

**No. 65**  
**STATE OF MICHIGAN**  
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**REGULAR SESSION OF 2016**

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Senate Chamber, Lansing, Wednesday, September 21, 2016.

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—excused  
Green—present  
Gregory—present  
Hansen—present  
Hertel—present  
Hildenbrand—present  
Hood—present

Hopgood—present  
Horn—present  
Hune—present  
Johnson—excused  
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

Reverend Richard Yates of Community Bible Chapel of Breitung offered the following invocation:

Father, we thank You and that You are the God of all comfort, who comforts us in our suffering, that we might then be able to comfort others with the comfort that we ourselves have received from You. Lord, I pray for these lawmakers on this floor today, that You would comfort them in loss of comrades, and Lord in the loss that they often suffer as human beings, losses in finances, losses in elections, losses in a bill not going through, Lord, losses of friends, of family members, Lord, and different ways of dreams not coming about.

Father, I just pray today, that You the God of all comfort would buoy, would encourage, would uplift these men and women, Lord, with Your comfort.

Father, in all of this, we recognize that You love us so much that You gave up Your only Son, that we might have Your comfort for eternity.

Thank You, Lord, for giving Jesus for us, in His, Name we pray. God we ask for Your guidance today, that You would be glorified, that You would give Your wisdom and direction, and that You would be honored in all of the proceedings today for Your glory.

In Jesus Name, Amen.

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

### **Motions and Communications**

The President, Lieutenant Governor Calley, assumed the Chair.

Senator Kowall moved that Senators Brandenburg, Hansen, Marleau and Pavlov be temporarily excused from today's session.

The motion prevailed.

Senator Kowall moved that Senator Emmons be excused from today's session.

The motion prevailed.

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

The motion prevailed.

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

The motion prevailed.

Senators Marleau, Hansen, Young, Brandenburg and Pavlov entered the Senate Chamber.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senators Casperson, Hertel and Hildenbrand admittance to the Senate floor.

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

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

The motion prevailed.

Senator Hertel's statement is as follows:

I want to begin this morning by giving a sincere thank you to those who have served or are currently serving in law enforcement. These jobs are often thankless, and involve acts of everyday heroism that go unnoticed by many. Today, I want to give special recognition to some exceptional individuals who uphold the justice system here in Ingham County. Like many law enforcement individuals from our communities around the state, these public servants work diligently to ensure the continued security of our communities and our courtrooms, a space where justice and the law must be upheld.

The sanctity of this space was threatened just blocks from here on the evening of August 2nd, in the courtroom of Judge James Jamo.

Ingham County Assistant Prosecutors Molly Hennessey and Jonathan Roth were appearing before the court in a child sexual abuse case as it reached a close and a conviction. Also present during the proceeding was Ingham County Prosecutor's Victim Advocate Jessica Carls.

As the parties stood before Judge Jamo, the defendant lunged at the Assistant Prosecutor with a shank, in an attempt to target Assistant Prosecuting Attorney Jonathan Roth.

Thankfully, Detective Brian Canen of the Meridian Township Police Department acted selflessly and immediately to stop the assault.

He was quickly assisted by Ingham County Sheriff's Deputies James Beson and Mark Wadford.

These three officers used their training, bravery, and fast thinking to prevent a major tragedy from occurring. They put their safety in immediate danger to deter the assailant.

When others were running from the knife-wielding attacker, they, without hesitation, ran at him. This incident makes it clear that although the shell of the building is protected by security, all who work in the criminal justice system face real threats in the courtroom. Though our courts are meant to be a place for truth and justice, the emotional weight of cases can instead create tragedy and injury.

The bravery and commitment demonstrated by each of these individuals on August 2nd is what makes them uniquely qualified to serve the residents of Ingham County.

This morning, we recognize their efforts for not only that day, but also their continued commitment to the safety and security of our state.

Now my colleagues from the House of Representatives, Representative Schor and Cochran, will be handing out tributes. Our first will go to Jonathan Roth, Assistant Prosecuting Attorney, Unit Chief of the Circuit Court, who is assigned to the general trial division and specializes in violent crime, and has served in the Ingham County Prosecutor's Office for eight years, thank you.

Molly Hennessey, Assistant Prosecuting Attorney was hired in 2012 and specializes in child sexual assault cases, thank you for your service.

Jessica Carls, Victim Advocate Coordinator, who provides information, emotional support and resources to victims to better help them navigate the legal system. Jessica has nearly six years of service to the citizens of Ingham County at the Prosecutor's Office and we thank you.

Detective Brian Canen, a 16-year veteran of the Meridian Township Police Department, was the lead investigator in the case and was the first to tackle and thwart the assailant.

Deputy James Beson, is a 23-year veteran of the Ingham County Sheriff's Office and acted quickly and selflessly to restrain the Defendant, thank you for your service.

The Ingham County Prosecutor's Office led by our former colleague, my predecessor, and a really hard act to follow, Ingham County Prosecutor Gretchen Whitmer.

It is a great pleasure and distinct privilege to commemorate the work of the personnel of the Ingham County Prosecutor's Office, we thank all of them for their service today.

In addition to the statutory duties, the Prosecutor's Office has additional programs and activities. The office serves on a number of task forces and projects, including the Small Talk Children's Assessment Center (which serves young victims of abuse and sexual assault), the Tri-County Metro Narcotics Squad, the Power of We Consortium (coordinating public and non-profit human service programs), the Violent Crime Initiative, Veteran's Treatment Court, the Swift and Sure Sanctions Probation Program, Sobriety Court, Teen Court, and Mental Health Courts.

In a typical year, the Ingham County Prosecutor's Office handles 10,000 or more cases.

The individuals within the Ingham County Prosecutor's Office work to efficiently manage the offender population while also improving the public safety, in our state's capitol and its neighboring communities.

We thank you all for your service. I would also like to thank and welcome Ingham County Sheriff Gene Wriggelsworth and Meridian Township Police Chief Dave Hall. I want to thank the Senate and my colleagues for helping to honor these exceptional heroes from my community who work to keep us safe in the Capitol City, thank you.

Senator Kowall moved that the Committee on Natural Resources be discharged from further consideration of the following bill:

**Senate Bill No. 1051, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21102 and 21104 (MCL 324.21102 and 324.21104).

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

Senator Kowall moved that the bill be referred to the Committee on Appropriations.

The motion prevailed.

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

**Senate Bill No. 1052, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 6 (MCL 290.646), as amended by 2006 PA 271.

**Senate Bill No. 1053, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21506a and 21508 (MCL 324.21506a and 324.21508), as amended by 2014 PA 416.

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 bills be referred to the Committee on Appropriations.

The motion prevailed.

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

**Senate Bill No. 1026**

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

**Recess**

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

The motion prevailed, the time being 10:22 a.m.

11:41 a.m.

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

The Secretary announced that the following bills were printed and filed on Thursday, September 15, and are available at the Michigan Legislature website:

**House Bill Nos. 5877 5878 5879 5880 5881 5882 5883 5884 5885 5886 5887 5888 5889 5890**

The Secretary announced that the following bills were printed and filed on Tuesday, September 20, and are available at the Michigan Legislature website:

**Senate Bill Nos. 1079 1080 1081 1082 1083 1084 1085 1086 1087 1088**

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Casperson introduced

**Senate Bill No. 1089, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 2008 PA 43.

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

Senator Emmons introduced

**Senate Bill No. 1090, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 2014 PA 533.

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

Senator Emmons introduced

**Senate Bill No. 1091, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19a of chapter XIIA (MCL 712A.19a), as amended by 2012 PA 115.

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

Senator Kowall introduced

**Senate Bill No. 1092, entitled**

A bill to require contracts for certain public works to have certain provisions; to require the use or supply of American steel products on certain public works projects; to impose certain conditions and provide for certain exemptions; and to impose certain powers and duties on certain public entities and certain state and local officials.

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

Senator Kowall introduced

**Senate Bill No. 1093, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41302a (MCL 324.41302a), as added by 2014 PA 537.

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

Senator O'Brien introduced

**Senate Bill No. 1094, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 2010 PA 258.

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

Senators Proos, Brandenburg, Hertel, Hansen and Zorn introduced

**Senate Bill No. 1095, entitled**

A bill entering into the interstate library compact; and for related purposes.

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

Senators Ananich, Bieda, Young, Gregory, Hertel, Hopgood and Hood introduced

**Senate Bill No. 1096, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 402.

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

Senators MacGregor, Hildenbrand, Stamas, Knezek and Marleau introduced

**Senate Bill No. 1097, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," by amending section 2a (MCL 36.2a), as amended by 2016 PA 213.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senators Knezek, Hildenbrand, Stamas, MacGregor and Marleau introduced

**Senate Bill No. 1098, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," (MCL 36.1 to 36.12) by adding section 9.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senators Stamas, Hildenbrand, MacGregor, Knezek and Marleau introduced

**Senate Bill No. 1099, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," (MCL 36.1 to 36.12) by adding section 10.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senators Hildenbrand, Stamas, MacGregor, Knezek and Marleau introduced  
**Senate Bill No. 1100, entitled**

A bill to create the Michigan veterans' facility authority; to develop and operate certain veterans' facilities; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority and certain state departments and other state officials and employees; and to make appropriations and prescribe certain conditions for the appropriations.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senator Stamas introduced  
**Senate Bill No. 1101, entitled**

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10, 11, 12, 15, and 16 (MCL 29.362, 29.363, 29.364, 29.365, 29.366, 29.367, 29.368, 29.369, 29.369a, 29.370, 29.371, 29.372, 29.375, and 29.376), sections 2, 3, 4, 5, 8, and 11 as amended by 2006 PA 213, section 6 as amended and section 9a as added by 1980 PA 10, and section 9 as amended by 2015 PA 203, and by adding sections 9b, 11a, and 11b.

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

Senators Hertel, Rocca, Warren, Schmidt, Young, Ananich, Gregory, Bieda and Schuitmaker introduced  
**Senate Bill No. 1102, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 2014 PA 515.

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

Senators Hertel, Warren, Jones and Marleau introduced  
**Senate Bill No. 1103, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1706. The bill was read a first and second time by title and referred to the Committee on Education.

Senator Shirkey introduced  
**Senate Bill No. 1104, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1482.

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

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

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

**House Concurrent Resolution No. 3**

**Senate Resolution No. 76**

**Senate Resolution No. 75**

The motion prevailed.

**House Concurrent Resolution No. 25.**

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

The question being on the adoption of the concurrent resolution,

Senator Kowall moved that further consideration of the concurrent resolution be postponed temporarily.

The motion prevailed.

Senator Nofs offered the following resolution:

**Senate Resolution No. 202.**

A resolution recognizing October 17-21, 2016 as Careers in Energy Week.

Whereas, access to affordable and reliable energy is fundamental to the lives of all Michigan residents and crucial to businesses; and

Whereas, Michigan's energy workforce is collectively one of the state's largest employers, and currently boasts more than 97,000 jobs with this total projected to increase by 9.4 percent; and

Whereas, Approximately 50 percent of workers in Michigan's utility sector are expected to retire from the industry over the next five to seven years, underscoring a vital need to increase STEM and skilled trade training so more employees can be brought into the workforce pipeline; and

Whereas, Michigan's economy continues to grow and become more competitive, and our energy sector is transforming energy generation to cleaner, greener generation technologies and infrastructure as older facilities are retired over the next ten years; and

Whereas, The Michigan Energy Workforce Development Consortium (MEWDC) is a coalition of more than 50 representatives of industry, education, workforce, labor, and veterans dedicated to identifying and acting on current and future workforce issues that are crucial to building and sustaining Michigan's energy industry; and

Whereas, MEWDC has partnered nationally with the U.S. Chamber of Commerce Foundation and the Center for Energy Workforce Development to implement talent development strategies for employment opportunities in Michigan's energy industry; and

Whereas, The MEWDC recently collaborated with the Michigan Department of Education to create the 17th "career cluster" that provides a roadmap for high school, career/technical education and community college students to pursue jobs in the often less visible energy sector by offering a path to study traditional academics while leveraging specific energy career skills; and

Whereas, As a result, MEWDC members will now have an enhanced year-round presence in schools and on college and university campuses with a focus on hiring Michigan students, in addition to offering over 900 industry internship and co-op opportunities for students and honorably discharged veterans; and

Whereas, During the week of October 17-21, the MEWDC will focus on energy career awareness through Jobs for Michigan's Graduates student tours at Consumers Energy, DTE Energy and Lansing Board of Water and Light technical training sites, a middle school-focused energy fair hosted by the American Petroleum Institute in southeast Michigan, as well as social, print and broadcast media exposure about the many benefits of energy careers; now, therefore, be it

Resolved by the Senate, That we proclaim October 17-21, 2016, as Careers in Energy Week.

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, Hansen, O'Brien, Proos, Schmidt and Zorn were named co-sponsors of the resolution.

Senator Knollenberg offered the following resolution:

**Senate Resolution No. 203.**

A resolution commemorating October 1 - 2, 2016, as I Buy Nearby Weekend.

