

No. 43
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Wednesday, May 4, 2016.

10:00 a.m.

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

The roll was called by the Assistant 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
Stamas—present
Warren—present
Young—present
Zorn—present

Pastor Patrick Rouse of Mt. Zion Church of Clarkston offered the following invocation:

Dear Heavenly Father, thank You for the opportunity to come before You through Your Son Jesus Christ. We thank You for Your ways and Your will, which are always right for our lives, even when they seem contrary to our desires.

Let us seek Your truth in this day, so that we may all bless the amazing people of this great state with Your wisdom. Bless each one here who represents and serves the people of Michigan with understanding. May Your ways be seen through their actions, making our state a shining example to the rest of the nation. Provide them and their families with Your hedge of protection and continued safety in these unsettling times.

Father, we thank You for Your provision. May each of us do well with what You have given to us. I ask that as we turn toward You, Lord, that Your blessing continue upon us and all that we put our hands to.

In Your holy name, we pray. Amen.

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

Motions and Communications

Senator Hopgood entered the Senate Chamber.

Senator Kowall moved that Senators Horn, Nofs, Proos, Schuitmaker, Shirkey and Zorn be temporarily excused from today's session.

The motion prevailed.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Meekhof admittance to the Senate floor.

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

Senator Hood moved that Senators Bieda, Johnson, Knezek and Young be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

Senator Meekhof's statement is as follows:

I rise today to acknowledge the 150th anniversary of America's oldest soft drink, Vernors. In the 1800s, James Vernor experimented with creating a ginger ale extract and was called to duty for the Civil War in 1862. He stored his mixture in an oak barrel during his absence. Upon returning from battle four years later, he opened his own pharmacy and his stored drink to discover it had mellowed. He began serving Vernor's Ginger Ale in 1866.

For years, the only place you could buy Vernor's was from the fountain in James Vernor's pharmacy located at 133 Woodward Avenue in downtown Detroit. The demand for this refreshing drink grew, and soon soda fountains throughout the city started selling cold, carbonated Vernor's.

By 1896, James Vernor moved the ginger ale business to 33 Woodward Avenue. By 1940, the Vernor's bottling facility was known as the most modern in the world. In 1959, Vernor's was purchased, became a public company, and the apostrophe was dropped. Today, Vernors is a part of the Dr. Pepper Snapple Group, which has a strong presence in Michigan. A large percentage of Vernors' overall volume is bottled in my district at the company's Holland production facility.

Thank you for giving me the opportunity to recognize a Michigan icon.

Senators Horn, Bieda, Proos, Knezek, Nofs, Zorn and Schuitmaker entered the Senate Chamber.

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

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

Senator Hood stated that had he been present on May 3 when the vote was taken on the passage of the following bill, he would have voted "yea":

House Bill No. 4990

Senator Kowall moved that the Committee on Appropriations be discharged from further consideration of the following bills:

Senate Bill No. 800, 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 years ending September 30, 2017 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Senate Bill No. 801, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2015 PA 139, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2015 PA 85.

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

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

Senate Bill No. 800

Senate Bill No. 801

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 3:

House Bill Nos. 5341 5342 5343 5344

The Secretary announced that the following bills were printed and filed on Tuesday, May 3, and are available at the Michigan Legislature website:

Senate Bill Nos.	930	931	932	933	934	935	936	937	938	939	940	941	942	943
	944	945	946	947	948	949								

House Bill Nos.	5617	5618	5619	5620	5621	5622	5623	5624	5625	5626	5627	5628	5629
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Recess

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

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

11:47 a.m.

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

During the recess, Senators Shirkey, Young and Johnson entered the Senate Chamber.

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 Stamas as Chairperson.

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

Senate Bill No. 800, 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 years ending September 30, 2017 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 30, line 27, by striking out “4,500,000” and inserting “3,000,000”.
2. Amend page 31, line 8, by striking out “113,676,900” and inserting “112,176,900”.
3. Amend page 31, line 20, by striking out “105,956,400” and inserting “104,456,400”.
4. Amend page 32, line 26, by striking out “13,500,000” and inserting “15,000,000”.
5. Amend page 33, line 1, by striking out “271,922,700” and inserting “273,422,700”.
6. Amend page 33, line 10, by striking out “255,356,100” and inserting “256,856,100”.
7. Amend page 62, following line 17, by inserting:

“Sec. 436. The funds appropriated in part 1 for the public safety initiative shall be distributed as follows:

(a) \$1,250,000.00 to the Saginaw County jail as reimbursement for housing individuals who have been arrested and are awaiting arraignment in Genesee County.

(b) \$1,250,000.00 to lease bed space from county jails outside of Genesee County to house offenders sentenced to jail in Genesee County.

(c) \$500,000.00 for electronic monitoring of offenders who would otherwise be sentenced to jail in Genesee County.”.

8. Amend page 88, following line 27, by inserting:

“Chief information officer—1.0 FTE 100”.

9. Amend page 89, line 1, by striking out “2,681,100” and inserting “2,861,200”.

10. Amend page 89, line 8, by striking out “1,834,600” and inserting “1,834,700”.

11. Amend page 172, following line 11, by inserting:

“Kalamazoo valley community college - healthy living campus 100”.

12. Amend page 172, line 10, by striking out “5,486,000” and inserting “4,486,000”.

13. Amend page 172, line 12, by striking out “28,264,600” and inserting “28,264,700”.

14. Amend page 172, line 18, by striking out “17,386,100” and inserting “17,386,200”.

15. Amend page 176, following line 26, by inserting:

“Office of urban initiatives \$ 100”.

16. Amend page 177, line 6, by striking out “10,709,300” and inserting “10,709,400”.

17. Amend page 180, following line 16, by inserting:

“Financial data analytical tool reimbursement 100”.

18. Amend page 180, line 17, by striking out “18,237,600” and inserting “18,237,700”.

19. Amend page 180, line 27, by striking out “12,127,800” and inserting “12,127,900”.

20. Amend page 193, line 15, by striking out all of section 207 and inserting:

“Sec. 207. Concurrent with submission of the fiscal year 2017-2018 executive budget recommendation, the state budget office shall provide the senate and house appropriations committees, the senate and house appropriations subcommittees on each state department, and the senate and house fiscal agencies and policy offices, with a report that lists each new program or program enhancement for which funds in excess of \$500,000.00 are appropriated in part 1 of each departmental appropriation act. The listing of new or enhanced programs shall be ranked in the order of estimated return on taxpayer investment determined by the state budget office. The program performance shall use program-specific metrics, in addition to the metrics required under section 447 of the management and budget act, 1984 PA 431, MCL 18.1447, to measure the return on taxpayer investment. The state budget office shall use the estimated performance of the new program or program enhancement as the basis for any increase in funds appropriated from the prior fiscal year. The state budget office shall provide a report on each department’s status in meeting the program specific metrics and the progress in meeting the estimated return on taxpayer investment for each program, by September 30 of the 2016-2017 fiscal year, to the senate and house appropriations committees, the senate and house appropriations subcommittees on each state department, and the senate and house fiscal agencies and policy offices.”.

21. Amend page 206, following line 23, by inserting:

“Sec. 317. (1) The department of attorney general shall provide a report by July 1 providing a detailed accounting of all funds spent by the department of attorney general for any legal costs or associated expenses related to the declaration of emergency due to drinking water contamination, and the investigations and any resulting prosecutions resulting thereof. The report shall be made available on the department of attorney general’s publicly accessible website and shall be distributed to the state budget director, the chairs of the senate and house of representatives standing committees on appropriations subcommittees on general government, as well as the senate and house fiscal agencies.

(2) At the conclusion of all Attorney General investigations related to the declaration of emergency due to drinking water contamination, all materials related to all of those investigations shall be preserved at an academic institution or other facility capable of preserving all related documents.”.

22. Amend page 213, line 3, after “provide” by striking out “quarterly” and inserting “semi-annual”.

23. Amend page 213, line 4, by striking out “beginning December 31, 2016.” and inserting “due by February 15 and July 15.”.

24. Amend page 214, following line 25, by inserting:

“(n) The report also shall include a listing of all programs designed to reduce recidivism in each of the following:

(i) A state correctional facility.

(ii) A local jail.

(iii) A county jail.

(iv) All persons currently on parole.

