlov  
Proos

Stamas  
Zorn

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

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. 212**

**Yeas—22**

Booher  
Brandenburg  
Casperson  
Colbeck  
Emmons  
Green

Hansen  
Hildenbrand  
Hune  
Knollenberg  
Kowall  
MacGregor

Marleau  
Meekhof  
Nofs  
Pavlov  
Proos

Robertson  
Schmidt  
Shirkey  
Stamas  
Zorn

**Nays—15**

Ananich  
Bieda  
Gregory  
Hertel

Hood  
Hopgood  
Horn  
Johnson

Jones  
Knezek  
O'Brien  
Rocca

Schuitmaker  
Warren  
Young

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

**Protests**

Senators Knezek, Hertel, Johnson, Bieda, Gregory, Ananich, Young, Hopgood, Hood, O'Brien, Schuitmaker and Rocca, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 103.

Senator Knezek's statement, in which Senators Hertel, Johnson, Bieda, Gregory, Ananich, Young, Hopgood and Hood concurred, is as follows:

Madam President, I rise today in opposition to Senate Bill No. 103. I'd like to preface my remarks by stating that as I was preparing this speech yesterday evening and this morning, I had hoped that this wouldn't be necessary. I had hoped for a willingness to work toward an amicable compromise. Unfortunately, what we have before us today falls short of that.

As you all know, several years ago, this body, in conjunction with the Governor's office, commissioned the Michigan Council on Educator Effectiveness and tasked them with developing a new statewide evaluation system for teachers and administrators. Despite how daunting an assignment that may have been, it was met head on by education experts across the state and was led by the extremely capable and thoughtful Dr. Deborah Ball, Dean of the School of Education at the University of Michigan. After nearly two years, the MCEE unveiled their findings and shared their recommendations with the Legislature during the previous term. Upon receiving this document, two of our colleagues, one of them in the chamber with us today, set out to translate those ideas into a legislative package, developing what would become a comprehensive two-bill package that would have codified what Dr. Ball and her colleagues laid out as a fair and uniform system of evaluations.

That legislation was created through many hours upon hours of that four-letter word within these walls—compromise—and brought together every single education stakeholder in an unprecedented display of bipartisanship in an era of deep mistrust among the varied sides of the education debate. Unfortunately, that legislation died a slow death here in the Senate after being passed out of the House of Representatives with broad support on both sides of the aisle, as indicated by the final passage of 95-14 for House Bill No. 5223 and 96-13 for House Bill No. 5224. I say all of this, though many if not all of you already are aware of the past, simply to point out the difference between the manner in which that legislation was developed contrasted with what we have before us here today.

Senate Bill No. 103 was developed behind closed doors with little input from these same stakeholders and, thus, predictably comes up drastically short of meeting the goals that were laid out in the MCEE's recommendations. I would like to address some of the reasons given for these shortcomings, beginning with the idea that this allows for more local control. We have heard over and over again that these evaluations and the way they are administered are best left to individual school districts. I agree that many of our local districts are doing an admirable job. However, the fact remains that the MCEE was instituted to address a critical and identified problem within the evaluation process across the state; that there is absolutely no continuity with which teachers and administrators are evaluated.

Local control is a term we often hear as the doctrine with which we should abide by when dealing with issues in education policy at the state level. However, the way in which it is so unevenly applied is almost breathtaking in its cynicism. We claim to want to leave these decisions up to the local district, yet we also look to set a mandate forcing administrators to fire teachers. If local control is the standard, then why would we set such a punitive mandate? What we are saying here today, what we have said for so many years already is that local control is the standard until we say it is not. That is arrogance on behalf of this Legislature.

In this same spirit, the MCEE recommended a system that would help lift underperforming teachers through constructive feedback and training, yet the legislation before us today entirely ignores this important idea. We offer no solutions and no guidance for these educators who could be great if only given the tools. Instead, we look to do the exact opposite of what we were warned against by education professionals—instituting a system that is simply punitive in nature.