Whereas, Buy Nearby is an ongoing, year-round campaign, launched by the Michigan Retailers Association to benefit businesses, local communities and residents across Michigan; and

Whereas, The campaign is intended to serve as a personal call to action, a symbol of pride and celebration, a rallying cry across Michigan and an economic driver for our state and local communities; and,

Whereas, Buy Nearby wants to bring a "Pure Michigan" type of feeling to shopping in Michigan and get shoppers committed to buying nearby in Michigan; and

Whereas, Retailing is responsible for 850,000 jobs in Michigan, and if shoppers commit to buying nearby in Michigan we can create more local jobs through increased local purchases; and

Whereas, If Michigan consumers chose to support retail businesses in Michigan by always buying nearby rather than from "remote sellers," Michigan would gain more than 74,000 additional jobs and \$9 billion in additional economic activity in 2016, including \$2.5 billion in additional wages the new workers would earn; and

Whereas, Each purchase made when someone buys nearby in Michigan keeps more money within Michigan communities, which improves the vitality of Michigan's local economies and the quality of life, and directly supports our communities, our schools, and our infrastructure; and

Whereas, Buy Nearby seeks to build upon and strengthen existing shop-local groups by expanding and elevating the Buy Nearby in Michigan movement to a statewide campaign; and

Whereas, The year-round Buy Nearby campaign has designated October 1 - 2, 2016, as I Buy Nearby Weekend, a time to celebrate local retail businesses and their importance, and to encourage consumers to demonstrate their support for their communities and their state by buying nearby; and

Whereas, Communities and retailers are encouraged to offer special events and other promotions to encourage local shopping and stimulate Michigan's economy on I Buy Nearby Weekend; and

Whereas, Buy Nearby will encourage shoppers to participate in the excitement of I Buy Nearby Weekend, which will demonstrate that buying nearby can be fun and rewarding to local communities and consumers; now, therefore, be it

Resolved by the Senate, That October 1 - 2, 2016, be hereby commemorated as I Buy Nearby Weekend in the state of Michigan; and be it further

Resolved, That the people of the state of Michigan are encouraged to buy nearby on this weekend and every day.

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 Brandenburg, Hansen, O'Brien, Proos, Booher and Bieda were named co-sponsors of the resolution.

Senator MacGregor offered the following resolution:

**Senate Resolution No. 204.**

A resolution to urge the U.S. Congress to pass the Americans with Disabilities Act (ADA) Education and Reform Act of 2015.

Whereas, The ADA was enacted in 1990 to improve access and equality for disabled Americans. After 25 years in effect, the integrity of the ADA is in question because of the onslaught of lawsuits against small businesses due to minor and correctable infractions; and

Whereas, Small businesses provide goods and services that are vital to our economy and it is important that every effort is made to ensure disabled Americans have access to those goods and services. When there are minor and easily correctable ADA infractions, small businesses are increasingly being faced with lawsuits by individuals; and

Whereas, The threat or actual occurrence of a lawsuit places small business in the dilemma of choosing whether to settle the suit or face the potentially exorbitant cost of litigation in terms of both time and money. Additionally, plaintiffs who abuse the ADA system often file multiple cases, many with businesses and properties; and

Whereas, The ADA Education and Reform Act of 2015 proposes to provide business owners an opportunity to remedy alleged ADA violations before facing the cost of legal fees. The act would provide business owners a 120-day window within which to make the public accommodation corrections that they were cited for under the ADA. It restores the ADA to its original purpose of enabling access and accommodation to disabled Americans; now, therefore, be it

Resolved, That we, the Senators of the 98th Legislature of the state of Michigan, on behalf of all citizens of this state, respectfully urge the U.S. Congress to pass the Americans with Disabilities Act (ADA) Education and Reform Act of 2015; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Brandenburg, Hansen, O'Brien, Proos and Booher were named co-sponsors of the resolution.

Senators Ananich, Bieda, Young, Gregory, Hertel, Hopgood and Hood offered the following resolution:

**Senate Resolution No. 205.**

A resolution to declare September 15 - October 15, 2016, as Hispanic Heritage Month.

Whereas, This month represents the anniversary of independence for Chile, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Nicaragua; and

Whereas, Each year the United States recognizes the economic, cultural and social contributions that Spanish-speaking peoples have brought to our nation including the gifts of law, religion, agriculture, art, music, education, technology, architecture, cuisine, theater, and exploration; and

Whereas, Michigan is fortunate to count among its population a large concentration of citizens of Spanish and Latin American descent—including those who have lived in Michigan for generations and those who are new to the Great Lakes State—who contribute to Michigan's economy and society through their commitment to professions, commerce, and the arts; and

Whereas, Time and again throughout our nation's history, Hispanic-Americans have had a profound influence on our country through their strong commitment to family, faith, and service; and

Whereas, During the month spanning from September 15 - October 15, Michigan's Hispanic-American community will celebrate Hispanic Heritage Month through a series of special programs featuring Hispanic history, food, dance, and art; now, therefore, be it



Resolved by the Michigan Senate, that the members of this legislative body declare September 15 - October 15, 2016, as Hispanic Heritage Month in the state of Michigan. We encourage all citizens to recognize and applaud the many contributions made by these individuals to enhance the quality of life in this state.

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, Brandenburg, O'Brien, Proos, Booher and Warren were named co-sponsors of the resolution.

Senators Schmidt, Jones, Knollenberg, Proos, Robertson, Bieda, Brandenburg, Hansen, Booher, Emmons, Ananich, MacGregor, Stamas, Zorn and Marleau offered the following resolution:

**Senate Resolution No. 206.**

A resolution to declare October 2016 as Down Syndrome Awareness Month.

Whereas, Approximately one in every 800 children are born with Down syndrome, representing approximately 150 births per year in Michigan and 5,000 per year in the United States; and

Whereas, While research and early intervention have resulted in dramatic improvements in the lifespan and potential of those who are affected, more investigation is needed in the causes and treatment of Down syndrome; and

Whereas, People with Down syndrome possess a wide range of abilities, and are active participants in educational, occupational, social, and recreational circles of the community; and

Whereas, Developed by the National Down Syndrome Society in 1995, the Buddy Walk is an annual event in cities across Michigan and the United States that celebrates the accomplishments of children and adults with Down syndrome; and

Whereas, Down syndrome associations throughout Michigan support families who have children with disabilities, and special healthcare needs and desires to increase the support network, services, and acceptance through advocacy and education for those with Down syndrome across our state; and

Whereas, The goal of the Buddy Walk is to promote acceptance and inclusion of people with Down syndrome while raising funds for local programs and national advocacy efforts; now, therefore be it

Resolved by the Senate, That the members of this legislative body declare October 2016 as Down Syndrome Awareness Month and encourage all communities in Michigan to work together to promote the awareness, acceptance, and inclusion of individuals with Down syndrome in education, employment, and community involvement, and to celebrate the accomplishments of all individuals and their families.

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 O'Brien and Warren were named co-sponsors of the resolution.

Senator Casperson offered the following resolution:

**Senate Resolution No. 207.**

A resolution to declare September 2016 as Pulmonary Fibrosis Awareness Month in the state of Michigan.

Whereas, Pulmonary fibrosis is a debilitating and ultimately fatal condition that causes progressive scarring in the lungs with no known cure available; and

Whereas, Many cases of pulmonary fibrosis are misdiagnosed or underdiagnosed; and

Whereas, The symptoms of pulmonary fibrosis vary from person to person and include shortness of breath, a dry cough, fatigue, weight loss, and aching muscles and joints; and

Whereas, Volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life for individuals with pulmonary fibrosis and the families of those individuals; and

Whereas, Developing more effective treatments for pulmonary fibrosis and providing access to quality care to individuals with pulmonary fibrosis requires increased research, education, and community support services; and

Whereas, The average survival rate is 3 to 5 years after diagnosis. Approximately every passing 13 minutes, pulmonary fibrosis claims one life like that of Mary Ann Nord, who lost her life to the disease after a courageous fight and for whom this resolution is offered in her honor; now therefore, be it

Resolved by the Senate, That the members of this legislative body declare September 2016 as Pulmonary Fibrosis Month in the state of Michigan.

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 Brandenburg, Hansen, O'Brien, Proos, Booher, Bieda and Warren were named co-sponsors of the resolution.

Senators Booher and Green offered the following resolution:

**Senate Resolution No. 208.**

A resolution recognizing GreenStone Farm Credit Services on the occasion of the 100th Anniversary of the establishment of the Farm Credit System.

Whereas, On July 17, 1916, President Woodrow Wilson signed into law the Federal Farm Loan Act (chapter 245, 39 Stat 360), which established the Farm Credit System; and

Whereas, Agriculture's impact on the lives of people throughout the world cannot be overstated, influencing more than simply what consumers eat for dinner, such as clothing and materials used at work and school; and

Whereas, The Farm Credit System plays an important role in the success of Michigan agriculture and economic vibrancy of rural communities throughout the state; and

Whereas, The agriculture industry contributes around \$100 billion annually to the state's economy, with more than 50,000 farms employing hundreds of thousands of people across Michigan; and

Whereas, GreenStone Farm Credit Services, organized as a cooperative, is the largest agricultural lender in the state of Michigan, with nearly 24,000 members and 36 branches throughout its territory, managing nearly \$8 billion in assets; and

Whereas, Supporting rural communities and agriculture in Michigan, GreenStone Farm Credit Services provides reliable, consistent, competitive credit and financial services. This includes loans, equipment and building leases, life insurance, crop insurance, accounting services, and tax services; and

Whereas, GreenStone Farm Credit Services is committed to continuing a tradition of assisting farmers and rural communities through its promotion of agricultural organizations that mentor the next generation of farmers, such as 4-H, Future Farmers of America, and the Farm Forward Mentorship program; and

Whereas, GreenStone Farm Credit Services is an important part of the national Farm Credit System that helps rural communities and agriculture grow and thrive by financing vital infrastructure and communication services; and provides farmers with the capital they need to make their businesses successful; now, therefore, be it

Resolved by the Senate, That we hereby recognize GreenStone Farm Credit Services on the 100th Anniversary of the establishment of the Farm Credit System; and be it further

Resolved, That we offer this expression of highest tribute to GreenStone Farm Credit Services and its employees for their consistent support of agriculture and rural communities in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to GreenStone Farm Credit Services, the Farm Credit System, the United States Farm Credit Administration, the United States Department of Agriculture, and the Michigan Department of Agriculture and Rural Development as evidence of our highest esteem.

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 Brandenburg, Hansen, O'Brien, Proos and Bieda were named co-sponsors of the resolution.

Senators Warren, Rocca, Bieda, Ananich, Hood, Knezek, Gregory, Hopgood, Emmons and Marleau offered the following resolution:

**Senate Resolution No. 209.**

A resolution to commemorate September 26, 2016, as Diffuse Intrinsic Pontine Glioma Awareness Day.

Whereas, Diffuse intrinsic pontine glioma (DIPG) is a fatal form of brain cancer affecting 200 to 400 school-age children in the United States each year; and

Whereas, Chad Carr, the 5-year-old son of Tammi and Jason Carr of Ann Arbor, Michigan, died of DIPG on November 23, 2015; and

Whereas, Chad, being the grandson of both former University of Michigan football coach Lloyd Carr and former University of Michigan All-American defensive back Tom Curtis and son of Jason Carr, former University of Michigan quarterback, galvanized not only the football program, but also the whole state of Michigan around his fight with DIPG; and

Whereas, Chad's mother Tammi, along with her husband Jason, took it upon themselves in the midst of their family tragedy to create the ChadTough Foundation to spread awareness and news about DIPG, increase research efforts, and raise money to support research into DIPG and pediatric brain tumors; and

Whereas, The 14-month struggle Chad and his family endured following his DIPG diagnosis has inspired the public to donate more than \$1 million to pediatric cancer research through the ChadTough Foundation and the ChadTough Fund at the University of Michigan C.S. Mott Children's Hospital; and

Whereas, Chad inspired even famed football rivals University of Michigan, Michigan State University, and Ohio State University to work together to support DIPG awareness; and

Whereas, DIPG tumors grow into the parts of the brain stem that control the functions necessary for life and are thus inoperable; and

Whereas, DIPG is one of the most resistant of all cancers to chemotherapy treatments; and

Whereas, Unlike with many other pediatric cancers, there has been little progress in improving treatments and cure rates for DIPG over the last few decades, such that the five-year survival rate for DIPG is less than 1 percent; and

Whereas, The causes of DIPG are unknown; and

Whereas, As representatives and leaders of all Michiganders, it should be incumbent upon us to carry on the fight against DIPG for Chad's family and all those affected by the disease; and

Whereas, Chad Carr would have celebrated his sixth birthday on September 26, 2016; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate September 26, 2016, as Diffuse Intrinsic Pontine Glioma Awareness Day in the state of Michigan in honor of Chad Carr. We urge increased public awareness and increased funding for research into the prevention and cure of this deadly childhood disease.

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 Brandenburg, Hansen, O'Brien, Proos and Booher were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Warren's statement is as follows:

Senate Resolution No. 209 would declare next Monday, September 26th, as Diffuse Intrinsic Pontine Glioma (DIPG) Awareness Day in the state of Michigan. Some of you remember the story of Chad Carr, a young constituent of mine who is the son of Jason and Tammi Carr. They met while they were students at the University of Michigan and Jason was the quarterback of the football team. Chad is the grandson of both the former University of Michigan coach Lloyd Carr and former University of Michigan All-American defensive back Tom Curtis.

In September of 2014, Chad became of the very small number of school age children who are diagnosed with DIPG in the United States every year. DIPG is virtually always fatal. It is typically inoperable and is one of the most resistant types of cancer to chemotherapy treatment.

After Chad was diagnosed, he and his family fought his tumor for 14 months. His struggle inspired the football team at the University of Michigan, Michigan State University, and Ohio State University to come together to fight to increase awareness of DIPG. Chad's remarkable parents, Tammi and Jason, took it upon themselves to create the ChadTough Foundation to spread awareness, to increase the research efforts and to raise money to support research into DIPG and other pediatric brain cancers.