(v) All persons currently on probation.

(o) For all programs listed in subdivision (n), the report also shall include all of the following:

(i) The duration of the program.

(ii) The total cost of providing the program.

(iii) The dropout rate amongst program participants for each of the programs listed in subdivision (n).

(iv) The percentage of program participants who are arrested within 3 years and within 5 years of completion of the program for each program listed in subdivision (n).

(v) The percentage of program participants who are convicted of a criminal offense within 3 years and within 5 years of completion of the program for each program listed in subdivision (n).

(vi) The percentage of program participants who return to a state correctional facility, a local jail, or a county jail within 3 years and within 5 years of completion of the program for each program listed in subdivision (n).”.

25. Amend page 226, following line 16, by inserting:

“Sec. 718. From the funds appropriated in part 1 to the department of state, branch operations, the department shall maintain a full service secretary of state branch office in Buena Vista Township.”.

26. Amend page 243, line 10, by striking out all of subsection (7).

27. Amend page 244, following line 18, by inserting:

“Sec. 849. From the funds appropriated in part 1 for entrepreneurship eco-system, \$100.00 shall be allocated as an aerospace supplier expansion grant to a Michigan association that has a developmental plan for an aerospace supplier network.”.

28. Amend page 307, following line 16, by inserting:

“Sec. 1049h. (1) The funds appropriated in part 1 for financial data analytical tool reimbursement, shall be used for the reimbursement to counties, cities, villages, and townships for the licensing of data analytical tools described under this section. The reimbursement is for those entities that choose to use data analytical tools to assist the jurisdiction and that enters into a new or continues an existing licensing agreement for a data analytical tool with 1 of the vendors approved by the department of technology, management and budget under (2) by October 15, 2016. Funds allocated under this under this section are intended to provide counties, cities, villages, and townships with financial forecasting and transparency reporting tools to help improve the financial health of districts and to improve communication with the public, resulting in increased fund balances for counties, cities, villages, and townships.

(2) Not later than October 15, 2015, the department of technology, management, and budget shall review vendors for data analytical tools and provide counties, cities, villages, and townships with a list of at least 2 and up to 4 approved vendors for a reimbursement paid under this section. For a vendor to be eligible for reimbursement paid under this section, it must meet at least all of the following:

(a) Analyze financial data.

(b) Provide an early warning measure.

(c) Provide peer jurisdiction comparison of financial data.

(d) Allow for shared services and collaboration.

(e) Model future budgets and forecasts for at least 3 subsequent fiscal years.

(f) Meet the transparency and accountability requirements for the communities that are eligible to receive city, village, and township statutory revenue sharing or county incentive program revenue sharing.

(3) Funds allocated under this section shall be paid to counties, cities, villages, and townships as a reimbursement for already having a licensing agreement or for entering into a licensing agreement not later than December 1, 2016 with a vendor approved under (2) to implement a data analytical tool. Reimbursement will be prorated for the portion of the state fiscal year not covered by the licensing agreement. However, a licensing agreement that takes effect after October 1, 2016 and before December 1, 2016 will not be prorated if the term of agreement is at least 1 year. Reimbursement under this section shall be made as follows:

(a) All counties, cities, villages, and townships seeking reimbursement shall submit requests not later than December 1, 2016 indicating the cost paid for the financial data analytical tool.

(b) The Department of Treasury shall determine the sum of the funding requests under subdivision (a) and, if there are sufficient funds, shall pay 1/2 of the costs submitted under subdivision (a). If there are insufficient funds to pay 1/2 of the costs submitted under subdivision (a), then reimbursement shall be made on an equal percentage basis.

(c) Funds remaining after the calculation and payments made under subdivision (b) shall be distributed on an equal per-capita basis to local jurisdictions that have purchased a financial data analytical tool approved under (2).”.

29. Amend page 311, line 14, after “does not” by striking out the balance of the subdivision and inserting “submit the required certification, citizen’s guide, performance dashboard, debt service report, and projected budget report by December 1 or the first day of a payment month, the city village, township, or county shall either defer or forfeit the payment. In order to qualify for a deferred payment of a previously forfeited payment, a city, village, township, or county shall submit the required certification, citizen’s guide, performance dashboard, debt service report, and projected budget report by February 1. The deferred payment shall be paid on the last business day of August.”.

30. Amend page 546, line 13, by striking out “1,000,000” and inserting “2,000,000”.

31. Amend page 546, line 23, by striking out “1,000,000” and inserting “2,000,000”.

32. Amend page 650, line 6, by striking out “99,332,500” and inserting “101,532,500”.

33. Amend page 650, line 13, by striking out “39,855,300” and inserting “42,055,300”.

34. Amend page 650, following line 19, by inserting:

“Smart 911..... 2,200,000”.

35. Amend page 671, following line 4, by inserting:

“Sec. 406. The appropriation in part 1 for smart 911 shall be for the purpose of implementing a statewide public safety emergency information portal (PSEIP) system; a hosted national supplemental 911 database containing relevant public safety information entered by individuals via a secure web site. Information in the data base shall be updated twice annually and be automatically delivered to public safety answering points which shall make the information available to first responders in emergency scenarios when a 9-1-1 call is placed. The PSEIP shall collect additional data regarding the protection of critical infrastructure, including the virtualized collection of facility information including, but not limited to floorplans, location of hazardous materials and other information that can be utilized by public safety agencies in the event of an incident within a facility. PSEIP services shall be provided at no cost to residents, shall be made available throughout the state and be compliant with all accessibility elements of section 508 of the rehabilitation act of 1973 as amended, 29 U.S.C. § 794 (d). The appropriation shall be for the purpose of defraying the initial costs associated with implementation of the PSEIP system, including license, installation, support, training, and maintenance costs.”.

36. Amend page 689, line 6, by striking out “\$1,057,776,900” and inserting “\$1,022,586,900”.

37. Amend page 689, line 12, by striking out “797,470,600” and inserting “762,280,600”.

38. Amend page 689, line 13, by striking out “444,625,500” and inserting “425,005,500”.

39. Amend page 691, line 10, by striking out “\$180,000,000” and inserting “\$170,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

40. Amend page 712, following line 13, by inserting:

“Sec. 502. From the funds appropriated in part 1, the department shall conduct a pilot program to cycle test concrete pavement segments treated with a cement hydration catalyst and sealant. The test shall simulate a longer design life on simulated state trunkline roads. The department shall, in accordance with Public Act 51 of 1951 and the department’s new materials evaluation program, conduct a cement hydration catalyst and sealant pilot program of sufficient length of reconstructed or newly constructed state trunkline, and test the quality and durability of the road segments. Upon completing the testing, the department shall issue a report to the legislature on the relative durability and quality of the treated pavement segments.”.

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

By unanimous consent the Senate returned to the order of

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 Stamas as Chairperson.

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

Senate Bill No. 777, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

Substitute (S-4).

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

1. Amend page 5, following line 17, by inserting:

“(3) CHILDREN’S SERVICES AGENCY - CHILD WELFARE

Foster care payments.....		321,000
GROSS APPROPRIATION	\$	321,000
Appropriated from:		
State general fund/general purpose	\$	321,000”.