The MCEE also urged the Legislature to develop a system that could properly take into account the external factors that contribute to a student's performance in the classroom. They pointed out that there is no question as to whether or not an educator should be held accountable for what is within their control. Punishing them for what is not would be holding them to a standard that is beyond what other professionals would ever have to deal with. Our students spend eight hours a day with our teachers, but we're holding them accountable for what happens to our students the other 16 hours of the day outside the classroom. The legislation before us today comes in woefully short of taking the effects of things like poverty into consideration when addressing the issues faced by our system of education.

The MCEE also urged that training be provided on a continual basis so that local administrators and other evaluators would be given the tools to fairly and adequately administer annual reviews. Once again, what we have before us today offers no training and no help to our local districts. In fact, there would be absolutely no changes in these practices from the broken system we presently employ.

Finally, with this legislation, we continue down the road of a broken system of assessments mandated by the state. Instead, now we will mandate that they be used to punitively dismiss educators. I and my colleagues have offered amendments in committee and here in this chamber that would at least slow this process down until we are sure that our new assessments are actually measuring the data we claim to be in search of. Repeatedly, these suggestions have fallen on deaf ears, which leads me to wonder what truly is the end goal here. Is the goal to set up a fair and just system for evaluating teachers, or is the goal to simply punish a group of professionals which has become an all too frequent and easy target?

So to conclude—and thank you Madam President, for your indulgence on this important matter—the legislation in front of us today is woefully inadequate to meet the gravity of the task before us. Our willingness to ignore the experts whom we asked to make these recommendations makes no sense to me. And why? Why after all these days, months, and years of hard work by such dedicated individuals are we willing to veer so drastically off course? I urge this body to reflect on where we've been and where we're going with this legislation and to strongly consider not adopting this today. We have an

alternative, one that was agreed to by so many stakeholders, from the Michigan Education Association and the American Federation of Teachers to the many groups representing administrators and school board members to reform groups such as StudentsFirst and the Great Lakes Education Project. Mind you, these are groups that seldom agree on any policy prescriptions, period, let alone ones of this magnitude.

So I urge my colleagues to reject the legislation before us and to get back to what we were originally charged with doing—creating a real system of evaluation that will move us in the right direction.

Senator O'Brien's statement, in which Senators Schuitmaker and Rocca concurred, is as follows:

It is with a heavy heart that I rise in opposition to Senate Bill No. 103. Since 2011, I have worked on issues impacting teachers. In 2011, I worked with Tim Melton and my colleagues on both sides of the aisle to reform teacher tenure. The result of the tenure reforms was the creation of the Michigan Council on Educator Effectiveness, a nonpartisan group of experts who were charged with recommending three items: first, a student growth measurement; second, a teacher evaluation; and third, an administrator evaluation model.

The Michigan Council on Educator Effectiveness took their time carefully deliberating these items. In fact, they took twice as long as we had given them. Their report was comprehensive, although it did not recommend a specific student growth tool. But their report was very detailed in the area of evaluations. In fact, they asked for and we gave money for pilots throughout the state. Success was shown in districts where there were evaluation tools which were research-based, implemented with fidelity to the authors, and evaluators were properly trained. The bill as it currently sits does not contain these basic minimum requirements.

As we have allocated funding to publicly-funded schools, we have been critical of how dollars are spent. We've even gone so far as to tie strings to those dollars. Unfortunately, while we have required evaluations to be done, we've not insured that we have minimum quality standards in place.

The argument has been used about local control, but let's be honest. With Proposal A, local control has ended. Funding is the most local control you can have. Local control is a popular phrase to fight something we don't want, yet bill after bill has stripped away local control.

Another argument about the provision of a proper evaluation system is that it will cause every teacher termination to end up in court. Yet when I've worked with attorneys who represent school districts and who represent teachers, the proposal they came up with was refused. Since when does expecting and demanding quality cause lawsuits?