To date, the ChadTough Foundation and the ChadTough Fund at the University of Michigan C.S. Mott Children's Hospital have raised for than \$1 million to support pediatric cancer research. September 26, 2016, next Monday, would have been Chad's 6th birthday. He succumbed to DIPG.

I hope you would join me in recognizing his memory by supporting this resolution and encouraging others to help raise awareness of DIPG in the state of Michigan and around this country, so that we can someday find a cure.

Senator Young offered the following resolution:

**Senate Resolution No. 210.**

A resolution recognizing Sisters Network® Inc.'s 15th National African American Breast Cancer Conference in Detroit on October 21st, 2016.

Whereas, Sisters Network® Inc. (SNI) is a leading voice and the only national African American breast cancer survivorship organization in the United States, supported by survivor-run affiliate chapters nationwide.

Whereas, SNI is governed by an elected Board of Directors and assisted by an appointed Medical Advisory Board; and

Whereas, The organizations' national slogan, "STOP THE SILENCE®," speaks directly to the African American community and its long standing history of not discussing cancer and other life threatening health concerns; and

Whereas, The organization's trademark and successful national community based outreach programs are the Gift for Life Block Walk® and the Pink Ribbon Awareness Initiative; and

Whereas, These initiatives are implemented through Sisters' affiliate chapters and are generously underwritten through corporate and community partnerships, and private contributions; and

Whereas, In April 2010, SNI made history by hosting the First National African American Breast Cancer 5K Walk/Run in Houston, Texas; and

Whereas, In April of 2012, The Stop the Silence® 5K Walk/Run attracted over 6,500 participants from cities across the United States. Funds raised from Stop the Silence® benefit Sisters Network® Inc. Breast Cancer Assistance Program; and

Whereas, The pink ribbon is the national symbol for breast cancer awareness, SNI has initiated the Pink Ribbon Awareness Campaign. The focus of this outreach is to increase the number of women obtaining mammograms and heighten their general knowledge of breast cancer; and

Whereas, SNI's affiliate chapter members and community volunteers disseminate information on breast cancer to African Americans all across the United States; and

Whereas, This great sisterhood has established a nationally recognized program through SNI; now, therefore be it Resolved by the Senate, That the members of this body recognize Sisters Network® Inc. on October 21st, 2016; and be it further

Resolved, That the Michigan Senate send a copy of this resolution to Karen E. Jackson, Founder and CEO of Sisters Network® Inc.

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 Brandenburg, Hansen, O'Brien, Proos, Booher, Bieda and Warren were named co-sponsors of the resolution.

Senator Proos offered the following resolution:

**Senate Resolution No. 211.**

A resolution to declare September 2016 as Childhood Cancer Awareness Month.

Whereas, Thousands of children under the age of 15 are diagnosed with pediatric cancer every year; and

Whereas, Children's cancer affects all ethnic, gender, and socio-economic groups; and

Whereas, Over the past few years, we have made great strides in the fight against pediatric cancer. With significant advances in treatment over the last 30 years, the combined 5-year survival rate for children with cancer increased by more than 20 percentage points; and

Whereas, Cancer is still the leading cause of death by disease for American children, despite significant advances in treatment that have resulted in a cure or long-term remission for a substantial proportion of children with cancer; and

Whereas, Increased awareness, support, and study may help to further improve these statistics and further protect our children from these serious diseases; and

Whereas, We should renew our commitment to curing childhood cancer and offer our support to the brave young people who are fighting this disease; and

Whereas, To honor the memory of every young person lost to cancer, we must unite behind improved treatment, advanced research, and brighter futures for young people everywhere; and

Whereas, We also recognize the amazing strength of the families of the children who suffer from this illness; and

Whereas, the ability of many such families to turn their grief into positive action for other children who have been diagnosed with cancer is truly inspirational; and

Whereas, All children deserve the chance to dream, discover, and realize their full potential; now, therefore be it

Resolved by the Senate, That the members of this legislative body declare September 2016 as Childhood Cancer Awareness Month in the state of Michigan; and be it further

Resolved, That this month, and every month, we extend our support to young people fighting for that opportunity and recognize all who commit themselves to advancing toward the goal of a cancer-free world.

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 Brandenburg, Hansen, O'Brien, Booher, Bieda and Warren were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Proos' statement is as follows:

I rise today in support of Senate Resolution No. 211, and also in support of the Senator from the 18th District resolution, Senate Resolution No. 209. As you may know, September is Childhood Cancer Awareness Month. I am asking for support from all of the members of this body to raise awareness regarding childhood cancer.

Madam President, every day in Southwest Michigan, and in fact, throughout all of our great state the scourge of cancer impacts our families. It has impacted mine and I am sure, it has impacted yours, and each of you, as members of this chamber, taking our loved ones far too soon.

In fact, just today, one of my interns called in to say that she is headed home to Buchanan, Michigan from her time at Michigan State University and interning in my office, because her mother is going through treatments for a third time for cancer. We have all been touched by this tragic disease.

So as we look to this resolution, we specifically focus on the tragedy of childhood cancer in our communities and the fact that it is the least funded of all of the cancers in the United States. In my hometown, in fact, the entire community walked hand in hand with little Alex Mandarino during his fight against Neuroblastoma, one of the more deadly diseases in childhood cancer. His father, Tony, and his mother, Katie, walked hand in hand throughout that entire battle and watched him pass away, courageously bringing awareness to all of us. They did not stand by and wish that it had not happened to them, but instead they started a foundation.

In Alex's name they host a Duck Race every year and they raise tens of thousands of dollars for that childhood cancer research. But they also touch many other lives, and in fact, I just recently learned that Jacob Beckley on Friday, September 30th, now Jacob you would not know his name necessarily but on Channel 9 News he has become well-known in the Chicago area. A self-described disc jockey out of Chicago, his intent is to row a hand-made boat across Lake Michigan to raise awareness for cancer research. Those 65 miles non-stop beginning September 30th, in this Port of St. Joseph will end in the Port of Chicago.

Raising awareness for childhood cancer and specifically, Neuroblastoma. This brave endeavor is intended to raise additional money and awareness for Lurie Childrens Hospital in Chicago. It will raise money for all of those families who are touched by this terrible disease.

As Jake recently stated on Channel 9 News and Channel 3 News this past weekend in Chicago, during the 24 hours that it will take him to row across Lake Michigan, two children will die from Neuroblastoma.

Madam President, the bravery of Alex Mandarino and his family in Southwest Michigan, the spirit of adventure and dedication of Jake Beckley, and those children affected by childhood cancer should make all of us pause to remember and to stand up to this awful disease.

On behalf of the families of Southwest Michigan and throughout our great state, we wish Jake well, we wish him safe passage, and we thank him for his dedication to raising awareness. We look forward to his landing in Chicago after 65 miles of non-stop crossing of Lake Michigan, and we all look forward to the day that childhood cancer is never a part of our discussion.

Senators Warren, Rocca, Knezek, Bieda, Ananich, Hood, Gregory, Young, Hopgood, Emmons and Marleau offered the following concurrent resolution:

**Senate Concurrent Resolution No. 31.**

A concurrent resolution to urge the United States Congress as well as the state of Michigan to increase funding for Diffuse Intrinsic Pontine Glioma research.

Whereas, Diffuse Intrinsic Pontine Glioma (DIPG) is a fatal brain cancer affecting 200 to 400 school-aged children in the United States each year. The most resistant to chemotherapy of all cancers, DIPG tumors grow into parts of the brain stem that control the functions necessary for life. Tragically, it is highly aggressive and inoperable; and

Whereas, Although cancer is the number one killer of children in the United States, funding focused on pediatric cancer comprises only a small percentage of federal investment in cancer research. Funding has continued to decline primarily due to statistics that indicate an 80% cure rate. The data, however, is misleading and does not consider cancers like DIPG that have not experienced advances in cure rates; and

Whereas, Current research into a cure for DIPG needs additional funding to advance the efforts already undertaken. The National Institute of Neurological Disorders and Stroke (NINDS), a part of the National Institutes of Health (NIH), is supporting the study of drugs that may be used to treat DIPG. Their efforts provide a glimmer of hope in the search for new treatments for this disease that is stealing young lives; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Congress of the United States as well as the state of Michigan to increase funding for Diffuse Intrinsic Pontine Glioma research; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution was adopted.

Senators Brandenburg, Hansen and Proos were named co-sponsors of the concurrent resolution.

Senator Kowall moved that rule 3.902 be suspended to allow the guest of Senator Jones admittance to the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

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

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.

**Recess**

Senator Kowall moved that the Senate recess until 3:00 p.m. The motion prevailed, the time being 12:02 p.m.

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

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 3:01 p.m.

3:22 p.m.

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

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 O'Brien, designated Senator Schmidt as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator O'Brien, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**Senate Bill No. 732, entitled**

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4a.

**Senate Bill No. 316, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

**House Bill No. 5106, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 151 (MCL 32.551), as amended by 2013 PA 99.

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:

**Senate Bill No. 1026, entitled**

A bill to provide for the establishment of certain tax increment finance authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and

duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; and to repeal acts and parts of acts.

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  
**Messages from the House**

**Senate Bill No. 866, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11701, 12102, 16901, 44501, and 82101 (MCL 324.11701, 324.12102, 324.16901, 324.44501, and 324.82101), section 11701 as amended by 2005 PA 199, section 12102 as amended by 2015 PA 224, section 16901 as amended by 2014 PA 543, section 44501 as amended by 2012 PA 294, and section 82101 as amended by 2014 PA 404.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 867, entitled**

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition grant act," by amending section 2 (MCL 390.1242), as amended by 2012 PA 470.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 868, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 2001 PA 200 and section 2950a as amended by 2010 PA 19.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 2016 PA 94 and section 2950a as amended by 2010 PA 19.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

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

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 515**

**Yeas—35**

Ananich  
Bieda

Hertel  
Hildenbrand

Kowall  
MacGregor

Rocca  
Schmidt

Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Shirkey
Casperson	Horn	Nofs	Stamas
Colbeck	Hune	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen	Knollenberg	Robertson	

**Nays—0**

**Excused—2**

Emmons	Johnson
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**Not Voting—0**

In The Chair: O'Brien

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title as amended.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 869, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 528a (MCL 750.528a), as amended by 2015 PA 26.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 956, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 12 (MCL 205.432), as amended by 2014 PA 272.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 1007, entitled**

A bill to amend 2012 PA 101, entitled "Autism coverage reimbursement act," by amending section 7 (MCL 550.1837).  
The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.



**House Bill No. 5291, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 20, 25e, 61a, 61c, 98, 99h, 99t, and 104c (MCL 388.1620, 388.1625e, 388.1661a, 388.1661c, 388.1698, 388.1699h, 388.1699t, and 388.1704c), sections 20, 25e, 61a, 98, 99h, and 104c as amended and section 99t as added by 2016 PA 249.

The House of Representatives has amended the Senate substitute (S-3) as follows:

1. Amend page 14, line 9, by striking out all of section 25e and inserting:

"Sec. 25e. (1) The pupil membership transfer application and pupil transfer process administered by the center under this section shall be used for processing pupil transfers. ~~associated with strict discipline academies.~~

(2) If a pupil counted in membership for the pupil membership count day transfers from a district or intermediate district to enroll in a ~~strict discipline academy~~ **ANOTHER DISTRICT OR INTERMEDIATE DISTRICT** after the pupil membership count day and before the supplemental count day and, due to the pupil's enrollment and attendance status as of the pupil membership count day, the pupil was not counted in membership in the educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT**, the educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** may report the enrollment and attendance information to the center through the pupil transfer process within 30 days after the transfer or within 30 days after the pupil membership count certification date, whichever is later. Pupil transfers may be submitted no earlier than the first day after the certification deadline for the pupil membership count day and before the supplemental count day. Upon receipt of the transfer information under this subsection indicating that a pupil has enrolled and is in attendance in an educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** as described in this subsection, the pupil transfer process shall do the following:

(a) Notify the district in which the pupil was previously enrolled.

(b) Notify both the pupil auditing staff of the intermediate district in which the educating ~~strict discipline academy~~ **DISTRICT** is located and the pupil auditing staff of the intermediate district in which the district that previously enrolled the pupil is located. The pupil auditing staff shall investigate a representative sample based on required audit sample sizes in the pupil auditing manual and may deny the pupil membership transfer.

(c) Aggregate the districtwide changes and notify the department for use in adjusting the state aid payment system.

(3) The department shall do all of the following:

(a) Adjust the membership calculation for each district or intermediate district in which the pupil was previously counted in membership or that previously received an adjustment in its membership calculation under this section due to a change in the pupil's enrollment and attendance so that the district's or intermediate district's membership is prorated to allow the district or intermediate district to receive for each school day, as determined by the financial calendar furnished by the center, in which the pupil was enrolled and in attendance in the district or intermediate district an amount equal to 1/105 of a full-time equated membership claimed in the fall pupil membership count. The district or intermediate district shall receive a prorated foundation allowance in an amount equal to the product of the adjustment under this subdivision for the district or intermediate district multiplied by the foundation allowance or per-pupil payment as calculated under section 20 for the district or intermediate district. The foundation allowance or per-pupil payment shall be adjusted by the pupil's full-time equated status as affected by the membership definition under section 6(4).