2. Amend page 7, line 21, by striking out “50,000,000” and inserting “48,883,300”.
 3. Amend page 7, following line 21, by inserting:
“Drinking water declaration of emergency county reimbursement 1,116,700”.
 4. Amend page 7, line 22, by striking out “50,000,000” and inserting “49,679,000”.
 5. Amend page 7, line 24, by striking out “50,000,000” and inserting “49,679,000” and adjusting the subtotals, totals, and section 201 accordingly.
 6. Amend page 12, following line 25, by inserting:
“Sec. 603. For all licensed private child welfare agencies under contract with the department that provide foster care, independent living and residential treatment services in the water catchment area of a city in which a drinking water declaration of emergency was issued, the department shall compensate the agencies for the increased level of required care and supervision mandated by the department for the children and youth in the care of the licensed private child welfare agencies by providing an additional administrative rate of \$10.00 per day per child served by the agencies in the water catchment area of a city in which a drinking water declaration of emergency was issued. This payment shall be paid to the licensed private agencies, retroactive to January 11, 2016 and shall continue at least through September 30, 2016.”.
 7. Amend page 16, following line 26, by inserting:
“Sec. 903. From the funds appropriated in part 1 for drinking water declaration of emergency county reimbursement, an amount not to exceed \$1,116,700.00 shall be provided to a county in which a declaration of emergency for drinking water contamination was issued to pay for costs and expenses associated with the declaration of emergency for drinking water. Eligible costs and expenses may include, but are not limited to, the following:
 - (a) To build a database and grid for the emergency operations center to assist in the development of an emergency action plan.
 - (b) To establish a multi-media network for the emergency operations center and to provide ongoing information technology support.
 - (c) To set up a system with local fire stations for the delivery of clean water and water filters and to ensure clear access from snow to the emergency operations center’s warehouse for the delivery of clean water and water filters.
 - (d) To create a mapping data system for the emergency operations center to assist with the development of an emergency action plan.
 - (e) To provide personnel for the emergency operations center for the distribution of clean water and clean water filters in a city in which a declaration of emergency for drinking water contamination was made.
 - (f) To meet with city and state officials to assist in the preparation of the emergency action plan.
 - (g) To provide extensive testing and screening prior to and since the declaration of emergency for drinking water contamination in a city in which such a declaration was made.”.
- The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator 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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 777

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

The following bill was read a third time:

Senate Bill No. 777, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

Roll Call No. 228

Yeas—34

Ananich
Bieda

Hood
Hopgood

MacGregor
Marleau

Rocca
Schmidt

Booher
 Brandenburg
 Green
 Gregory
 Hansen
 Hertel
 Hildenbrand

Horn
 Hune
 Johnson
 Jones
 Knezek
 Knollenberg
 Kowall

Meekhof
 Nofs
 O'Brien
 Pavlov
 Proos
 Robertson

Schuitmaker
 Shirkey
 Stamas
 Warren
 Young
 Zorn

Nays—3

Casperson

Colbeck

Emmons

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 800

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

The following bill was read a third time:

Senate Bill No. 800, 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 years ending September 30, 2017 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Hopgood offered the following amendments:

1. Amend page 92, line 5, by striking out “124,200,000” and inserting “159,400,000”.
2. Amend page 92, line 6, by striking out “175,061,800” and inserting “192,261,800”.
3. Amend page 92, line 9, by striking out “137,156,500” and inserting “171,356,500”.
4. Amend page 92, line 13, by striking out “37,590,700” and inserting “38,590,700” and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 112, following line 7, by inserting:

“Sec. 1009. From the funds appropriated in part 1 for child development care public assistance, the department shall modify program requirements to raise the family income eligibility rate to 150% of the federal poverty rate.”.

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. 229

Yeas—12

Ananich
 Bieda
 Gregory

Hertel
 Hood
 Hopgood

Johnson
 Jones
 Knezek

Rocca
 Warren
 Young

Nays—25

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

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendments:

1. Amend page 128, line 8, by striking out “14,901,900” and inserting “15,401,900”.
2. Amend page 130, line 3, by striking out “4,366,100” and inserting “4,866,100” and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 148, following line 1, by inserting:

“RESOURCE MANAGEMENT DIVISION

Sec. 601. From the funds appropriated in part 1 for drinking water and environmental health, the department shall allocate \$500,000 for staff training on proper interpretation and application of the federal lead and copper rule under the safe drinking water act.”.

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. 230**Yeas—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Rocca	

Nays—26

Booher	Hildenbrand	Marleau	Robertson
Brandenburg	Horn	Meekhof	Schmidt
Casperson	Hune	Nofs	Schuitmaker
Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas
Green	Kowall	Proos	Zorn
Hansen	MacGregor		

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Hopgood offered the following amendment:

1. Amend page 148, following line 1, by inserting:

“RESOURCE MANAGEMENT DIVISION

Sec. 501. From the funds appropriated in part 1, the department shall assemble a workgroup to examine policies and procedures regarding the following:

(a) Sampling and other procedures related to the switch of a municipal water source.

(b) Methods of testing and verification of tier 1 sites under the lead and copper rule promulgated under the federal safe drinking water act.

(c) Information provided to the public regarding water sampling procedures and locations. The department shall submit a copy of the workgroup’s findings to the house and senate standing committees addressing environmental and public health issues, the house and senate appropriations subcommittees on environmental quality, and the house and senate fiscal agencies.”.

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. 231**Yeas—12**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Rocca	Zorn

Nays—25

Booher	Hildenbrand	MacGregor	Proos
Brandenburg	Horn	Marleau	Robertson
Casperson	Hune	Meekhof	Schmidt
Colbeck	Jones	Nofs	Schuitmaker
Emmons	Knollenberg	O’Brien	Shirkey
Green	Kowall	Pavlov	Stamas
Hansen			

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

Senator Young offered the following amendments:

1. Amend page 693, following line 24, by inserting:

“Woodhaven rail street separation..... 14,777,000”.

2. Amend page 694, line 1, by striking out “10,400,000” and inserting “25,177,000” and adjusting the subtotals, totals, and section 201 accordingly.

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. 232**Yeas—11**

Ananich
Bieda
Colbeck

Gregory
Hertel
Hood

Hopgood
Johnson
Knezek

Warren
Young

Nays—26

Booher
Brandenburg
Casperson
Emmons
Green
Hansen
Hildenbrand

Horn
Hune
Jones
Knollenberg
Kowall
MacGregor
Marleau

Meekhof
Nofs
O'Brien
Pavlov
Proos
Robertson

Rocca
Schmidt
Schuitmaker
Shirkey
Stamas
Zorn

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

Senator Young offered the following amendments:

1. Amend page 328, line 16, by striking out "11,621,300" and inserting "12,086,300".
2. Amend page 328, line 23, by striking out "188,445,100" and inserting "188,910,100".
3. Amend page 329, line 9, by striking out "13,218,600" and inserting "13,683,600" and adjusting the subtotals, totals, and section 201 accordingly.
4. Amend page 379, following line 4, by inserting:

"Sec. 454. From the funds appropriated in part 1 for the Michigan community service commission, \$465,000.00 shall be allocated to My Brother's Keeper-Michigan. The funding shall be used to support the initiatives to improve outcomes for youth including boys and young men of color."

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. 233**Yeas—10**

Ananich
Bieda
Gregory

Hertel
Hood
Hopgood

Johnson
Knezek

Warren
Young

Nays—27

Booher
Brandenburg

Hildenbrand
Horn

Marleau
Meekhof

Rocca
Schmidt

Casperson
Colbeck
Emmons
Green
Hansen

Hune
Jones
Knollenberg
Kowall
MacGregor

Nofs
O'Brien
Pavlov
Proos
Robertson

Schuitmaker
Shirkey
Stamas
Zorn

Excused—0

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. 234

Yeas—26

Bieda
Booher
Brandenburg
Casperson
Colbeck
Green
Gregory

Hansen
Hildenbrand
Horn
Knollenberg
Kowall
MacGregor
Marleau

Meekhof
Nofs
O'Brien
Pavlov
Proos
Robertson

Rocca
Schmidt
Schuitmaker
Shirkey
Stamas
Zorn

Nays—11

Ananich
Emmons
Hertel

Hood
Hopgood
Hune

Johnson
Jones
Knezek

Warren
Young

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Protest

Senator Hopgood, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 800 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting "no."

The motion prevailed.

Senator Hopgood's statement is as follows:

Colleagues, this terrible tragedy that's happened in Flint has given us an opportunity, albeit a grim one. We now have an opportunity to clean up the environmental disaster the Governor's administration has created in our state. I'm not just talking about the failure of the emergency managers, though they were certainly part of it. I'm referring to the deep-rooted culture problem at the Michigan Department of Environmental Quality. That's not a political statement. It's a problem that's been acknowledged by both the Governor and his handpicked task force.

This budget has failed to correct the department. We could be providing resources for studies and training that would protect the health of our citizens and our environment, as the Flint Water Task Force report has recommended. Yet we're not. The majority here seems unwilling to acknowledge mistakes and take the steps necessary to address them.

I cannot in good conscience vote for an MDEQ budget that spends money irresponsibly, underestimates the solid recommendations put forth by the Flint Water Task Force report, and does not actively work to prevent another crisis. Colleagues, I strongly urge you to reconsider and fill in the gaps. Our state's well-being depends on it.