While I can't vote for this bill, I appreciate the movement the bill sponsor has made. I will continue to find ways to work together to improve public education, to support our teachers, and to improve student performance, for these goals are not Republican or Democrat. These are the goals of a strong public education system.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

The following communications were received and read:  
 Office of the Senate Majority Leader

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 115, appoints the following members to the conference committee:

Senator Mike Green, Chair  
 Senator Jim Stamas  
 Senator Hoon-Yung Hopgood  
 Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 118, appoints the following members to the conference committee:

Senator Jim Marleau, Chair  
 Senator Mike Shirkey  
 Senator Curtis Hertel, Jr.  
 Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 119, appoints the following members to the conference committee:

Senator John Proos, Chair  
 Senator Marty Knollenberg  
 Senator Vincent Gregory  
 Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 122, appoints the following members to the conference committee:

Senator Jim Stamas, Chair

Senator Mike Nofs

Senator Coleman Young II

Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 124, appoints the following members to the conference committee:

Senator Peter MacGregor, Chair

Senator John Proos

Senator Vincent Gregory

Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 125, appoints the following members to the conference committee:

Senator Marty Knollenberg, Chair

Senator Jim Marleau

Senator Coleman Young II

Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 128, appoints the following members to the conference committee:

Senator Mike Nofs, Chair

Senator Patrick Colbeck

Senator David Knezek

Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 131, appoints the following members to the conference committee:

Senator Mike Nofs, Chair

Senator Patrick Colbeck

Senator David Knezek

Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 132, appoints the following members to the conference committee:

Senator Goeff Hansen, Chair

Senator Marty Knollenberg

Senator Coleman Young II

Thank you for your prompt consideration of this matter.

May 20, 2015

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to SB 133, appoints the following members to the conference committee:

Senator Arlan Meekhof, Chair

Senator Dave Hildenbrand

Senator Vincent Gregory

Thank you for your prompt consideration of this matter.

Sincerely,  
Arlan B. Meekhof  
Senate Majority Leader  
30th Senate District

The communications were referred to the Secretary for record.

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

Senator Kowall 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 Hansen 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 without amendment, the following bills:

**House Bill No. 4071, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7a (MCL 722.27a), as amended by 2012 PA 600.

**House Bill No. 4482, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 2 (MCL 722.22), as amended by 2005 PA 327.

**House Bill No. 4060, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1896) by adding section 275b.

The bills were 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:

**House Bill No. 4075, entitled**

A bill to amend 1895 PA 161, entitled "An act to require county treasurers to furnish transcripts and abstracts of records, and fixing the fees to be paid therefor," by amending section 1 (MCL 48.101), as amended by 1984 PA 291.

Substitute (S-3).

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:

**House Bill No. 4175, entitled**

A bill to amend 1994 PA 351, entitled "Equine activity liability act," by amending section 5 (MCL 691.1665).

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:

**House Bill No. 4041, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57b (MCL 400.57b), as amended by 2011 PA 131.

Substitute (S-2).

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. 186, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 811cc, 811dd, 811ee, 811ff, and 811gg.

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 Kowall 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:

**House Bill No. 4075**

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

Senator Kowall moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**House Bill No. 4075**

**Senate Bill No. 213**

**Senate Bill No. 231**

**Senate Bill No. 240**

The motion prevailed.

The following bill was announced:

**House Bill No. 4075, entitled**

A bill to amend 1895 PA 161, entitled "An act to require county treasurers to furnish transcripts and abstracts of records, and fixing the fees to be paid therefor," by amending section 1 (MCL 48.101), as amended by 1984 PA 291.

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. 213**

**Yeas—37**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

**Nays—0**

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

The following bill was read a third time:

**Senate Bill No. 213, entitled**

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 61 (MCL 408.1061), as amended by 1996 PA 437.

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. 214****Yeas—37**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

**Nays—0****Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 231, entitled**

A bill to amend 1915 PA 31, entitled "Youth tobacco act," by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), as amended by 2006 PA 236.