(b) Adjust the membership calculation for the educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** in which the pupil is enrolled and is in attendance so that the ~~strict discipline academy's~~ **DISTRICT'S OR INTERMEDIATE DISTRICT'S** membership is increased to allow the ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** to receive an amount equal to the difference between the full-time equated membership claimed in the fall pupil membership count and the sum of the adjustments calculated under subdivision (a) for each district or intermediate district in which the pupil was previously enrolled and in attendance. The educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** shall receive a prorated foundation allowance in an amount equal to the product of the adjustment under this subdivision for the educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** multiplied by the per-pupil payment as calculated under section 20 for the educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT**. The **FOUNDATION ALLOWANCE OR** per-pupil payment shall be adjusted by the pupil's full-time equated status as affected by the membership definition under section 6(4).

(4) The changes in calculation of state school aid required under subsection (3) shall take effect as of the date that the pupil becomes enrolled and in attendance in the educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT**, and the department shall base all subsequent payments under this article for the fiscal year to the affected districts or intermediate districts on this recalculation of state school aid.

(5) If a pupil enrolls in an educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** as described in subsection (2), the district or intermediate district in which the pupil is counted in membership or another educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** that received an adjustment in its membership calculation under subsection (3), if any, and the educating ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** shall provide to the center and the department all information they require to comply with this section.

(6) The portion of the full-time equated pupil membership for which a pupil is enrolled in 1 or more online courses under section 21f shall not be counted or transferred under the pupil transfer process under this section.

(7) It is the intent of the legislature that the center determine the number of pupils who did not reside in this state as of the 2018-2019 pupil membership count day but who newly enrolled in a district or intermediate district after that pupil membership count day and before the 2018-2019 supplemental count day. It is the intent of the legislature that the center further determine the number of pupils who were counted in membership for the 2018-2019 pupil membership count day but who left this state before the 2018-2019 supplemental count day. In 2019-2020, the center shall provide a report to the senate and house appropriations subcommittees on state school aid, and to the senate and house fiscal agencies, detailing the number of pupils transferring in from another state or transferring out from this state between the pupil membership count day and supplemental count day as described in this subsection. The center shall include in the report a discussion of benefits and obstacles to developing a pupil enrollment process for pupils who newly enroll in a district or intermediate district after the pupil membership count day and before the supplemental count day, and developing a process for deducting pupils who were counted on the pupil membership count day and transfer out of this state before the supplemental count day.

(8) As used in this section:

(a) ~~“Educating strict discipline academy”~~ **DISTRICT OR INTERMEDIATE DISTRICT**” means the ~~strict discipline academy~~ **DISTRICT OR INTERMEDIATE DISTRICT** in which a pupil enrolls after the pupil membership count day or after an adjustment was made in another district’s or intermediate district’s membership calculation under this section due to the pupil’s enrollment and attendance.

(b) “Pupil” means that term as defined under section 6 and also children receiving early childhood special education programs and services.

(c) ~~“Strict discipline academy” means a strict discipline academy operating under sections 1311b to 1311m of the revised school code, MCL 380.1311b to 380.1311m.”.~~

2. Amend page 39, following line 22, by inserting:

“Enacting section 1. This amendatory act takes effect October 1, 2016.”.

The House of Representatives has concurred in the Senate substitute (S-3) as amended.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the House amendments made to the Senate substitute,

The amendments to the substitute were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 516**

**Yeas—35**

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

**Nays—0**

**Excused—2**

Emmons Johnson

**Not Voting—0**

In The Chair: O’Brien

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.

**Senate Bill No. 218, entitled**

A bill to amend 2004 PA 46, entitled “Public safety officers benefit act,” by amending the title and section 2 (MCL 28.632) and by adding section 4a.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

Senator Schmidt offered the following amendments to the substitute:

1. Amend page 4, line 8, after “**INJURY**” by inserting “**THAT IS**”.
2. Amend page 4, line 9, after “**AFTER**” by striking out the balance of the line through “**SECTION**” on line 10 and inserting “**OCTOBER 1, 2015**”.
3. Amend page 4, line 18, after “**AFTER**” by inserting “**THE LATER OF**”.
4. Amend page 4, line 19, after “**DEATH**” by inserting “**OR THE EFFECTIVE DATE OF THIS SECTION**”.
5. Amend page 6, line 4, by striking out all of enacting section 1.

The amendments to the substitute were adopted.

The question being on concurring in the House substitute as amended,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 517**

**Yeas—35**

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

**Nays—0**

**Excused—2**

Emmons	Johnson
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**Not Voting—0**

In The Chair: O’Brien

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.

Senators Booher, Green, Hansen, Hertel, Hopgood, Hune, Knollenberg, Kowall, Marleau, Meekhof, Pavlov, Robertson, Shirkey, Stamas, Warren and Young were named co-sponsors of the bill.

The motion prevailed.

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

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

**Senate Bill No. 316**

**House Bill No. 5106**

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:

**Senate Bill No. 881**

**House Bill No. 4580**

**Senate Bill No. 448**

**Senate Bill No. 958**

**Senate Bill No. 570**

**Senate Bill No. 742**

**Senate Bill No. 1021**

**Senate Bill No. 1022**

**Senate Bill No. 1045**

**Senate Bill No. 1015**

**Senate Bill No. 1016**

**Senate Bill No. 1025**

**Senate Bill No. 316**

**House Bill No. 5106**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 881, entitled**

A bill to authorize the department of technology, management, and budget to convey parcels of state-owned property in Baraga, Bay, Calhoun, Gratiot, Lenawee, Manistee, and Van Buren Counties; to prescribe conditions for the conveyances; to provide for powers and duties of state departments, agencies, and officers in regard to the property; and to provide for disposition of revenue derived from the conveyances.

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. 518**

**Yeas—35**

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

**Nays—0**

**Excused—2**

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4580, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2016 PA 108.

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. 519****Yeas—35**

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

**Nays—0****Excused—2**

Emmons

Johnson

**Not Voting—0**

In The Chair: O'Brien

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts."

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 448, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 233 (MCL 436.1233).  
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. 520**

**Yeas—34**

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

**Nays—1**

Warren

**Excused—2**

Emmons Johnson

**Not Voting—0**

In The Chair: O’Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 958, entitled**

A bill to amend 1982 PA 432, entitled “Motor bus transportation act,” by amending section 23 (MCL 474.123), as amended by 1989 PA 233.

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. 521**

**Yeas—35**

Ananich	Hertel	Kowall	Rocca
Bieda	Hildenbrand	MacGregor	Schmidt
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Shirkey
Casperson	Horn	Nofs	Stamas
Colbeck	Hune	O’Brien	Warren

Green  
Gregory  
Hansen

Jones  
Knezek  
Knollenberg

Pavlov  
Proos  
Robertson

Young  
Zorn

**Nays—0**

**Excused—2**

Emmons

Johnson

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 570, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2006 PA 681.

The question being on the passage of the bill,

Senator Knezek offered the following amendment:

1. Amend page 8, following line 16, by inserting:

"Enacting section 1. The legislature shall annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act."

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. 522**

**Yeas—12**

Ananich  
Bieda  
Gregory

Hertel  
Hood  
Hopgood

Horn  
Knezek  
O'Brien

Rocca  
Warren  
Young

**Nays—20**

Booher  
Brandenburg  
Casperson  
Green  
Hansen

Hune  
Jones  
Knollenberg  
Kowall  
MacGregor

Marleau  
Nofs  
Pavlov  
Proos  
Robertson

Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Zorn

**Excused—2**

Emmons

Johnson

**Not Voting—3**

Colbeck

Hildenbrand

Meekhof

In The Chair: O’Brien

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. 523**

**Yeas—24**

Brandenburg  
Casperson  
Green  
Hansen  
Hildenbrand  
Horn

Hune  
Jones  
Knollenberg  
Kowall  
MacGregor  
Marleau

Meekhof  
Nofs  
O’Brien  
Pavlov  
Proos  
Robertson

Rocca  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Zorn

**Nays—10**

Ananich  
Bieda  
Booher

Colbeck  
Gregory  
Hertel

Hopgood  
Knezek

Warren  
Young

**Excused—2**

Emmons

Johnson

**Not Voting—1**

Hood

In The Chair: O’Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 742, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 931, 937, 940, and 946 (MCL 600.931, 600.937, 600.940, and 600.946), section 931 as amended by 2000 PA 86, and by adding section 945.

The question being on the passage of the bill,

Senator Rocca offered the following amendments:

1. Amend page 1, line 8, after “to” by striking out “**SUBSECTIONS (3) AND (4),**” and inserting “subsection (3).”
2. Amend page 2, line 1, after “is” by striking out the balance of the subdivision and inserting “**\$150.00.**”
3. Amend page 2, line 6, after “**IS**” by striking out the balance of the subdivision and inserting “**\$75.00.**”



4. Amend page 2, line 10, after “IS” by striking out the balance of the subdivision and inserting “\$150.00.”
5. Amend page 2, line 13, after “is” by striking out the balance of the subdivision and inserting “\$300.00.”
6. Amend page 2, line 18, after “is” by striking out “\$100.00” and inserting “\$75.00”.
7. Amend page 2, line 19, after “(3)” by striking out “SUBJECT TO SUBSECTION (4), THE” and inserting “The”.
8. Amend page 2, line 25, after “\$400.00:” by striking out “\$600.00” and inserting “\$300.00”.
9. Amend page 3, line 2, after “\$300.00:” by striking out “\$500.00” and inserting “\$200.00”.
10. Amend page 3, line 4, after “THAN” by striking out “\$500.00” and inserting “\$200.00”.
11. Amend page 3, line 7, after “\$800.00:” by striking out “\$1,500.00” and inserting “\$700.00”.
12. Amend page 3, line 8, by striking out all of subsection (4) and renumbering the remaining subsection.

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

Senator Rocca requested the yeas and nays.

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

The amendments were adopted, a majority of the members serving voting therefor, as follows:

### Roll Call No. 524

### Yeas—20

Ananich	Hood	Marleau	Rocca
Bieda	Hopgood	Nofs	Schuitmaker
Brandenburg	Horn	O’Brien	Warren
Gregory	Hune	Proos	Young
Hertel	Knezek	Robertson	Zorn

### Nays—15

Booher	Hansen	Kowall	Schmidt
Casperson	Hildenbrand	MacGregor	Shirkey
Colbeck	Jones	Meekhof	Stamas
Green	Knollenberg	Pavlov	

### Excused—2

Emmons	Johnson
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### Not Voting—0

In The Chair: O’Brien

Senator Kowall moved to reconsider the vote by which the amendments offered by Senator Rocca were adopted.

The question being on the motion to reconsider,

Senator Kowall moved that further consideration of the bill be postponed for today.

The motion prevailed.

The following bill was read a third time:

### Senate Bill No. 1021, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2, 7, and 8 (MCL 722.622, 722.627, and 722.628), sections 2 and 7 as amended by 2016 PA 35 and section 8 as amended by 2008 PA 300.

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. 525**

**Yeas—35**

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

**Nays—0**

**Excused—2**

Emmons	Johnson
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**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1022, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," (MCL 28.601 to 28.616) by adding sections 9e and 9f.

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. 526**

**Yeas—35**

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

**Nays—0**

**Excused—2**

Emmons	Johnson
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**Not Voting—0**

In The Chair: O’Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1045, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1987 (MCL 600.1987), as added by 2015 PA 231.

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. 527**

**Yeas—35**

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

**Nays—0**

**Excused—2**

Emmons	Johnson
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**Not Voting—0**

In The Chair: O’Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1015, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16343a and part 182A.

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. 528**

**Yeas—34**

Ananich	Hildenbrand	MacGregor	Rocca
Bieda	Hood	Marleau	Schmidt

Booher	Hopgood	Meekhof	Schuitmaker
Brandenburg	Horn	Nofs	Shirkey
Casperson	Hune	O'Brien	Stamas
Green	Jones	Pavlov	Warren
Gregory	Knezek	Proos	Young
Hansen	Knollenberg	Robertson	Zorn
Hertel	Kowall		

**Nays—1**

Colbeck

**Excused—2**

Emmons

Johnson

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Warren's statement is as follows:

Thank you, Madam President, for the opportunity to speak about Senate Bill Nos. 1015 and 1016 which provide for the licensing of individuals who practice applied behavior analysis and creates an oversight board for their profession.

Colleagues, these bills are the follow-up bills to the Autism Insurance Reforms package passed in 2012. They are the culmination of a significant effort to include all relevant stakeholders in this conversation. The good Senator from the 20th District and I sought input from not only the providers of applied behavior analysis therapy, but also from other professionals whose scope of practice includes one or more related services, and those who are otherwise involved in caring for the population that receives these services.

Applied behavior analysis is a form of evidence-based treatment that is commonly used in the treatment of autism spectrum disorders. It includes designing, implementing, and evaluating behavior treatment plans with the goal of increasing life skills and the opportunity for self-determination.

It can be used to address skill defects, for example, trouble with interpersonal communication and problem behaviors like aggression. When it is done well, applied behavior analysis results in both an improved quality of life and increased independence. By establishing licensure for applied behavior analysis therapists we can help to ensure the treatment that is being provided is of the highest quality level in our state.

It is important to note that Senate Bill No. 1015 will not restrict any other licensed professional from engaging in their full, current scope of practice. Instead, what it will do, is protect a very vulnerable population of Michiganders. It will also help to attract and retain qualified professionals who provide these services to our state.

I ask for your support for Senate Bill Nos. 1015 and 1016.

The following bill was read a third time:

**Senate Bill No. 1016, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 18255 to part 182A.

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. 529****Yeas—34**

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

**Nays—1**

Colbeck

**Excused—2**

Emmons                      Johnson

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1025, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 1a (MCL 338.881a), as added by 1992 PA 130.