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

The motion prevailed.

Senator Hopgood's first statement is as follows:

Colleagues, we have the opportunity to make a small initial investment that will yield massive dividends for low-income families in this state. My amendment would appropriate \$1 million to increase access to childcare assistance for low-income families.

By setting the eligibility threshold to 150 percent of the poverty level, our state would be eligible for \$34.2 million in federal funding. To reiterate, spending \$1 million will result in an additional \$34.2 million in federal funding. That's a stupendous deal, one that you'd have to be fiscally irresponsible to vote against. It's a deal that would mean more opportunities for a better life for our families.

Senator Hopgood's second statement is as follows:

Colleagues, we've learned a lot about the mistakes that led to the Flint water crisis thanks to the Flint Water Task Force report and the Joint Select Committee on the Flint Water Public Health Emergency. The Governor's task force recommended that the state Office of Drinking Water and Municipal Assistance heighten its focus on protection of public health and provide technical assistance to advance public water system performance.

That's why my amendment would give \$500,000 to the Michigan Department of Environmental Quality to train staff on how to properly apply the Lead and Copper Rule and to ensure that staff is current on any public health and safety updates. A well-informed and empowered staff will help make sure an environmental crisis of this scale doesn't happen again in Michigan.

The Michigan Department of Environmental Quality must do better than the bare minimum. It must prioritize the health of the people of Michigan over the bottom line.

Senator Hopgood's third statement is as follows:

The Flint Water Task Force report recommended strengthening the Safe Drinking Water Act enforcement, particularly for the Lead and Copper Rule. We have the ability to do that on a state level. We need to make sure we're moving forward with the best possible policies and procedures.

My amendment will commission a workgroup to examine a number of MDEQ policies. These include the procedures and sampling that surrounds switching a water source, the methods of testing and verification of Tier 1 sites under the Lead and Copper Rule, and how sampling procedures are communicated to consumers.

We can't wait for the federal government to catch up here. We must ensure that we're testing true Tier 1 sites, testing in a uniform way so as to avoid skewing results, and relaying testing procedures in a consistent way to consumers. Legitimate data is key.

We can't hope to avoid a future crisis until we examine these crucial areas of policy breakdown.

Senator Young's first statement is as follows:

I want to start off by thanking the chair of the Transportation subcommittee for adding boilerplate language that supports the Woodhaven project. But boilerplate isn't funding, and this amendment works hand in hand with the boilerplate by actually providing the necessary funds. If you live in the Woodhaven community, you know why it is such a big problem. Huge freight trains pass through Allen Road tying up traffic for up to 40 minutes at a time. It's not just about a commute either. Deliveries are held up to Chrysler and Ford. Ambulances can be blocked on their way to the closest regional trauma center. This is about saving, protecting, and preserving lives. It's a serious problem that we can help alleviate. It splits right through the business district, and you can't do that to small business, Madam President.

My amendment would provide Woodhaven with the \$14.7 million they need to build a bridge to alleviate this decades-long issue.

Senator Young's second statement is as follows:

Colleagues, my amendment will allocate \$465,000 to start a state version of the President's My Brother's Keeper program. You know, when President Obama was growing up, he harbored a lot of anger and frustration, and he was also very saddened by the fact that his father wasn't around. He knew the odds were always going to be stacked against him and people like him. But he also wanted to break the cycle of hopelessness. That's why he created the My Brother's Keeper initiative, which helps young men of color living through tough times. The program is designed to identify and increase impact in key areas, like early learning, parenting, family engagement, literacy, college affordability, economic opportunity, diversity, interactions with the criminal justice system, and healthy families and communities. Colleagues, that's huge.

On a personal note, I lost my father when I was very young. My father didn't see me graduate from high school. He didn't see me go to college. He didn't see me get elected. To have a program with a support system around men, young black men specifically, I think that this is a program worth funding. I think that this is one of the greatest things that the President has done. I think that this will be part of his legacy. I also think this will be a part of Michigan's legacy. I think that there are a lot of young men who have lost their fathers at early ages, and we need a support system. I have one at home, my mother and my family, and I'm very blessed and thankful for that. Not everyone does. To have a program that will provide that for young men who really need it, to help them truly fulfill their potential, I think not only is a blessing, but I also think it is uniquely American and totally Pure Michigan.

I would hope to have everyone's support, because it is on us to carry that vision forward and provide the relief and stability for those who need it most.

Recess

Senator Kowall moved that the Senate recess until 1:00 p.m.
The motion prevailed, the time being 12:39 p.m.

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

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:01 p.m.

1:08 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

Senator 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 Stamas as Chairperson.

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

Senate Bill No. 801, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2015 PA 139, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2015 PA 85.

Substitute (S-1).

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

1. Amend page 57, line 26, after "**22G.**" by striking out the balance of the line through line 9 on page 58.
2. Amend page 71, following line 22, by inserting:

"(D) THE DISTRICT HAS NOT ENTERED INTO AND IS NOT CURRENTLY OPERATING UNDER A LOCAL GOVERNMENT OPTION UNDER THE LOCAL FINANCIAL STABILITY AND CHOICE ACT, 2012 PA 436, MCL 141.1541 TO 141.1575, OR A SUCCESSOR ACT."

3. Amend page 140, line 14, after “allocation.” by striking out the balance of the line through “**PROVIDER.**” on line 16 and inserting “**FOR THE PURPOSES OF THIS 30% ALLOCATION, AN INTERMEDIATE DISTRICT OR CONSORTIUM OF INTERMEDIATE DISTRICTS MAY COUNT CHILDREN SERVED BY A HEAD START GRANTEE OR DELEGATE IN A BLENDED HEAD START AND GREAT START READINESS SCHOOL-DAY PROGRAM. CHILDREN SERVED IN A PROGRAM FUNDED ONLY THROUGH HEAD START SHALL NOT BE COUNTED TOWARD THIS 30% ALLOCATION.**”.

4. Amend page 140, line 20, after “university,” by inserting “head start grantee or delegate,”.

5. Amend page 187, following line 7, by inserting:

“SEC. 59. (1) FROM THE APPROPRIATIONS IN SECTION 11, THERE IS ALLOCATED FOR 2016-2017 AN AMOUNT NOT TO EXCEED \$100.00 FOR PAYMENTS TO INTERMEDIATE DISTRICTS UNDER THIS SECTION. AN INTERMEDIATE DISTRICT SHALL USE MONEY RECEIVED UNDER THIS SECTION TO OFFSET THE COSTS OF IDENTIFYING PUPILS WHO ARE GIFTED AND TALENTED, AS PROVIDED UNDER THIS SECTION, OR FOR REIMBURSING DISTRICTS THAT PERFORM 1 OR MORE OF THE FUNCTIONS UNDER THIS SECTION UNDER AN ARRANGEMENT WITH THE INTERMEDIATE DISTRICT. THE AMOUNT OF THE PAYMENT TO EACH INTERMEDIATE DISTRICT UNDER THIS SECTION SHALL BE AN EQUAL PER-PUPIL AMOUNT CALCULATED BY DIVIDING THE TOTAL AMOUNT ALLOCATED UNDER THIS SECTION BY THE TOTAL NUMBER OF PUPILS IN MEMBERSHIP STATEWIDE FOR 2016-2017 AND MULTIPLYING THAT AMOUNT BY THE TOTAL NUMBER OF PUPILS IN MEMBERSHIP IN DISTRICTS LOCATED IN THE INTERMEDIATE DISTRICT FOR 2016-2017.

(2) NOT LATER THAN MARCH 1, 2017, EACH INTERMEDIATE DISTRICT SHALL IMPLEMENT MEASURES TO IDENTIFY PUPILS WHO ARE GIFTED AND TALENTED. EXCEPT FOR DEVELOPING A METHOD FOR IDENTIFYING PUPILS WHO ARE GIFTED AND TALENTED UNDER SUBDIVISION (A), AN INTERMEDIATE DISTRICT MAY ALLOW 1 OR MORE OF THE DISTRICTS LOCATED WITHIN THE INTERMEDIATE DISTRICT TO IMPLEMENT 1 OR MORE OF THESE MEASURES AT THE DISTRICT LEVEL UNDER AN ARRANGEMENT WITH THE INTERMEDIATE DISTRICT. THESE STEPS SHALL INCLUDE ALL OF THE FOLLOWING:

(A) THE INTERMEDIATE DISTRICT SHALL DEVELOP A METHOD FOR THE IDENTIFICATION OF PUPILS AS GIFTED AND TALENTED. THE METHOD OF IDENTIFICATION SHALL CONFORM TO THESE GENERAL PRINCIPLES:

(i) STANDARDS SHALL ENSURE THE IDENTIFICATION OF PUPILS WHO POSSESS A CAPACITY FOR EXCELLENCE FAR BEYOND THAT OF THEIR CHRONOLOGICAL PEERS.