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. 215****Yeas—37**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

**Nays—0**

**Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 240, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 914a.

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. 216****Yeas—37**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

**Nays—0****Excused—1**

Smith

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Schuitmaker introduced

**Senate Bill No. 343, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 41 and 41a (MCL 38.1341 and 38.1341a), as amended by 2012 PA 300.

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

Senators Hildenbrand and Hansen introduced

**Senate Bill No. 344, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 533 (MCL 436.1533), as amended by 1998 PA 416.

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

Senators Hansen and Hildenbrand introduced

**Senate Bill No. 345, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2008 PA 489.

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

**House Bill No. 4568, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130, 324.80315, 324.81114, and 324.82156), as amended by 2011 PA 90.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4569, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 801, 802, 803b, 803r, 804, 806, 809, 811e, and 811h (MCL 257.801, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.811e, and 257.811h), section 801 as amended by 2012 PA 498, sections 802, 803r, 804, 806, 809, 811e, and 811h as amended by 2011 PA 159, and section 803b as amended by 2015 PA 11.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

### Committee Reports

The Committee on Education reported

**Senate Bill No. 209, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 2004 PA 596, and by adding sections 1167 and 1279h.

With the recommendation that the bill pass.

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

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Knollenberg, Booher and Colbeck

Nays: Senator Knezek

The bill was referred to the Committee of the Whole.

The Committee on Education reported

**Senate Bill No. 211, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1168.

With the recommendation that the bill pass.

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

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Knollenberg, Booher, Colbeck and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, May 19, 2015, at 12:18 p.m., Room 110, Farnum Building

Present: Senators Pavlov (C), Knollenberg, Booher, Colbeck and Knezek

The Committee on Local Government reported

**Senate Bill No. 239, entitled**

A bill to prohibit a local unit of government from enacting an ordinance or rule that regulates a dog based solely on breed, perceived breed, or type; and to provide for the powers and duties of certain local governmental entities.

With the recommendation that the bill be referred to the Committee on Agriculture.

Dale W. Zorn  
Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg, Rocca and Young

Nays: None

The bill was referred to the Committee on Agriculture.

The Committee on Local Government reported

**Senate Bill No. 305, entitled**

A bill to prohibit political subdivisions in this state from imposing certain restrictions on the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration, or use of knives or components of knives; 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.

Dale W. Zorn  
Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg and Rocca

Nays: Senator Young

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

The Committee on Local Government reported

**Senate Bill No. 309, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 66 (MCL 559.166), as amended by 1983 PA 113.

With the recommendation that the bill pass.

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

Dale W. Zorn  
Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg, Rocca and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government reported

**House Bill No. 4168, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 42a (MCL 211.42a), as amended by 2012 PA 461.

With the recommendation that the bill pass.

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

Dale W. Zorn  
Chairperson

## To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg, Rocca and Young

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, May 19, 2015, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Zorn (C), Proos, Brandenburg, Rocca and Young

The Committee on Judiciary reported

**Senate Resolution No. 50.**

A resolution to proclaim May 17-23, 2015, as AMBER Alert Awareness Week.

(For text of resolution, see Senate Journal No. 44, p. 645.)

With the recommendation that the resolution be adopted.

Rick Jones  
Chairperson

## To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: None

The resolution was placed on the order of Resolutions.

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 19, 2015, at 3:00 p.m., Room 110, Farnum Building

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce submitted the following:

Meeting held on Wednesday, May 20, 2015, at 8:30 a.m., Room 210, Farnum Building

Present: Senators Schmidt (C), Kowall, MacGregor, Nofs and Hertel

**Scheduled Meetings****Appropriations -****Subcommittee -**

**K-12, School Aid, Education and House School Aid Appropriations Subcommittee** - Wednesday, June 3, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Criminal Justice Policy Commission** - Wednesday, June 3, 10:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Senate Fiscal Agency Board of Governors** - Thursday, June 11, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Transportation** - Thursday, May 21, 8:30 a.m., Room 210, Farnum Building (373-5323)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 12:29 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, May 21, 2015, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