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. 530****Yeas—34**

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

**Nays—1**

Colbeck

**Excused—2**

Emmons                          Johnson

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 316, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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. 531****Yeas—25**

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

**Nays—10**

Ananich	Hertel	Knezek	Warren
Bieda	Hood	Rocca	Young
Gregory	Hopgood		

**Excused—2**

Emmons                          Johnson

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5106, entitled**

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 151 (MCL 32.551), as amended by 2013 PA 99.

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. 532**

**Yeas—35**

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

**Nays—0**

**Excused—2**

Emmons	Johnson
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**Not Voting—0**

In The Chair: O’Brien

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the militia of this state and its organization, command, personnel, administration, training, supply, discipline, deployment, employment, and retirement; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

**Conference Reports**

Senator Kowall moved that joint rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

**House Bill No. 4822**

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

**House Bill No. 4822, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1280f.

The House of Representatives has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

**House Bill No. 4822, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1280f.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1280f.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**SEC. 1280F. (1) THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING TO HELP ENSURE THAT MORE PUPILS WILL ACHIEVE A SCORE OF AT LEAST PROFICIENT IN ENGLISH LANGUAGE ARTS ON THE GRADE 3 STATE ASSESSMENT:**

**(A) APPROVE 3 OR MORE VALID AND RELIABLE SCREENING, FORMATIVE, AND DIAGNOSTIC READING ASSESSMENT SYSTEMS FOR SELECTION AND USE BY SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES IN ACCORDANCE WITH THE FOLLOWING:**

**(i) EACH APPROVED ASSESSMENT SYSTEM SHALL PROVIDE A SCREENING ASSESSMENT, MONITORING CAPABILITIES FOR MONITORING PROGRESS TOWARD A GROWTH TARGET, AND A DIAGNOSTIC ASSESSMENT.**

**(ii) IN DETERMINING WHICH ASSESSMENT SYSTEMS TO APPROVE FOR USE BY SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES, THE DEPARTMENT SHALL ALSO CONSIDER AT LEAST THE FOLLOWING FACTORS:**

**(A) THE TIME REQUIRED TO CONDUCT THE ASSESSMENTS, WITH THE INTENTION OF MINIMIZING THE IMPACT ON INSTRUCTIONAL TIME.**

**(B) THE LEVEL OF INTEGRATION OF ASSESSMENT RESULTS WITH INSTRUCTIONAL SUPPORT FOR TEACHERS AND PUPILS.**

**(C) THE TIMELINESS IN REPORTING ASSESSMENT RESULTS TO TEACHERS, ADMINISTRATORS, AND PARENTS.**

**(B) RECOMMEND OR DEVELOP AN EARLY LITERACY COACH MODEL WITH THE FOLLOWING FEATURES:**

**(i) AN EARLY LITERACY COACH SHALL SUPPORT AND PROVIDE INITIAL AND ONGOING PROFESSIONAL DEVELOPMENT TO TEACHERS IN ALL OF THE FOLLOWING:**

**(A) EACH OF THE 5 MAJOR READING COMPONENTS LISTED IN SUBSECTION (3)(A)(iv)(B) AS NEEDED, BASED ON AN ANALYSIS OF PUPIL PERFORMANCE DATA.**

**(B) ADMINISTERING AND ANALYZING INSTRUCTIONAL ASSESSMENTS.**

**(C) PROVIDING DIFFERENTIATED INSTRUCTION AND INTENSIVE INTERVENTION.**

**(D) USING PROGRESS MONITORING.**

**(E) IDENTIFYING AND ADDRESSING READING DEFICIENCY.**

**(ii) AN EARLY LITERACY COACH SHALL ALSO DO ALL OF THE FOLLOWING:**

**(A) MODEL EFFECTIVE INSTRUCTIONAL STRATEGIES FOR TEACHERS.**

**(B) FACILITATE STUDY GROUPS.**

**(C) TRAIN TEACHERS IN DATA ANALYSIS AND USING DATA TO DIFFERENTIATE INSTRUCTION.**

**(D) COACH AND MENTOR COLLEAGUES.**

**(E) WORK WITH TEACHERS TO ENSURE THAT EVIDENCE-BASED READING PROGRAMS SUCH AS COMPREHENSIVE CORE READING PROGRAMS, SUPPLEMENTAL READING PROGRAMS, AND COMPREHENSIVE INTERVENTION READING PROGRAMS ARE IMPLEMENTED WITH FIDELITY.**

**(F) TRAIN TEACHERS TO DIAGNOSE AND ADDRESS READING DEFICIENCY.**

**(G) WORK WITH TEACHERS IN APPLYING EVIDENCE-BASED READING STRATEGIES IN OTHER CONTENT AREAS, INCLUDING, BUT NOT LIMITED TO, PRIORITIZING TIME SPENT ON THOSE TEACHERS, ACTIVITIES, AND ROLES THAT WILL HAVE THE GREATEST IMPACT ON PUPIL ACHIEVEMENT AND PRIORITIZING COACHING AND MENTORING IN CLASSROOMS.**

**(H) HELP TO INCREASE INSTRUCTIONAL DENSITY TO MEET THE NEEDS OF ALL PUPILS.**

**(I) HELP LEAD AND SUPPORT READING LEADERSHIP TEAMS AT THE SCHOOL.**

**(J) CONTINUE TO INCREASE HIS OR HER KNOWLEDGE BASE IN BEST PRACTICES IN READING INSTRUCTION AND INTERVENTION.**

**(K) FOR EACH TEACHER WHO TEACHES IN A CLASSROOM FOR GRADES K TO 3, MODEL FOR THE TEACHER, AND COACH THE TEACHER IN, INSTRUCTION WITH PUPILS IN WHOLE AND SMALL GROUPS.**



**(iii) IN THE CONTEXT OF PERFORMING THE FUNCTIONS DESCRIBED IN SUBPARAGRAPH (ii), AN EARLY LITERACY COACH SHALL NOT BE ASKED TO PERFORM ADMINISTRATIVE FUNCTIONS THAT WILL CONFUSE HIS OR HER ROLE FOR TEACHERS.**

**(iv) AN EARLY LITERACY COACH MUST MEET ALL OF THE FOLLOWING:**

**(A) HAVE EXPERIENCE AS A SUCCESSFUL CLASSROOM TEACHER.**

**(B) HAVE SUFFICIENT KNOWLEDGE OF SCIENTIFICALLY BASED READING RESEARCH, SPECIAL EXPERTISE IN QUALITY READING INSTRUCTION AND INFUSING READING STRATEGIES INTO CONTENT AREA INSTRUCTION, AND DATA MANAGEMENT SKILLS.**

**(C) HAVE A STRONG KNOWLEDGE BASE IN WORKING WITH ADULTS.**

**(D) HAVE A MINIMUM OF A BACHELOR'S DEGREE AND ADVANCED COURSEWORK IN READING OR HAVE COMPLETED PROFESSIONAL DEVELOPMENT IN EVIDENCE-BASED LITERACY INSTRUCTIONAL STRATEGIES.**

**(v) AN EARLY LITERACY COACH SHALL NOT BE ASSIGNED A REGULAR CLASSROOM TEACHING ASSIGNMENT, BUT SHALL BE EXPECTED TO WORK FREQUENTLY WITH PUPILS IN WHOLE AND SMALL GROUP INSTRUCTION OR TUTORING IN THE CONTEXT OF MODELING AND COACHING IN OR OUTSIDE OF TEACHERS' CLASSROOMS.**

**(2) SUBJECT TO SUBSECTION (14), BEGINNING IN THE 2017-2018 SCHOOL YEAR, THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL DO ALL OF THE FOLLOWING TO ENSURE THAT MORE PUPILS WILL ACHIEVE A SCORE OF AT LEAST PROFICIENT IN ENGLISH LANGUAGE ARTS ON THE GRADE 3 STATE ASSESSMENT:**

**(A) SELECT 1 VALID AND RELIABLE SCREENING, FORMATIVE, AND DIAGNOSTIC READING ASSESSMENT SYSTEM FROM THE ASSESSMENT SYSTEMS APPROVED BY THE DEPARTMENT UNDER SUBSECTION (1)(A). A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL USE THIS ASSESSMENT SYSTEM FOR PUPILS IN GRADES K TO 3 TO SCREEN AND DIAGNOSE DIFFICULTIES, INFORM INSTRUCTION AND INTERVENTION NEEDS, AND ASSESS PROGRESS TOWARD A GROWTH TARGET. A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY PERIODICALLY SHALL ASSESS A PUPIL'S PROGRESS IN READING SKILLS AT LEAST 3 TIMES PER SCHOOL YEAR IN GRADES K TO 3. THE FIRST OF THESE ASSESSMENTS FOR A SCHOOL YEAR SHALL BE CONDUCTED WITHIN THE FIRST 30 SCHOOL DAYS OF THE SCHOOL YEAR.**

**(B) FOR ANY PUPIL IN GRADES K TO 3 WHO EXHIBITS A READING DEFICIENCY AT ANY TIME, BASED UPON THE READING ASSESSMENT SYSTEM SELECTED AND USED UNDER SUBDIVISION (A), PROVIDE AN INDIVIDUAL READING IMPROVEMENT PLAN FOR THE PUPIL WITHIN 30 DAYS AFTER THE IDENTIFICATION OF THE READING DEFICIENCY. THE INDIVIDUAL READING IMPROVEMENT PLAN SHALL BE CREATED BY THE PUPIL'S TEACHER, SCHOOL PRINCIPAL, AND PARENT OR LEGAL GUARDIAN AND OTHER PERTINENT SCHOOL PERSONNEL, AND SHALL DESCRIBE THE READING INTERVENTION SERVICES THE PUPIL WILL RECEIVE TO REMEDY THE READING DEFICIENCY. A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE INTENSIVE READING INTERVENTION FOR THE PUPIL IN ACCORDANCE WITH THE INDIVIDUAL READING IMPROVEMENT PLAN UNTIL THE PUPIL NO LONGER HAS A READING DEFICIENCY.**

**(C) IF A PUPIL IN GRADES K TO 3 IS IDENTIFIED AS HAVING AN EARLY LITERACY DELAY OR READING DEFICIENCY, PROVIDE WRITTEN NOTICE TO THE PUPIL'S PARENT OR LEGAL GUARDIAN OF THE DELAY OR READING DEFICIENCY IN WRITING AND PROVIDE TOOLS TO ASSIST THE PARENT OR LEGAL GUARDIAN TO ENGAGE IN INTERVENTION AND TO ADDRESS OR CORRECT ANY READING DEFICIENCY AT HOME.**

**(D) REQUIRE A SCHOOL PRINCIPAL OR CHIEF ADMINISTRATOR TO DO ALL OF THE FOLLOWING:**

**(i) FOR A TEACHER IN GRADES K TO 3, TARGET SPECIFIC AREAS OF PROFESSIONAL DEVELOPMENT BASED ON THE READING DEVELOPMENT NEEDS DATA FOR INCOMING PUPILS.**

**(ii) DIFFERENTIATE AND INTENSIFY PROFESSIONAL DEVELOPMENT FOR TEACHERS BASED ON DATA GATHERED BY MONITORING TEACHER PROGRESS IN IMPROVING PUPIL PROFICIENCY RATES AMONG THEIR PUPILS.**

**(iii) ESTABLISH A COLLABORATIVE SYSTEM WITHIN THE SCHOOL TO IMPROVE READING PROFICIENCY RATES IN GRADES K TO 3.**

**(iv) ENSURE THAT TIME IS PROVIDED FOR TEACHERS TO MEET FOR PROFESSIONAL DEVELOPMENT.**

**(E) UTILIZE, AT LEAST, EARLY LITERACY COACHES PROVIDED THROUGH THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IS LOCATED, AS PROVIDED FOR UNDER SECTION 35A(4) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1635A. HOWEVER, A PUBLIC SCHOOL ACADEMY MAY USE AN EARLY LITERACY COACH PROVIDED BY THE PUBLIC SCHOOL ACADEMY, AT THE EXPENSE OF THE PUBLIC SCHOOL ACADEMY, RATHER THAN USING AN EARLY LITERACY COACH PROVIDED THROUGH AN INTERMEDIATE SCHOOL DISTRICT IF**

**THE EARLY LITERACY COACH AND THE USAGE OF THE EARLY LITERACY COACH OTHERWISE MEET THE REQUIREMENTS OF THIS SECTION.**

**(3) SUBJECT TO SUBSECTION (14), A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE READING INTERVENTION PROGRAMS FOR PUPILS IN GRADES K TO 3, INCLUDING AT LEAST ALL OF THE FOLLOWING:**

**(A) FOR PUPILS WHO EXHIBIT A READING DEFICIENCY, A READING INTERVENTION PROGRAM INTENDED TO ENSURE THAT PUPILS ARE PROFICIENT READERS BY THE END OF GRADE 3 AND THAT INCLUDES SOME OR ALL OF THE FOLLOWING FEATURES:**

**(i) IS PROVIDED TO EACH PUPIL IN GRADES K TO 3 WHO IS IDENTIFIED WITH A READING DEFICIENCY BASED ON SCREENING AND DIAGNOSTIC TOOLS, AND IDENTIFIES AND ADDRESSES THE PUPIL'S READING DEFICIENCY.**

**(ii) PERIODICALLY SCREENS AND MONITORS THE PROGRESS OF EACH PUPIL'S READING SKILLS, AT LEAST 3 TIMES PER YEAR.**

**(iii) PROVIDES EVIDENCE-BASED CORE READING INSTRUCTION THAT IS COMPREHENSIVE AND MEETS THE MAJORITY OF THE GENERAL EDUCATION CLASSROOM NEEDS.**