(ii) METHODS SHALL BE DESIGNED TO SEEK OUT AND IDENTIFY THOSE PUPILS WHOSE EXTRAORDINARY CAPACITIES REQUIRE SPECIAL SERVICES AND PROGRAMS.

(iii) PROVISION SHALL BE MADE FOR EXAMINING A PUPIL’S RANGE OF CAPACITIES.

(iv) METHODS AND TECHNIQUES OF IDENTIFICATION SHALL GENERATE INFORMATION AS TO A PUPIL’S CAPACITIES AND NEEDS.

(v) THERE SHALL BE EQUAL OPPORTUNITY TO BE IDENTIFIED IN THE CATEGORIES SERVED.

(vi) METHODS SHALL BE DESIGNED TO SEEK OUT AND IDENTIFY GIFTED AND TALENTED PUPILS FROM VARYING LINGUISTIC, ECONOMIC, AND CULTURAL BACKGROUNDS.

(B) AN INTERMEDIATE DISTRICT, OR A DISTRICT UNDER AN ARRANGEMENT WITH THE INTERMEDIATE DISTRICT, SHALL USE 1 OR MORE OF THE FOLLOWING CATEGORIES IN IDENTIFYING PUPILS AS GIFTED AND TALENTED. IN ALL CATEGORIES, IDENTIFICATION OF A PUPIL’S EXTRAORDINARY CAPABILITY SHALL BE IN RELATION TO THE PUPIL’S CHRONOLOGICAL PEERS:

(i) INTELLECTUAL ABILITY: A PUPIL DEMONSTRATES EXTRAORDINARY OR POTENTIAL FOR EXTRAORDINARY INTELLECTUAL DEVELOPMENT.

(ii) CREATIVE ABILITY: A PUPIL CHARACTERISTICALLY DOES THE FOLLOWING:

(A) PERCEIVES UNUSUAL RELATIONSHIPS AMONG ASPECTS OF THE PUPIL’S ENVIRONMENT AND AMONG IDEAS.

(B) OVERCOMES OBSTACLES TO THINKING AND DOING.

(C) PRODUCES UNIQUE SOLUTIONS TO PROBLEMS.

(iii) SPECIFIC ACADEMIC ABILITY: A PUPIL FUNCTIONS AT HIGHLY ADVANCED ACADEMIC LEVELS IN PARTICULAR SUBJECT AREAS.

(iv) LEADERSHIP ABILITY: A PUPIL DISPLAYS THE CHARACTERISTIC BEHAVIORS NECESSARY FOR EXTRAORDINARY LEADERSHIP.

(v) HIGH ACHIEVEMENT: A PUPIL CONSISTENTLY PRODUCES ADVANCED IDEAS AND PRODUCTS OR ATTAINS EXCEPTIONALLY HIGH SCORES ON ACHIEVEMENT TESTS.

(vi) VISUAL AND PERFORMING ARTS TALENT: A PUPIL ORIGINATES, PERFORMS, PRODUCES, OR RESPONDS AT EXTRAORDINARILY HIGH LEVELS IN THE ARTS.

(C) BEFORE IDENTIFICATION UNDER SUBDIVISION (B), AN INTERMEDIATE DISTRICT, OR A DISTRICT UNDER AN ARRANGEMENT WITH THE INTERMEDIATE DISTRICT, SHALL COMPILE PERTINENT EVIDENCE AS TO A PUPIL'S CAPACITY FOR EXCELLENCE FAR BEYOND THAT OF CHRONOLOGICAL PEERS. APPROPRIATE DATA TO BE COLLECTED BY THE INTERMEDIATE DISTRICT OR DISTRICT MAY INCLUDE: SCHOOL, CLASS, AND INDIVIDUAL PUPIL RECORDS; INDIVIDUAL TESTS (INCLUDING SUMMARY AND EVALUATION BY CREDENTIALLED SCHOOL PSYCHOLOGIST); GROUP TESTS; AND INTERVIEWS AND QUESTIONNAIRES (TEACHER, PARENT, AND OTHERS). THE RANGE OF DATA SHALL BE BROAD ENOUGH TO REVEAL GIFTS AND TALENTS ACROSS CULTURAL, ECONOMIC, AND LINGUISTIC GROUPS. EVIDENCE OF A PUPIL'S CAPABILITY MAY ALSO BE DERIVED FROM PUPIL PRODUCTS, COMMENTS FROM PEERS, AND OPINIONS OF PROFESSIONAL PERSONS. STUDIES OF THE FACTORS CONTRIBUTING TO A PUPIL'S UNDERACHIEVEMENT AND STUDIES OF A PUPIL'S UNDERACHIEVEMENT RESULTING FROM HANDICAPPING OR DISADVANTAGED CONDITIONS SHALL BE CONSIDERED. THE PERTINENT EVIDENCE SHALL REFLECT CONSIDERATION OF THE ECONOMIC, LINGUISTIC, AND CULTURAL CHARACTERISTICS OF THE PUPIL'S BACKGROUND.

(D) THE INTERMEDIATE SUPERINTENDENT, OR THE DISTRICT SUPERINTENDENT OR CHIEF ADMINISTRATIVE OFFICER, OR HIS OR HER DESIGNEE, SHALL MAKE THE FINAL DETERMINATION IDENTIFYING A PUPIL AS GIFTED AND TALENTED IN ACCORDANCE WITH PROCEDURES ADOPTED BY THE INTERMEDIATE DISTRICT. THIS INDIVIDUAL SHALL BASE THE DECISION UPON THE EVALUATION OF THE PERTINENT EVIDENCE BY THE SCHOOL PRINCIPAL OR A DESIGNEE OF THE SCHOOL PRINCIPAL, A CLASSROOM TEACHER FAMILIAR WITH THE SCHOOLWORK OF THE PUPIL, AND, WHEN APPROPRIATE, A CREDENTIALLED SCHOOL PSYCHOLOGIST. TO DETERMINE THE FULL RANGE OF A PUPIL'S CAPABILITY, AN INDIVIDUAL RECOGNIZED AS AN EXPERT IN THE GIFTED AND TALENTED CATEGORY UNDER CONSIDERATION, OR AN INDIVIDUAL WHO HAS IN-DEPTH UNDERSTANDING OF THE PUPIL'S LINGUISTIC OR CULTURAL GROUP, OR BOTH, SHALL PARTICIPATE IN THE EVALUATION OF THE EVIDENCE UNLESS THERE IS NO DOUBT THAT THE PUPIL IS GIFTED AND TALENTED. THESE INDIVIDUALS MAY REVIEW SCREENING, IDENTIFICATION, AND PLACEMENT DATA IN SERIAL ORDER IF THESE INDIVIDUALS MEET TO RESOLVE DIFFERENCES IN ASSESSMENT AND RECOMMENDATIONS. THIS SUBDIVISION DOES NOT PROHIBIT THE USE OF AN IDENTIFICATION COMMITTEE.

(3) NOT LATER THAN APRIL 1, 2017, EACH INTERMEDIATE DISTRICT SHALL PROVIDE TO THE DEPARTMENT, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, A REPORT THAT DOES BOTH OF THE FOLLOWING:

(A) SUMMARIZES THE MEASURES THE INTERMEDIATE DISTRICT AND ITS DISTRICTS HAVE IMPLEMENTED TO IDENTIFY PUPILS WHO ARE GIFTED AND TALENTED, DETAILING THE METHOD OF IDENTIFICATION, AND SPECIFYING THE NUMBER OF THOSE PUPILS ENROLLED IN EACH GRADE LEVEL IN DISTRICTS LOCATED WITHIN THE INTERMEDIATE DISTRICT.

(B) ESTIMATES, ON A PER-PUPIL BASIS, THE ADDED COSTS THAT WOULD BE INCURRED AT THE INTERMEDIATE DISTRICT AND DISTRICT LEVELS FOR PROVIDING FOR THE PUPILS IDENTIFIED AS BEING GIFTED AND TALENTED QUALITY GIFTED AND TALENTED EDUCATION PROGRAMS THAT MEET GUIDELINES ESTABLISHED BY THE NATIONAL ASSOCIATION FOR GIFTED CHILDREN.

(4) NOTWITHSTANDING SECTION 17B, PAYMENTS TO INTERMEDIATE DISTRICTS UNDER THIS SECTION SHALL BE PAID ON A SCHEDULE DETERMINED BY THE DEPARTMENT.

(5) IT IS THE INTENT OF THE LEGISLATURE TO ALLOCATE MONEY UNDER THIS ACT FOR 2017-2018 FOR THE IMPLEMENTATION OF PILOT GIFTED AND TALENTED EDUCATION PROGRAMS FOR THE 2017-2018 SCHOOL YEAR. THESE PILOT PROGRAMS MAY BE OPERATED AT THE DISTRICT OR INTERMEDIATE DISTRICT LEVEL AND SHALL BE REQUIRED TO MEET GUIDELINES ESTABLISHED BY THE NATIONAL ASSOCIATION FOR GIFTED CHILDREN.

(6) AS USED IN THIS SECTION, "GIFTED AND TALENTED" MEANS CHILDREN AND YOUTH WITH OUTSTANDING TALENT WHO PERFORM OR SHOW THE POTENTIAL FOR PERFORMING AT REMARKABLY HIGH LEVELS OF ACCOMPLISHMENT WHEN COMPARED WITH OTHERS OF THEIR AGE, EXPERIENCE, OR ENVIRONMENT; WHO EXHIBIT HIGH PERFORMANCE CAPABILITY IN 1 OR MORE INTELLECTUAL, CREATIVE, OR ARTISTIC AREAS, POSSESS AN UNUSUAL LEADERSHIP CAPACITY, OR EXCEL IN 1 OR MORE SPECIFIC ACADEMIC FIELDS; WHO REQUIRE SERVICES OR ACTIVITIES NOT ORDINARILY PROVIDED BY SCHOOLS; AND WHO MAY BE FOUND IN ALL CULTURAL GROUPS, ACROSS ALL ECONOMIC STRATA, AND IN ALL AREAS OF HUMAN ENDEAVOR." and adjusting the totals in section 11 and enacting section 1 accordingly.

6. Amend page 218, following line 23, by inserting:

"Sec. 95a. (1) The educator evaluation reserve fund is created as a separate account within the state school aid fund.

(2) The state treasurer may receive money or other assets from any source for deposit into the educator evaluation reserve fund. The state treasurer shall direct the investment of the educator evaluation reserve fund. The state treasurer shall credit to the educator evaluation reserve fund interest and earnings from the educator evaluation reserve fund.

(2) ~~(3)~~—Money in the educator evaluation reserve fund at the close of the fiscal year shall ~~remain in the educator evaluation reserve fund and shall not lapse to the state school aid fund, or to the general fund.~~ The department of treasury shall be the administrator of the educator evaluation reserve fund for auditing purposes.

(3) ~~(4)~~—From the appropriations in section 11, there is allocated to the educator evaluation reserve fund for 2014-2015-2016-2017 an amount not to exceed \$12,100,000.00 ~~from the state school aid fund and an amount not to exceed \$2,700,000.00 from the general fund.~~ Subject to subsections (5) and (6), the **\$100.00.** THE department shall expend the money in the educator evaluation reserve fund for implementing evaluation systems for public school teachers and school administrators. **PROGRAMS FUNDED UNDER THIS SECTION ARE INTENDED TO IMPROVE TEACHER QUALITY, RESULTING IN AN INCREASE IN THE NUMBER OF PUPILS WHO ARE COLLEGE- AND CAREER-READY UPON HIGH SCHOOL GRADUATION.**

(5) Funds in the educator evaluation reserve fund shall not be expended unless the state budget office has approved the department's spending plan." and adjusting the totals in section 11 and enacting section 1 accordingly.

7. Amend page 255, following line 20, by inserting:

"(D) THE REIMBURSEMENT TO A DISTRICT OR INTERMEDIATE DISTRICT SHALL NOT BE GREATER THAN THE AMOUNT PAID FOR A DATA ANALYTICS APPLICATION.

(E) A DISTRICT OR INTERMEDIATE DISTRICT SHALL NOT BE REIMBURSED FOR THE PURCHASE OF MORE THAN 1 SOFTWARE APPLICATION."

8. Amend page 285, line 3, by striking out all of subsection (23) and renumbering the remaining subsection.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator 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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 801

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

The following bill was read a third time:

Senate Bill No. 801, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25e, 25f, 25g, 26a, 26b, 26c, 31a, 31d, 31f, 31h, 32d, 32p, 35, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 55, 56, 61a, 61b, 62, 64b, 65, 67, 74, 81, 94, 94a, 98, 99c, 99h, 99s, 101, 102d, 104, 104b, 104c, 104d, 107, 147, 147a, 147c, 152a, 166b, 201, 201a, 202a, 203, 206, 207, 207a, 207b, 207c, 209, 210b, 212, 217, 219, 220, 222, 224, 225, 226, 229a, 230, 236, 236a, 236b, 236c, 237b, 238, 241, 246, 251, 252, 254, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 289, and 290 (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622g, 388.1623a, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1631h, 388.1632d, 388.1632p, 388.1635, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1662, 388.1664b, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1698, 388.1699c, 388.1699h, 388.1699s, 388.1701, 388.1702d, 388.1704, 388.1704b, 388.1704c, 388.1704d, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1766b, 388.1801, 388.1801a, 388.1802a, 388.1803, 388.1806, 388.1807, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1812, 388.1817, 388.1819, 388.1820, 388.1822, 388.1824, 388.1825, 388.1826, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1837b, 388.1838, 388.1841, 388.1846, 388.1851, 388.1852, 388.1854, 388.1856, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1874c, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1889, and 388.1890), sections 3, 203, 207, 212, 219, 220, 238, 251, and 254 as amended and section 237b as added by 2012 PA 201, sections 4, 6, 98, 107, 230, and 256 as amended by 2016 PA 56, sections 11, 21f, 31a, and 32d as amended by 2015 PA 139, sections 11a, 11j, 11k, 11m, 15, 20, 20d, 20f, 20g, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31d, 31f, 32p, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64b, 74, 81, 94, 94a, 99h, 101, 104, 104b, 104c, 147, 147a, 147c, 152a, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 222, 225, 226, 229a, 236, 236a, 236b, 236c, 241, 246, 252, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, 281, 282, 283, and 284 as amended and sections 25g, 31h, 35, 35a, 55, 61b, 65, 67, 99c, 99s, 102d, 104d, and 274c as added by 2015 PA 85, section 18 as amended by 2015 PA 114, sections 19,

202a, 224, and 275 as amended by 2014 PA 196, section 166b as amended by 2015 PA 222, and sections 289 and 290 as amended by 2013 PA 60, and by adding sections 11s, 21, 31j, 32q, 54b, 61c, 61d, 61e, 63, 99t, 152b, 210e, and 286a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Hopgood offered the following amendments:

1. Amend page 29, line 15, after “OF” by striking out “\$12,062,479,300.00” and inserting “\$12,560,003,600.00” and adjusting the totals in enacting section 1 accordingly.

2. Amend page 300, line 13, after “from” by striking out the balance of the subsection and inserting “STATE GENERAL FUND/GENERAL PURPOSE MONEY.”.

3. Amend page 300, line 21, by striking out “the state school aid fund” and inserting “STATE GENERAL FUND/GENERAL PURPOSE MONEY”.

4. Amend page 300, line 26, after “from” by striking out “the state school aid fund” and inserting “STATE GENERAL FUND/GENERAL PURPOSE MONEY” and adjusting the subtotals and totals in section 201 and enacting section 1 accordingly.

5. Amend page 325, line 8, after “from” by striking out the balance of the subsection and inserting “STATE GENERAL FUND/GENERAL PURPOSE MONEY.”.