**(iv) PROVIDES READING INTERVENTION THAT MEETS, AT A MINIMUM, THE FOLLOWING SPECIFICATIONS:**

**(A) ASSISTS PUPILS EXHIBITING A READING DEFICIENCY IN DEVELOPING THE ABILITY TO READ AT GRADE LEVEL.**

**(B) PROVIDES INTENSIVE DEVELOPMENT IN THE 5 MAJOR READING COMPONENTS: PHONEMIC AWARENESS, PHONICS, FLUENCY, VOCABULARY, AND COMPREHENSION.**

**(C) IS SYSTEMATIC, EXPLICIT, MULTISENSORY, AND SEQUENTIAL.**

**(D) IS IMPLEMENTED DURING REGULAR SCHOOL HOURS IN ADDITION TO REGULAR CLASSROOM READING INSTRUCTION.**

**(v) PROVIDES PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF CARE FOR THE PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT, GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME READING.**

**(vi) DOCUMENTS EFFORTS BY THE PUPIL'S SCHOOL TO ENGAGE THE PUPIL'S PARENT OR LEGAL GUARDIAN AND WHETHER OR NOT THOSE EFFORTS WERE SUCCESSFUL.**

**(vii) DOCUMENTS ANY DISSENTING OPINIONS EXPRESSED BY SCHOOL PERSONNEL OR A PARENT OR LEGAL GUARDIAN CONCERNING THE INDIVIDUAL READING IMPROVEMENT PLAN PROVIDED FOR THE PUPIL UNDER SUBSECTION (2)(B).**

**(B) FOR GRADE 3 PUPILS EXHIBITING A READING DEFICIENCY AS DETERMINED BY THE PUPIL'S TEACHER THROUGH THE DIAGNOSTIC READING ASSESSMENT SYSTEM SELECTED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY UNDER SUBSECTION (2)(A), A READING INTERVENTION PROGRAM INTENDED TO CORRECT THE IDENTIFIED AREA OR AREAS OF READING DEFICIENCY AND THAT INCLUDES ALL OF THE FOLLOWING FEATURES AS NEEDED BY THE INDIVIDUAL PUPIL:**

**(i) IS EVIDENCE-BASED AND HAS PROVEN RESULTS IN ACCELERATING PUPIL READING ACHIEVEMENT WITHIN THE SAME SCHOOL YEAR.**

**(ii) PROVIDES MORE DEDICATED TIME THAN THE PUPIL'S PREVIOUS SCHOOL YEAR IN EVIDENCE-BASED READING INSTRUCTION AND INTERVENTION.**

**(iii) PROVIDES DAILY TARGETED SMALL GROUP OR 1-TO-1 READING INTERVENTION BASED ON PUPIL NEEDS AS DETERMINED BY ASSESSMENT DATA, INCLUDING EXPLICIT AND SYSTEMATIC INSTRUCTION WITH MORE DETAILED AND VARIED EXPLANATIONS, MORE EXTENSIVE OPPORTUNITIES FOR GUIDED PRACTICE, AND MORE OPPORTUNITIES FOR ERROR CORRECTION AND FEEDBACK.**

**(iv) PROVIDES ADMINISTRATION OF ONGOING PROGRESS MONITORING ASSESSMENTS TO FREQUENTLY MONITOR PUPIL PROGRESS.**

**(v) PROVIDES SUPPLEMENTAL EVIDENCE-BASED READING INTERVENTION DELIVERED BY A TEACHER, TUTOR, OR VOLUNTEER WITH SPECIALIZED READING TRAINING THAT IS PROVIDED BEFORE SCHOOL, AFTER SCHOOL, DURING SCHOOL HOURS BUT OUTSIDE OF REGULAR ENGLISH LANGUAGE ARTS CLASSROOM TIME, OR ANY COMBINATION OF THESE.**

**(vi) PROVIDES PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF CARE FOR A PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT, GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME READING.**

**(vii) DOCUMENTS EFFORTS BY THE PUPIL'S SCHOOL TO ENGAGE THE PUPIL'S PARENT OR LEGAL GUARDIAN AND WHETHER OR NOT THOSE EFFORTS WERE SUCCESSFUL.**

**(viii) DOCUMENTS ANY DISSENTING OPINIONS EXPRESSED BY SCHOOL PERSONNEL OR A PARENT OR LEGAL GUARDIAN CONCERNING THE INDIVIDUAL READING IMPROVEMENT PLAN PROVIDED FOR THE PUPIL UNDER SUBSECTION (2)(B).**

(C) SUBJECT TO SUBSECTION (15), FOR PUPILS IDENTIFIED AS ENGLISH LANGUAGE LEARNERS BY THE PUPIL'S TEACHER OR BY THE DIAGNOSTIC READING ASSESSMENT SELECTED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY UNDER SUBSECTION (2)(A), INTERVENTION SERVICES THAT INCLUDE AT LEAST ALL OF THE FOLLOWING:

(i) ONGOING ASSESSMENTS THAT PROVIDE ACTIONABLE DATA FOR TEACHERS TO USE IN INTERVENTIONS.

(ii) INSTRUCTION IN ACADEMIC VOCABULARY.

(iii) INSTRUCTION IN THE 5 MAJOR READING COMPONENTS LISTED IN SUBDIVISION (A)(iv)(B).

(iv) COMMON ENGLISH LANGUAGE DEVELOPMENT STRATEGIES SUCH AS MODELING, GUIDED PRACTICE, AND COMPREHENSIVE INPUT.

(4) FOR ALL PUPILS EXHIBITING A READING DEFICIENCY AS DETERMINED BY THE PUPIL'S TEACHER THROUGH THE DIAGNOSTIC READING ASSESSMENT SYSTEM SELECTED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY UNDER SUBSECTION (2)(A), SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES ARE ENCOURAGED TO OFFER SUMMER READING CAMPS STAFFED WITH HIGHLY EFFECTIVE TEACHERS OF READING, AS DETERMINED BY THE TEACHER EVALUATION SYSTEM UNDER SECTION 1249, PROVIDING READING INTERVENTION SERVICES AND SUPPORTS TO CORRECT PUPILS' IDENTIFIED AREAS OF READING DEFICIENCY.

(5) BEGINNING WITH PUPILS ENROLLED IN GRADE 3 DURING THE 2019- 2020 SCHOOL YEAR, ALL OF THE FOLLOWING APPLY:

(A) SUBJECT TO SUBSECTION (6), THE SUPERINTENDENT OF THE SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY IN WHICH THE PUPIL IS ENROLLED SHALL ENSURE THAT A PUPIL WHOSE PARENT OR LEGAL GUARDIAN HAS BEEN PROVIDED WITH THE NOTIFICATION UNDER SUBDIVISION (D) IS NOT ENROLLED IN GRADE 4 UNTIL 1 OF THE FOLLOWING OCCURS:

(i) THE PUPIL ACHIEVES A READING SCORE THAT IS LESS THAN 1 GRADE LEVEL BEHIND AS DETERMINED BY THE DEPARTMENT BASED ON THE GRADE 3 STATE ENGLISH LANGUAGE ARTS ASSESSMENT.

(ii) THE PUPIL DEMONSTRATES A GRADE 3 READING LEVEL THROUGH PERFORMANCE ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT APPROVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

(iii) THE PUPIL DEMONSTRATES A GRADE 3 READING LEVEL THROUGH A PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING COMPETENCY IN ALL GRADE 3 STATE ENGLISH LANGUAGE ARTS STANDARDS THROUGH MULTIPLE WORK SAMPLES.

(B) SUBJECT TO SUBSECTION (6), IF A CHILD YOUNGER THAN 10 YEARS OF AGE SEEKS TO ENROLL FOR THE FIRST TIME IN A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN GRADE 4, THE SUPERINTENDENT OF THE SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY SHALL NOT ALLOW THE CHILD TO ENROLL IN GRADE 4 UNLESS 1 OF THE FOLLOWING OCCURS:

(i) THE CHILD ACHIEVES A GRADE 3 READING SCORE AS DETERMINED BY THE DEPARTMENT BASED ON THE READING PORTION OF THE GRADE 3 STATE ENGLISH LANGUAGE ARTS ASSESSMENT.

(ii) THE CHILD DEMONSTRATES A GRADE 3 READING LEVEL THROUGH PERFORMANCE ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT APPROVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

(iii) THE CHILD DEMONSTRATES A GRADE 3 READING LEVEL THROUGH A PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING COMPETENCY IN ALL GRADE 3 STATE ENGLISH LANGUAGE ARTS STANDARDS THROUGH MULTIPLE WORK SAMPLES.

(C) NOT LATER THAN MAY 23 OF EACH YEAR OR NOT LATER THAN 14 DAYS AFTER THE DEPARTMENT FINALIZES THE SCORING FOR THE GRADE 3 STATE ASSESSMENTS, WHICHEVER IS EARLIER, THE DEPARTMENT SHALL PROVIDE CEPI WITH THE GRADE 3 STATE ASSESSMENT SCORES FOR EVERY GRADE 3 PUPIL ENROLLED IN A PUBLIC SCHOOL IN THIS STATE WHO WAS ADMINISTERED 1 OR MORE OF THOSE ASSESSMENTS.

(D) NOT LATER THAN JUNE 1 OF EACH YEAR OR NOT LATER THAN 14 DAYS AFTER CEPI RECEIVES THE GRADE 3 STATE ASSESSMENT RESULTS FROM THE DEPARTMENT UNDER SUBDIVISION (C), WHICHEVER IS EARLIER, USING THOSE STATE ASSESSMENT RESULTS, CEPI SHALL IDENTIFY EACH PUPIL COMPLETING GRADE 3 THAT YEAR WHO IS SUBJECT TO NOT BEING ADVANCED TO GRADE 4 UNDER SUBSECTION (6)(A), AND SHALL NOTIFY THE PARENT OR LEGAL GUARDIAN AND THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY OF EACH OF THESE PUPILS THAT THE PUPIL IS SUBJECT TO BEING RETAINED IN GRADE 3. A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY MAY ALSO MAKE ITS OWN NOTIFICATION TO A PARENT OR GUARDIAN IN ADDITION TO THE NOTIFICATION BY CEPI.

THE NOTIFICATION BY CEPI TO A PARENT OR LEGAL GUARDIAN SHALL BE BY CERTIFIED MAIL. THE NOTIFICATION BY CEPI SHALL CLEARLY STATE AT LEAST ALL OF THE FOLLOWING:

(i) THAT, BASED ON STANDARDIZED TESTING, THIS STATE HAS DETERMINED THAT THE PUPIL MAY BE REQUIRED TO BE RETAINED IN GRADE 3 AS PROVIDED UNDER STATE LAW, WITH A REFERENCE TO THIS SECTION ALONG WITH AN EXPLANATION THAT EVEN IF THE PUPIL IS NOT ELIGIBLE TO ENROLL IN GRADE 4 BASED ON STATE ASSESSMENTS, THE PUPIL MAY STILL BE ALLOWED TO ENROLL IN GRADE 4 IF HE OR SHE DEMONSTRATES A GRADE 3 READING LEVEL THROUGH PERFORMANCE ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT OR THROUGH A PUPIL PORTFOLIO.

(ii) THAT THE PARENT OR LEGAL GUARDIAN HAS THE RIGHT TO REQUEST A GOOD CAUSE EXEMPTION UNDER THIS SECTION THAT, IF GRANTED, WILL ALLOW THE PUPIL TO ENROLL IN GRADE 4 IN THE NEXT SCHOOL YEAR.

(iii) THAT THE PARENT OR LEGAL GUARDIAN MUST REQUEST THE GOOD CAUSE EXEMPTION WITHIN 30 DAYS AFTER THE DATE OF THE NOTIFICATION BY CEPI AND MUST DIRECT THE REQUEST TO THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN WHICH THE PARENT OR LEGAL GUARDIAN INTENDS TO ENROLL THE PUPIL FOR GRADE 4.

(iv) THAT THE PARENT OR LEGAL GUARDIAN HAS THE RIGHT TO REQUEST A MEETING WITH SCHOOL OFFICIALS TO DISCUSS THE RETENTION REQUIREMENT UNDER STATE LAW AND THE STANDARDS AND PROCESSES FOR A GOOD CAUSE EXEMPTION FROM THAT REQUIREMENT.

(E) IF A PARENT OR LEGAL GUARDIAN RECEIVES A NOTIFICATION FROM CEPI UNDER SUBDIVISION (D), THE PARENT OR LEGAL GUARDIAN MAY REQUEST A MEETING WITH SCHOOL OFFICIALS TO DISCUSS THE RETENTION REQUIREMENT UNDER STATE LAW AND THE STANDARDS AND PROCESSES FOR A GOOD CAUSE EXEMPTION FROM THAT REQUIREMENT. IF A PARENT OR LEGAL GUARDIAN REQUESTS A MEETING DESCRIBED IN THIS SUBDIVISION, THE SCHOOL OFFICIAL TO WHOM THE REQUEST IS MADE SHALL ENSURE THAT AN APPROPRIATE SCHOOL OFFICIAL IS MADE AVAILABLE TO THE PARENT OR LEGAL GUARDIAN FOR SUCH A MEETING.

(F) IF A PUPIL IS NOT ENROLLED IN GRADE 4 AT THE BEGINNING OF A SCHOOL YEAR DUE TO THE OPERATION OF THIS SUBSECTION, THEN BEFORE PLACING THE CHILD IN GRADE 4 DURING THE SCHOOL YEAR, AN APPROPRIATE SCHOOL OFFICIAL OF THE PUPIL'S SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE WRITTEN NOTIFICATION TO THE PUPIL'S PARENT OR LEGAL GUARDIAN OF THE PROPOSED PLACEMENT.

(6) SUBJECT TO SUBSECTION (11), IF A PUPIL OR CHILD DEMONSTRATES BOTH OF THE FOLLOWING, THEN SUBSECTION (5)(A) AND (B) DO NOT APPLY AND HE OR SHE MAY BE ENROLLED IN GRADE 4:

(A) THAT HE OR SHE IS PROFICIENT IN ALL SUBJECT AREAS ASSESSED ON THE GRADE 3 STATE ASSESSMENT OTHER THAN ENGLISH LANGUAGE ARTS, AS EVIDENCED BY HIS OR HER SCORES ON THOSE ASSESSMENTS.

(B) THAT HE OR SHE IS PROFICIENT IN SCIENCE AND SOCIAL STUDIES AS SHOWN THROUGH A PUPIL PORTFOLIO AND AS DETERMINED BY THE TEACHER WHO PROVIDED THE GRADE 3 INSTRUCTION TO THE PUPIL IN SCIENCE OR SOCIAL STUDIES, AS APPLICABLE.

(7) FOR A PUPIL WHO IS NOT PROMOTED TO GRADE 4 OR A CHILD WHO IS NOT ENROLLED IN GRADE 4 DUE TO THE OPERATION OF SUBSECTION (5), AND FOR A PUPIL OR CHILD DESCRIBED IN SUBSECTION (6) OR (11), THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE A READING INTERVENTION PROGRAM THAT IS INTENDED TO CORRECT THE PUPIL'S SPECIFIC READING DEFICIENCY, AS IDENTIFIED BY A VALID AND RELIABLE ASSESSMENT. THIS PROGRAM SHALL INCLUDE EFFECTIVE INSTRUCTIONAL STRATEGIES NECESSARY TO ASSIST THE PUPIL IN BECOMING A SUCCESSFUL READER, AND ALL OF THE FOLLOWING FEATURES, AS APPROPRIATE FOR THE NEEDS OF THE INDIVIDUAL PUPIL:

(A) ASSIGNING TO A PUPIL 1 OR MORE OF THE FOLLOWING:

(i) A HIGHLY EFFECTIVE TEACHER OF READING AS DETERMINED BY THE TEACHER EVALUATION SYSTEM UNDER SECTION 1249.

(ii) THE HIGHEST EVALUATED GRADE 3 TEACHER IN THE SCHOOL AS DETERMINED BY THE TEACHER EVALUATION SYSTEM UNDER SECTION 1249.

(iii) A READING SPECIALIST.

(B) READING PROGRAMS THAT ARE EVIDENCE-BASED AND HAVE PROVEN RESULTS IN ACCELERATING PUPIL READING ACHIEVEMENT WITHIN THE SAME SCHOOL YEAR.

(C) READING INSTRUCTION AND INTERVENTION FOR THE MAJORITY OF PUPIL CONTACT TIME EACH DAY THAT INCORPORATES OPPORTUNITIES TO MASTER THE GRADE 4 STATE STANDARDS IN OTHER CORE ACADEMIC AREAS, IF APPLICABLE.

(D) DAILY TARGETED SMALL GROUP OR 1-TO-1 READING INTERVENTION THAT IS BASED ON PUPIL NEEDS, DETERMINED BY ASSESSMENT DATA, AND ON IDENTIFIED READING DEFICIENCIES AND THAT

**INCLUDES EXPLICIT AND SYSTEMATIC INSTRUCTION WITH MORE DETAILED AND VARIED EXPLANATIONS, MORE EXTENSIVE OPPORTUNITIES FOR GUIDED PRACTICE, AND MORE OPPORTUNITIES FOR ERROR CORRECTION AND FEEDBACK.**

**(E) ADMINISTRATION OF ONGOING PROGRESS MONITORING ASSESSMENTS TO FREQUENTLY MONITOR PUPIL PROGRESS TOWARD A GROWTH TARGET.**

**(F) SUPPLEMENTAL EVIDENCE-BASED READING INTERVENTION DELIVERED BY A TEACHER OR TUTOR WITH SPECIALIZED READING TRAINING THAT IS PROVIDED BEFORE SCHOOL, AFTER SCHOOL, DURING REGULAR SCHOOL HOURS BUT OUTSIDE OF REGULAR ENGLISH LANGUAGE ARTS CLASSROOM TIME, OR ANY COMBINATION OF THESE.**

**(G) PROVIDING PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF CARE FOR THE PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT, GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME READING.**

**(8) IF THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY, OR HIS OR HER DESIGNEE, GRANTS A GOOD CAUSE EXEMPTION FROM THE REQUIREMENTS OF SUBSECTION (5)(A) FOR A PUPIL, THEN A PUPIL MAY BE PROMOTED TO GRADE 4 WITHOUT MEETING THE REQUIREMENTS OF SUBSECTION (5)(A). A GOOD CAUSE EXEMPTION MAY BE GRANTED ONLY ACCORDING TO THE PROCEDURES UNDER SUBSECTION (10) AND ONLY FOR 1 OF THE FOLLOWING:**

**(A) THE PUPIL IS A STUDENT WITH AN INDIVIDUALIZED EDUCATION PROGRAM OR WITH A SECTION 504 PLAN AND THE PUPIL'S INDIVIDUALIZED EDUCATION PROGRAM TEAM OR SECTION 504 COORDINATOR, AS APPLICABLE, MAKES THE DECISION TO EXEMPT THE PUPIL FROM THE REQUIREMENTS OF SUBSECTION (5)(A) BASED UPON THE TEAM'S OR COORDINATOR'S KNOWLEDGE OF THE PUPIL.**

**(B) THE PUPIL IS A LIMITED ENGLISH PROFICIENT STUDENT WHO HAS HAD LESS THAN 3 YEARS OF INSTRUCTION IN AN ENGLISH LANGUAGE LEARNER PROGRAM.**

**(C) THE PUPIL HAS RECEIVED INTENSIVE READING INTERVENTION FOR 2 OR MORE YEARS BUT STILL DEMONSTRATES A READING DEFICIENCY AND WAS PREVIOUSLY RETAINED IN KINDERGARTEN, GRADE 1, GRADE 2, OR GRADE 3.**

**(D) THE PUPIL HAS BEEN CONTINUOUSLY ENROLLED IN HIS OR HER CURRENT SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY FOR LESS THAN 2 YEARS AND THERE IS EVIDENCE THAT THE PUPIL WAS NOT PROVIDED WITH AN APPROPRIATE INDIVIDUAL READING IMPROVEMENT PLAN UNDER SUBSECTION (2)(B) BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN WHICH THE PUPIL WAS PREVIOUSLY ENROLLED.**

**(E) THE PUPIL'S PARENT OR LEGAL GUARDIAN HAS REQUESTED A GOOD CAUSE EXEMPTION WITHIN THE TIME PERIOD PROVIDED UNDER SUBSECTION (10)(D) AND THE SUPERINTENDENT OR CHIEF ADMINISTRATOR, OR HIS OR HER DESIGNEE, DETERMINES THAT THE GOOD CAUSE EXEMPTION IS IN THE BEST INTERESTS OF THE PUPIL.**

**(9) SUBJECT TO SUBSECTION (14), IF A PUPIL IS PROMOTED TO GRADE 4 DUE TO A GOOD CAUSE EXEMPTION GRANTED UNDER SUBSECTION (8), THE PUPIL REMAINS ELIGIBLE FOR READING INTERVENTION SERVICES DESIGNED TO ENABLE THE PUPIL TO ACHIEVE PROFICIENCY IN READING. THE SERVICES FOR A PUPIL DESCRIBED IN THIS SUBSECTION SHALL BE SIMILAR TO THOSE PROVIDED TO PUPILS IN GRADE 3 UNDER THIS SECTION.**

**(10) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF A PUBLIC SCHOOL ACADEMY, OR HIS OR HER DESIGNEE, SHALL GRANT A GOOD CAUSE EXEMPTION UNDER SUBSECTION (8) ONLY THROUGH THE FOLLOWING PROCEDURE:**

**(A) FOR A GOOD CAUSE EXEMPTION UNDER SUBSECTION (8)(A) TO (D), AT THE REQUEST OF THE PUPIL'S PARENT OR LEGAL GUARDIAN OR UPON THE TEACHER'S OWN INITIATIVE, THE PUPIL'S GRADE 3 TEACHER SUBMITS TO THE SUPERINTENDENT OR CHIEF ADMINISTRATOR, OR HIS OR HER DESIGNEE, A RECOMMENDATION FOR A GOOD CAUSE EXEMPTION ALONG WITH DOCUMENTATION THAT INDICATES THAT A GOOD CAUSE EXEMPTION UNDER SUBSECTION (8)(A) TO (D) APPLIES TO THE PUPIL.**

**(B) FOR A PUPIL ENROLLED IN A SCHOOL OPERATED BY A SCHOOL DISTRICT, THE SUPERINTENDENT OR HIS OR HER DESIGNEE SHALL REVIEW AND DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND, IF THE PUPIL HAS AN INDIVIDUALIZED EDUCATION PROGRAM, WITH THE PUPIL'S INDIVIDUALIZED EDUCATION PROGRAM TEAM. AFTER THIS DISCUSSION, THE SUPERINTENDENT OR HIS OR HER DESIGNEE SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD CAUSE EXEMPTION FOR THE PUPIL. THE DECISION BY THE SUPERINTENDENT OR HIS OR HER DESIGNEE IS FINAL.**

(C) FOR A PUPIL ENROLLED IN A PUBLIC SCHOOL ACADEMY, THE CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY, OR HIS OR HER DESIGNEE, SHALL REVIEW AND DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND, IF THE PUPIL HAS AN INDIVIDUALIZED EDUCATION PROGRAM, WITH THE PUPIL'S INDIVIDUALIZED EDUCATION PROGRAM TEAM. AFTER THIS DISCUSSION, THE CHIEF ADMINISTRATOR OR HIS OR HER DESIGNEE SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD CAUSE EXEMPTION FOR THE PUPIL. THE DECISION BY THE CHIEF ADMINISTRATOR OR HIS OR HER DESIGNEE IS FINAL.

(D) FOR A PUPIL FOR WHOM A REQUEST HAS BEEN RECEIVED FROM THE PUPIL'S PARENT OR LEGAL GUARDIAN, AS DESCRIBED IN SUBSECTION (8)(E), IF THE REQUEST IS RECEIVED WITHIN 30 DAYS AFTER THE NOTIFICATION BY CEPI UNDER SUBSECTION (5)(D), THE SUPERINTENDENT OF THE SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY, AS APPLICABLE, OR HIS OR HER DESIGNEE, SHALL REVIEW THE REQUEST AND ANY SUPPORTING INFORMATION AND SHALL CONSIDER WHETHER OR NOT THE GOOD CAUSE EXEMPTION IS IN THE BEST INTERESTS OF THE PUPIL. AFTER THIS CONSIDERATION, HE OR SHE SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD CAUSE EXEMPTION. THIS DETERMINATION SHALL BE MADE AND COMMUNICATED TO THE PARENT OR LEGAL GUARDIAN AT LEAST 30 DAYS BEFORE THE FIRST DAY OF SCHOOL FOR THE SCHOOL YEAR. THE DECISION OF THE SUPERINTENDENT OR CHIEF ADMINISTRATOR, OR HIS OR HER DESIGNEE, IS FINAL.

(E) THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY, OR HIS OR HER DESIGNEE, SHALL NOTIFY THE PUPIL'S PARENT OR LEGAL GUARDIAN OF THE DETERMINATION AND DECISION UNDER SUBDIVISION (B), (C), OR (D), AS APPLICABLE.

(11) FOR A PUPIL OR CHILD DESCRIBED IN SUBSECTION (6) OR A PUPIL WHO HAS BEEN GRANTED A GOOD CAUSE EXEMPTION UNDER SUBSECTION (8), THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE INTENSIVE READING INTERVENTION, AS DESCRIBED UNDER SUBSECTION (7), FOR THE PUPIL UNTIL HE OR SHE NO LONGER HAS A READING DEFICIENCY.

(12) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOT REQUIRE A PUPIL TO REPEAT GRADE 3 MORE THAN ONCE DUE TO THE OPERATION OF THIS SECTION.

(13) BEGINNING JUNE 4, 2019, IF A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY CANNOT FURNISH THE NUMBER OF TEACHERS NEEDED TO SATISFY 1 OR MORE OF THE CRITERIA SET FORTH IN THIS SECTION FOR A SCHOOL YEAR, THEN BY THE AUGUST 15 BEFORE THE BEGINNING OF THAT SCHOOL YEAR THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL DEVELOP A STAFFING PLAN FOR PROVIDING SERVICES UNDER THIS SECTION. THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL POST THE STAFFING PLAN ON ITS WEBSITE FOR THE APPLICABLE SCHOOL YEAR. THE STAFFING PLAN SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

(A) A DESCRIPTION OF THE CRITERIA THAT WILL BE USED TO ASSIGN A PUPIL WHO HAS BEEN IDENTIFIED AS NOT PROFICIENT IN ENGLISH LANGUAGE ARTS TO A TEACHER.

(B) THE CREDENTIALS OR TRAINING HELD BY TEACHERS CURRENTLY TEACHING AT THE SCHOOL.

(C) HOW THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY WILL MEET THE REQUIREMENTS UNDER THIS SECTION.

(14) THIS SECTION DOES NOT REQUIRE OR STATE AN INTENTION TO REQUIRE A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY TO SUPPLANT STATE FUNDS WITH FEDERAL FUNDS FOR IMPLEMENTING OR SUPPORTING THE ACTIVITIES UNDER THIS SECTION AND DOES NOT PROHIBIT A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY FROM CONTINUING TO USE FEDERAL FUNDS FOR ANY OF THE PURPOSES OR ACTIVITIES DESCRIBED IN THIS SECTION.

(15) FOR PUPILS IDENTIFIED AS ENGLISH LANGUAGE LEARNERS BY THE PUPIL'S TEACHER OR BY THE DIAGNOSTIC READING ASSESSMENT SELECTED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY UNDER SUBSECTION (2)(A), IF AVAILABLE STAFF RESOURCES ALLOW, A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IS ENCOURAGED TO PROVIDE THE FOLLOWING INTERVENTION SERVICES IN ADDITION TO THOSE REQUIRED UNDER SUBSECTION (3)(C):

(A) INSTRUCTION IN THE PUPIL'S NATIVE LANGUAGE, WITH WITHDRAWAL OF THAT INSTRUCTION AS APPROPRIATE AS THE PUPIL IMPROVES HIS OR HER ENGLISH LANGUAGE SKILLS. A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IS ENCOURAGED TO PROVIDE THIS SUPPORT FOR AT LEAST PUPILS WHOSE NATIVE LANGUAGE IS SPANISH, CHINESE, HINDI, KOREAN, OR ARABIC.

(B) OPPORTUNITIES FOR SPEECH PRODUCTION.

(C) COMMON ENGLISH LANGUAGE DEVELOPMENT STRATEGIES SUCH AS MODELING, GUIDED PRACTICE, AND COMPREHENSIVE INPUT.

(D) FEEDBACK FOR THE PUPIL, INCLUDING EXPLANATIONS IN HIS OR HER NATIVE LANGUAGE.

**(16) BEGINNING IN 2020, NOT LATER THAN SEPTEMBER 1 OF EACH YEAR, A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL SUBMIT A RETENTION REPORT TO THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION IN THE FORM AND MANNER PRESCRIBED BY THE CENTER. THE RETENTION REPORT SHALL CONTAIN AT LEAST ALL OF THE FOLLOWING INFORMATION FOR THE MOST RECENT SCHOOL YEAR:**

**(A) THE NUMBER OF PUPILS RETAINED IN GRADE 3 DUE TO THE OPERATION OF THIS SECTION.**

**(B) THE NUMBER OF PUPILS PROMOTED TO GRADE 4 DUE TO A GOOD CAUSE EXEMPTION UNDER SUBSECTION (8), DISAGGREGATED BY EACH OF THE SPECIFIC EXEMPTIONS LISTED IN THAT SUBSECTION.**

**(17) AS USED IN THIS SECTION:**

**(A) “EVIDENCE-BASED” MEANS BASED IN RESEARCH AND WITH PROVEN EFFICACY.**

**(B) “INDIVIDUALIZED EDUCATION PROGRAM” MEANS THAT TERM AS DESCRIBED IN R 340.1721E OF THE MICHIGAN ADMINISTRATIVE CODE.**

**(C) “KINDERGARTEN” INCLUDES A CLASSROOM FOR YOUNG 5-YEAR-OLDS, COMMONLY REFERRED TO AS “YOUNG 5S” OR “DEVELOPMENTAL KINDERGARTEN”.**

**(D) “READING DEFICIENCY” MEANS SCORING BELOW GRADE LEVEL OR BEING DETERMINED TO BE AT RISK OF READING FAILURE BASED ON A SCREENING ASSESSMENT, DIAGNOSTIC ASSESSMENT, STANDARDIZED SUMMATIVE ASSESSMENT, OR PROGRESS MONITORING.**

**(E) “READING LEADERSHIP TEAM” MEANS A COLLABORATIVE SYSTEM LED BY A SCHOOL BUILDING’S PRINCIPAL OR PROGRAM DIRECTOR AND CONSISTING OF A CROSS-SECTION OF FACULTY WHO ARE INTERESTED IN WORKING TO IMPROVE LITERACY INSTRUCTION ACROSS THE CURRICULUM.**

**(F) “SECTION 504 PLAN” MEANS A PLAN UNDER SECTION 504 OF TITLE V OF THE REHABILITATION ACT OF 1973, 29 USC 794.**

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to make appropriations for certain purposes; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1280f.

Kevin Cotter  
Amanda Price  
Conferees for the House

Phil Pavlov  
Goeff Hansen  
David Knezek  
Conferees for the Senate

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 533**

**Yeas—25**

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

**Nays—10**

Ananich  
Bieda  
Colbeck

Gregory  
Hertel  
Hood

Hopgood  
Rocca

Warren  
Young

**Excused—2**

Emmons

Johnson

**Not Voting—0**

In The Chair: O'Brien

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

By unanimous consent the Senate returned to consideration of the following concurrent resolution:

**House Concurrent Resolution No. 25.**

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 534****Yeas—35**

Ananich  
Bieda  
Booher  
Brandenburg  
Casperson  
Colbeck  
Green  
Gregory  
Hansen

Hertel  
Hildenbrand  
Hood  
Hopgood  
Horn  
Hune  
Jones  
Knezek  
Knollenberg

Kowall  
MacGregor  
Marleau  
Meekhof  
Nofs  
O'Brien  
Pavlov  
Proos  
Robertson

Rocca  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Warren  
Young  
Zorn

**Nays—0****Excused—2**

Emmons

Johnson

**Not Voting—0**

In The Chair: O'Brien



Senator O'Brien offered the following resolution:

**Senate Resolution No. 212.**

A resolution to designate the final Sunday in September of each year as Gold Star Mother's Day.

Whereas, American Gold Star Mothers, Inc., a national organization of mothers whose sons and daughters lost their lives serving in the armed forces, was formed shortly after World War I by Grace Darling Seibold and a group of mothers who lost children in the Great War; and

Whereas, Families participated in the practice of hanging a flag in a home's front window bearing a blue star for every loved one serving in the Great War. When those service men and women lost their lives, the blue star was replaced with a gold star, representing the honor and glory accorded the person for their supreme sacrifice in offering for their country and the devotion and pride of the family in that sacrifice; and

Whereas, We recognize and honor the women of Gold Star Mothers, a group whose purposes and activities include keeping alive and developing the spirit that promoted world services; maintaining the ties of fellowship born of that service; and assisting and furthering all patriotic work, perpetuating the memory of those whose lives were sacrificed in wars maintaining true allegiance to the United States; assisting Gold Star Mothers and their descendants; assisting veterans and their families; promoting peace and goodwill for the United States and all other nations; and inculcating lessons of patriotism and love of country in local communities; and

Whereas, We acknowledge the contributions and sacrifice that Gold Star Mothers and their fallen loved ones have made to our state and nation in the defense of our freedom; now, therefore be it

Resolved by the Senate, That the members of this legislative body designate the final Sunday in September of each year as Gold Star Mother's Day in the state of Michigan.

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.

Senator O'Brien offered the following resolution:

**Senate Resolution No. 213.**

A resolution to observe October 2016 as National Physical Therapy Month.

Whereas, The state of Michigan encourages options for an active and healthy lifestyle; and

Whereas, The state of Michigan now allows the citizens of Michigan to go directly to a physical therapist for injury prevention and promoting fitness; and

Whereas, Physical therapists are experts in evaluating and treating movement dysfunction; and

Whereas, In March 2016 the Centers for Disease Control released guidelines recommending nonpharmacological alternatives to prescription opioids, such as physical therapy, as the preferred option for treating chronic pain; and

Whereas, The Michigan Physical Therapy Association speaks for the best interests of the public in recommending physical therapy by a licensed physical therapist to optimize movement and function; and

Whereas, Through a national effort, the Michigan Physical Therapy Association and community members are encouraged to join together to raise awareness of the importance of movement and activity in preventive health during the month of October 2016; and

Whereas, This effort will bring awareness to our communities and around the country for healthier and more active lifestyles; now, therefore be it,

Resolved by the Senate, That the members of this legislative body observe October 2016 as National Physical Therapy Month in the state of Michigan, and in doing so, urge all citizens to join in a national effort to raise health and fitness awareness.

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.

Senator Kowall offered the following concurrent resolution:

**Senate Concurrent Resolution No. 32.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, September 21, 2016, it stands adjourned until Tuesday, October 18, 2016, at 10:00 a.m.; and when it adjourns on Thursday, October 20, 2016, it stands adjourned until Wednesday, November 9, 2016, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, September 22, 2016, it stands adjourned until Wednesday, October 19, 2016, at 1:30 p.m.; and when it adjourns on Wednesday, October 19, 2016, it stands adjourned until Wednesday, November 9, 2016, at 1:30 p.m.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution was adopted.

By unanimous consent the Senate returned to the order of

### **Motions and Communications**

Senator Kowall moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

The following communication was received and read:

Office of Senator Curtis Hertel, Jr.

September 20, 2016

I am writing to request my addition in co-sponsorship of Senate Bill 1088, sponsored by Senator MacGregor.

Please feel free to contact me if you need any further information.

Sincerely,  
Curtis Hertel Jr.  
State Senator  
District 23

The communication was referred to the Secretary for record.

### **Committee Reports**

The Committee on Economic Development and International Investment reported

#### **Senate Bill No. 1026, entitled**

A bill to provide for the establishment of certain tax increment finance authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; 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.

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Emmons, Warren and Bieda

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 Economic Development and International Investment submitted the following:

Meeting held on Tuesday, September 20, 2016, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Horn (C), Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

The Committee on Health Policy reported

#### **House Bill No. 4674, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 100c, 202, 401, 404, 420, 422, 423, 425, 426, 427, 429, 431, 434, 435, 447, 448, 449, 451, 452, 453, 454, 455, 461, 463, 468, 469a, 472a, 474,

474a, and 475 (MCL 330.1100a, 330.1100c, 330.1202, 330.1401, 330.1404, 330.1420, 330.1422, 330.1423, 330.1425, 330.1426, 330.1427, 330.1429, 330.1431, 330.1434, 330.1435, 330.1447, 330.1448, 330.1449, 330.1451, 330.1452, 330.1453, 330.1454, 330.1455, 330.1461, 330.1463, 330.1468, 330.1469a, 330.1472a, 330.1474, 330.1474a, and 330.1475), section 100a as amended by 2012 PA 500, section 100c as amended by 2015 PA 59, sections 202, 420, 423, 425, 426, 427, 429, 431, 434, 435, 448, 449, 451, 452, 453, 454, 455, 461, 463, and 468 as amended by 1995 PA 290, section 401 as amended by 2004 PA 496, section 422 as amended by 2004 PA 317, section 469a as amended by 2004 PA 497, sections 472a and 475 as amended by 2004 PA 498, and sections 474 and 474a as added by 1996 PA 588, and by adding section 400b; 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.

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Hune, O'Brien, Marleau, Jones, Robertson, Hertel, Knezek and Hopgood

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 Health Policy submitted the following:

Meeting held on Tuesday, September 20, 2016, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Shirkey (C), Hune, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

The Committee on Economic Development and International Investment reported

#### **Senate Bill No. 25, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 9 (MCL 247.909), as amended by 1993 PA 149.

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.

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

Nays: None

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

The Committee on Economic Development and International Investment reported

#### **Senate Bill No. 1049, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending sections 1, 3, 11, 12, 12a, and 13 (MCL 247.901, 247.903, 247.911, 247.912, 247.912a, and 247.913), section 1 as amended by 2010 PA 238, sections 3 and 12 as amended and section 12a as added by 1993 PA 149, and section 11 as amended by 2014 PA 302.

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.

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

Nays: None

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

The Committee on Economic Development and International Investment reported

**Senate Bill No. 1061, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 8a, 11, 13, 15, and 16 (MCL 125.2652, 125.2658a, 125.2661, 125.2663, 125.2665, and 125.2666), section 2 as amended by 2013 PA 67 and section 8a as added and sections 13, 15, and 16 as amended by 2012 PA 502, and by adding sections 13a and 14a.

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.

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

Nays: None

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

The Committee on Economic Development and International Investment reported

**Senate Bill No. 1062, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 51e.

With the recommendation that the bill pass.

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

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and International Investment reported

**Senate Bill No. 1063, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2015 PA 262.

With the recommendation that the bill pass.

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

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and International Investment reported

**Senate Bill No. 1064, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 2015 PA 263.

With the recommendation that the bill pass.

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

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and International Investment reported

**Senate Bill No. 1065, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 9 (MCL 125.2689), as amended by 2011 PA 315.

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

Kenneth B. Horn  
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Brandenburg, Stamas, Emmons, Warren and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Conference Committee on Education (HB 4822) submitted the following report:  
Meeting held on Tuesday, September 20, 2016, at 5:30 p.m., Room 424, Capitol Building  
Present: Senators Pavlov, Hansen and Knezek

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:  
Meeting held on Wednesday, September 21, 2016, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Hildenbrand (C), MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau, Gregory, Hopgood, Hertel, Knezek and Young

#### Scheduled Meetings

##### Appropriations -

###### Subcommittee -

**State Police and Military Affairs** - Tuesday, September 27, 10:00 a.m., Marshall Regional Law Enforcement Center, 714 17 Mile Road, Marshall (373-2768)

**Criminal Justice Policy Commission** - Wednesday, October 5, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Senate Fiscal Agency Board of Governors** - Thursday, September 22, 9:45 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Veterans, Military Affairs and Homeland Security** - Thursday, September 22, 2:00 p.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 4:34 p.m.

Pursuant to Senate Concurrent Resolution No. 32, the Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, October 18, 2016, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