6. Amend page 325, line 14, after “from” by striking out “the state school aid fund” and inserting “STATE GENERAL FUND/GENERAL PURPOSE MONEY” and adjusting the subtotals and totals in section 236 and enacting section 1 accordingly.

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. 235

Yeas—13

Ananich
Bieda
Gregory
Hertel

Hood
Hopgood
Johnson

Jones
Knezek
Rocca

Warren
Young
Zorn

Nays—24

Booher
Brandenburg
Casperson
Colbeck
Emmons
Green

Hansen
Hildenbrand
Horn
Hune
Knollenberg
Kowall

MacGregor
Marleau
Meekhof
Nofs
O’Brien
Pavlov

Proos
Robertson
Schmidt
Schuitmaker
Shirkey
Stamas

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Hopgood offered the following amendment:

1. Amend page 113, line 16, after “exceed” by striking out “\$389,695,500.00” and inserting “\$494,695,500.00”.

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. 236**Yeas—10**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood		

Nays—27

Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Horn	Meekhof	Schmidt
Casperson	Hune	Nofs	Schuitmaker
Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas
Green	Kowall	Proos	Zorn
Hansen	MacGregor	Robertson	

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendments:

1. Amend page 70, line 12, by striking out all of section **21**.
2. Amend page 151, line 11, after "exceed" by striking out "\$22,900,000.00" and inserting "\$27,900,000.00".
3. Amend page 156, line 10, after "exceed" by striking out "\$3,000,000.00" and inserting "\$8,000,000.00".

The question being on the adoption of the amendments,

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. 237**Yeas—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Rocca	

Nays—26

Booher	Hildenbrand	Marleau	Robertson
Brandenburg	Horn	Meekhof	Schmidt
Casperson	Hune	Nofs	Schuitmaker
Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas

Green
Hansen

Kowall
MacGregor

Proos

Zorn

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Young offered the following amendments:

1. Amend page 48, following line 7, by inserting:

“SEC. 18E. FROM THE GENERAL FUND MONEY APPROPRIATED UNDER SECTION 11, THERE IS ALLOCATED TO A FIRST CLASS SCHOOL DISTRICT FOR 2016-2017 AN AMOUNT NOT TO EXCEED \$800,000.00 TO CONTRACT WITH AN INDEPENDENT AUDITOR WITH EXPERIENCE IN FORENSIC ACCOUNTING TO CONDUCT A FORENSIC AUDIT OF THE FINANCIAL RECORDS OF THE FIRST CLASS SCHOOL DISTRICT FOR AT LEAST ALL FISCAL YEARS FROM 1999 TO THE PRESENT.”.

2. Amend page 290, following line 18, by inserting:

“(6) IN ADDITION TO THE MONEY ALLOCATED UNDER SUBSECTION (1), FROM THE GENERAL FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED FOR 2016-2017 AN AMOUNT EQUAL TO \$157,000,000.00 FOR A PAYMENT TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM ON BEHALF OF A FIRST CLASS SCHOOL DISTRICT. THIS PAYMENT IS BEING MADE DUE TO THE FAILURE, BY THE STATE EMERGENCY MANAGER FOR THE FIRST CLASS SCHOOL DISTRICT, TO MAKE SUFFICIENT PAYMENTS TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM.” and renumbering the remaining subsections and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Senator 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. 238

Yeas—12

Ananich
Bieda
Gregory

Hertel
Hood
Hopgood

Johnson
Knezek
O’Brien

Schuitmaker
Warren
Young

Nays—25

Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Hansen

Hildenbrand
Horn
Hune
Jones
Knollenberg
Kowall

MacGregor
Marleau
Meekhof
Nofs
Pavlov
Proos

Robertson
Rocca
Schmidt
Shirkey
Stamas
Zorn

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Hood offered the following amendment:

1. Amend page 292, line 1, by striking out all of section **152B** and adjusting the totals in section 11 and enacting section 1 accordingly.

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. 239

Yeas—12

Bieda	Hood	Jones	Rocca
Gregory	Hopgood	Knezek	Warren
Hertel	Johnson	O'Brien	Young

Nays—24

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

Excused—0

Not Voting—1

Ananich

In The Chair: Schuitmaker

Senator Hood moved that Senator Ananich be excused from the balance of today's session.
The motion prevailed.

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. 240

Yeas—23

Booher	Horn	Nofs	Schmidt
Brandenburg	Knollenberg	O'Brien	Schuitmaker
Casperson	Kowall	Pavlov	Shirkey
Colbeck	MacGregor	Proos	Stamas
Hansen	Marleau	Robertson	Zorn
Hildenbrand	Meekhof	Rocca	

Nays—13

Bieda
Emmons
Green
Gregory

Hertel
Hood
Hopgood

Hune
Johnson
Jones

Knezek
Warren
Young

Excused—1

Ananich

Not Voting—0

In The Chair: Schuitmaker

Senator Hansen offered to amend the title to read as follows:

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 4, 6, 11, 11a, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25e, 25f, 25g, 26a, 26b, 26c, 31a, 31d, 31f, 31h, 32d, 32p, 35, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 55, 56, 61a, 61b, 62, 64b, 65, 67, 74, 81, 94, 94a, 95a, 98, 99c, 99h, 99s, 101, 102d, 104, 104b, 104c, 104d, 107, 147, 147a, 147c, 152a, 166b, 201, 201a, 202a, 203, 206, 207, 207a, 207b, 207c, 209, 210b, 212, 217, 219, 220, 222, 224, 225, 226, 229a, 230, 236, 236a, 236b, 236c, 237b, 238, 241, 246, 251, 252, 254, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 289, and 290 (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622g, 388.1623a, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1631h, 388.1632d, 388.1632p, 388.1635, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1662, 388.1664b, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695a, 388.1698, 388.1699c, 388.1699h, 388.1699s, 388.1701, 388.1702d, 388.1704, 388.1704b, 388.1704c, 388.1704d, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1766b, 388.1801, 388.1801a, 388.1802a, 388.1803, 388.1806, 388.1807, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1812, 388.1817, 388.1819, 388.1820, 388.1822, 388.1824, 388.1825, 388.1826, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1837b, 388.1838, 388.1841, 388.1846, 388.1851, 388.1852, 388.1854, 388.1856, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1874c, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1889, and 388.1890), sections 3, 203, 207, 212, 219, 220, 238, 251, and 254 as amended and section 237b as added by 2012 PA 201, sections 4, 6, 98, 107, 230, and 256 as amended by 2016 PA 56, sections 11, 21f, 31a, and 32d as amended by 2015 PA 139, sections 11a, 11j, 11k, 11m, 15, 20, 20d, 20f, 20g, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31d, 31f, 32p, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64b, 74, 81, 94, 94a, 95a, 99h, 101, 104, 104b, 104c, 147, 147a, 147c, 152a, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 222, 225, 226, 229a, 236, 236a, 236b, 236c, 241, 246, 252, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, 281, 282, 283, and 284 as amended and sections 25g, 31h, 35, 35a, 55, 61b, 65, 67, 99c, 99s, 102d, 104d, and 274c as added by 2015 PA 85, section 18 as amended by 2015 PA 114, sections 19, 202a, 224, and 275 as amended by 2014 PA 196, section 166b as amended by 2015 PA 222, and sections 289 and 290 as amended by 2013 PA 60, and by adding sections 11s, 21, 31j, 32q, 54b, 59, 61c, 61d, 61e, 63, 99t, 152b, 210e, and 286a; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Protest

Senator Hopgood, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 801 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hopgood's statement is as follows:

Colleagues, today I rise to offer my "no" vote explanation for this budget. This budget presents a number of problems we've failed to address; not the least of which is the fact that we're still failing to bring funding for education back up to pre-Snyder levels. You can't gut the education budget and expect to reap the benefits.

You can't simply allow a school district to fail and send in an emergency manager or CEO to pick up those pieces. We've proven that doesn't work. The Detroit Public Schools system is proof positive that you can't cut your way to solvency and success. If we're not responsible in how we allocate our education dollars, there are other school districts that will fall into financial ruin.

I'm not willing to sacrifice the futures of our state's children just to save a dollar now. Ultimately, this budget fails to prioritize the people it's supposed to benefit.

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

The motion prevailed.

Senator Hopgood's first statement is as follow:

Colleagues, we have a history of cannibalizing the School Aid Fund for General Fund expenditures. The line items for Higher Education and Community Colleges qualify as General Fund expenditures. Funding higher education is important, but we need to ensure that we're pulling money from the appropriate pools.

My amendment would remove all higher education and community colleges expenses from the School Aid Fund budget. This would give us more than \$497.5 million for our K-12 schools, money that we desperately need back in the classrooms.

Senator Hopgood's second statement is as follows:

Colleagues, for far too long, many of our school districts have received less money than they truly needed to serve their at-risk students, and it's no longer acceptable to offer prorated shares of the at-risk pool. My amendment would allocate \$105 million to the budget to fully fund our at-risk budget for all currently eligible districts. It's an absolute necessity to ensure the success of the programs that serve our most vulnerable student populations.

Senator Hopgood's third statement is as follows:

Colleagues, my amendment would eliminate the \$5 million allocated to the School Reform Office and reallocate it to fund early literacy coaches. We can't afford to dump more money into an unproven turnaround model, especially one that so closely resembles the failed experiment that is the emergency manager law.

By getting rid of this line item, we can reallocate the money to a program that has proven to help our children. We need to put money into classrooms, not into executives' pockets. Our money will be better spent teaching our children to read and giving them access to early literacy coaches.

Let's fund our futures, not more school takeovers.

Senator Young's statement is as follows:

Colleagues, my amendment will set aside \$800,000 to conduct a third-party forensic audit of the Detroit Public Schools system and provide \$157 million to the Detroit Public Schools system to make up for the MPSERS shortfall. Frankly, I'm shocked that we haven't conducted an audit already. Where did the pension money go? The district has been wildly mismanaged under a string of state-appointed emergency managers—theft, fraud, corruption, mayhem, led astray, and bamboozled. There was even a case where a lunch lady actually stole money from children. This is outrageous. Emergency managers should have ensured that the money was being spent or disbursed appropriately.

Our teachers' health care and retirement benefits should not be penalized because a state emergency manager failed to maintain solvency and follow the money. Why didn't the emergency manager do the bare minimum of getting the books in order? How in the world did principals take kick-backs from contractors? How were people not held accountable for stealing from children? This is absurd.

Teachers were told that the \$48.7 million allocated by us would fund the district through June 30 and cover summer pay. We can't expect teachers to go into classrooms when we can't even guarantee that they will be paid for work. How many of you would go to work if you weren't getting paid? How can you ask that of anybody?

Let's get to the bottom of this situation so that we can make sure that Detroit kids receive a quality education, and hold those accountable. Anyone who would dare even think that they could steal from our children should be prosecuted to the fullest extent of the law—locked up and thrown underneath the prison.

By unanimous consent the Senate returned 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 Stamas 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 bill:

Senate Bill No. 853, entitled

A bill to preempt local ordinances regulating the use, disposition, or sale of, prohibiting or restricting, or imposing any fee, charge, or tax on certain containers.

The bill 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. 787, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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. 792, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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. 795, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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. 784, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201 and 201a (MCL 388.1801 and 388.1801a), as amended by 2015 PA 85.

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. 786, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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. 790, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236 and 236a (MCL 388.1836 and 388.1836a), as amended by 2015 PA 85.

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. 796, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2015 PA 139 and section 17b as amended by 2007 PA 137.

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. 793, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Stamas introduced

Senate Bill No. 950, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," (MCL 325.1001 to 325.1023) by adding section 19a. The bill was read a first and second time by title and referred to the Committee on Natural Resources.

Senator Nofs introduced

Senate Bill No. 951, entitled

A bill to amend 2012 PA 615, entitled "Michigan energy assistance act," by amending section 6 (MCL 400.1236).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Booher, Marleau, MacGregor and Zorn introduced

Senate Bill No. 952, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12501, 12505, 12506, 12506a, 12506b, 12507, 12508, 12509, 12510, 12511, 12512, 12514, 12515, and 12516 (MCL 333.12501, 333.12505, 333.12506, 333.12506a, 333.12506b, 333.12507, 333.12508, 333.12509, 333.12510, 333.12511, 333.12512, 333.12514, 333.12515, and 333.12516), sections 12501, 12505, 12506, 12507, 12508, 12509, 12512, 12514, and 12516 as amended and sections 12506a, 12506b, and 12510 as added by 2004 PA 408, and by adding sections 12502, 12505a, 12508a, 12508b, 12508c, 12508d, 12508e, 12508f, 12508g, 12508h, 12508i, 12508j, and 12508k; and to repeal acts and parts of acts.

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

Senator Casperson introduced

Senate Bill No. 953, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 3, 4, 6, 7b, 11, 11a, 17, and 17a (MCL 252.302, 252.303, 252.304, 252.306, 252.307b, 252.311, 252.311a, 252.317, and 252.317a), sections 2, 4, 6, 11, 11a, and 17 as amended and sections 7b and 17a as added by 2014 PA 2 and section 3 as amended by 2006 PA 448.

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

Senator Booher introduced

Senate Bill No. 954, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2001, 2004, and 2012 (MCL 339.2001, 339.2004, and 339.2012), section 2001 as amended by 1998 PA 218, section 2004 as amended by 2009 PA 143, and section 2012 as amended by 2002 PA 495; and to repeal acts and parts of acts.

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

House Bill No. 5341, entitled

A bill to amend 1899 PA 214, entitled "An act to provide relief outside of the soldiers' home for honorably discharged indigent soldiers, sailors, marines, nurses and members of women's auxiliaries and the indigent wives, widows and minor children of such indigent or deceased soldiers, sailors, marines, nurses and members of women's auxiliaries, and to repeal certain acts and parts of acts," by amending section 2 (MCL 35.22).

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 Veterans, Military Affairs and Homeland Security.

House Bill No. 5342, entitled

A bill to amend 1974 PA 106, entitled "An act to authorize the issuance of general obligation bonds of the state and to pledge the full faith and credit of the state for the payment of principal and interest thereon for a service bonus for certain veterans; to provide for other matters relating to the bonds and the use of the proceeds of sale of the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of the state," by amending section 1 (MCL 35.1001).

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 Veterans, Military Affairs and Homeland Security.

House Bill No. 5343, entitled

A bill to amend 1946 (1st Ex Sess) PA 27, entitled "An act to protect the work and study performed by applicants for license or qualification for any of the trades, occupations or professions before being inducted into the armed forces; to prevent service in the armed forces being considered as a disqualifying interruption of or delay in commencement of any required period of practical experience, apprenticeship, study or training; and to permit boards of examiners and similar boards to equitably evaluate and give credit for training and experience in the armed forces," by amending section 1 (MCL 35.581).

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 Veterans, Military Affairs and Homeland Security.

House Bill No. 5344, entitled

A bill to amend 1897 PA 205, entitled "An act to prefer honorably discharged members of the armed forces of the United States for public employments," by amending section 1 (MCL 35.401), as amended by 2008 PA 28.

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 Veterans, Military Affairs and Homeland Security.

Committee Reports

The Committee on Local Government reported

Senate Bill No. 399, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 19b of chapter IV (MCL 224.19b), as added by 1980 PA 212.

With the recommendation that the substitute (S-3) 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 Young

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, May 3, 2016, at 12:30 p.m., Room 100, Farnum Building

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

Excused: Senator Rocca

The Committee on Education reported

Senate Bill No. 647, 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 substitute (S-1) be adopted and that the bill then 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 and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, May 3, 2016, at 11:30 a.m., Room 110, Farnum Building

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

The Committee on Banking and Financial Institutions reported

House Bill No. 5251, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4111 (MCL 487.14111), as added by 2014 PA 399.

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.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, O'Brien, Nofs, Zorn, MacGregor, Hertel and Young

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Tuesday, May 3, 2016, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Booher (C), O'Brien, Nofs, Zorn, MacGregor, Hertel and Young

Excused: Senator Rocca

Scheduled Meetings

Energy and Technology - Thursday, May 5, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1721)

Joint Select Committee on the Flint Water Public Health Emergency - Tuesday, May 10, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5307)

Transportation - Thursday, May 5, 8:30 a.m., Room 210, Farnum Building (373-5312)

Veterans, Military Affairs and Homeland Security - Thursday, May 5, 11:30 a.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 2:00 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, May 5, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate