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To: Council About Parochiaid  
From: Cara Spagnuolo  
Date: June 5, 2009  
Re: Legislative Update

### **Constitutional Convention 2011?**

State Government insiders say they believe that Michigan voters will shoot down a 2010 ballot question that would call for a 2011 constitutional convention while, 55 percent said they don't believe a con-con is needed anyway.

Michigan's Constitution requires that voters be given a chance every 16 years to rewrite the state's governing document. If it is approved in 2011, 148 delegates representing each state House and Senate district would be elected to come to Lansing to review and make changes to the Constitution.

Henry Woloson of Clarkston, who had a hand in the past failed attempts to make the Legislature part time, is rallying support for a "yes" vote on the question. John Axe, an attorney and Wayne State University professor, also called for a "yes" vote in 2006 on the basis that those attending the convention would write term limits out of the constitution.

Despite this, 73 percent of capital insiders said they did not think Michigan voters would opt to call for a con-con compared to 18 percent who said "yes." The other 9 percent were undecided. Only 35 percent said they thought a con-con was needed anyway and 10 percent were undecided.

These results came as a part of the MIRS-EPIC/MRA Insider Survey which was emailed to over 1,000 lawmakers, lobbyists, association executives and executive branch officials over a three week period.

CAP's interests in a con-con are the church and state issues that may be part of the changes to the Constitution if one were to occur. CAP has invited Ed Sarpolus to present the MEA's opposition to a con-con at the September 11<sup>th</sup> CAP meeting that will be held in Lansing.

## **Failing Schools and Turnaround Schools**

House bills 4787 and 4789, sponsored by Rep. Tim Melton (D-Auburn Hills) would, among other things, require the State Superintendent of Public Instruction to appoint a school reform/redesign officer to be chosen on the basis of the individual's competence and experience in educational reform. Certain "failing" schools would be placed under the control of the reform/redesign officer.

HB 4787, the main bill in the package, would amend the Revised School Code by adding a new part 6D entitled, "Turnaround Schools," and amends existing part 16 of the code to add the other provisions on school reform and design.

HB 4788, sponsored by Rep. Bert Johnson (D-Highland Park) would amend the Public Act 336 of 1947, which deals with collective bargaining and employee relations for public school teachers, to specify that a collective bargaining agreement entered into under the act would be subject to the new Section 1260c of the Revised School Code added by HB 4784 regarding staffing decisions in "redesigned schools."

HB 4789, sponsored by Rep. Tim Melton, would amend the State School Aid Act to provide for funding of turnaround schools, by including turnaround schools within the definition of "public school academy."

House Bills 4788 and 4789 are each tie-barred to HB 4787, which also tie bars those two bills. Essentially, these bills, very controversial in the education community, must all must be enacted for any to take effect.

## **School Aid Spared Budget Ax...But Only for Now**

School districts, as well as colleges and universities, were spared the budget ax in the recent round of \$30 million in executive order cuts to the School Aid Budget. A major factor in this special treatment was the link between the federal stimulus dollars and states' maintaining current funding levels. Most budget bills for next year are in their second chamber, including the school aid bill, HB 4477. So far, we have avoided reductions in at risk grants (with the exception of the funding formula for the Dearborn and Baldwin Schools) and in school-based readiness funding. The school aid bill, having passed the House, is currently in the public testimony stage before the Senate Appropriations K-12 Subcommittee.

The May Revenue Estimating Conference for the State of Michigan produced the figures that legislators use to set their final targets for budget negotiations. These numbers affect the FY 2009-2010 budget starting in October of this year. In January, state GF/GP revenues were estimated to be \$7.9 billion for FY 2010. They are now projected to be \$6.9 billion. The School Aid Fund is projected to dip by \$700 million in 2010 from the January estimates to \$10.5 billion. This is a total drop between the School Aid Fund and the General fund of \$1.7 billion dollars.

## **Governor Unveils Executive Order Budget Cuts**

A joint session of the Senate and House Appropriations committees met and accepted Governor Granholm's \$349 million "executive order" budget cut. Executive order cuts affect the current budget year, not the upcoming budget year, as those budgets are not through the legislative process yet. Executive order cuts are also not like legislation, in that an executive order cannot be negotiated or changed by the legislature; it can only be voted up or down. Further, executive orders are only voted-on by the appropriations committees, and not by the full body of each chamber.

Fortunately, school Aid, universities and community colleges were off the table due to the strings attached to the federal economic stimulus package. Executive Order 2009-22 makes the following cuts to programs of interest to CAP:

- \$363,500 cut to the Department of Education including \$57,500 in Special Education Operations.
- \$5 Million cut to the Higher Education Michigan Merit Award Trust Fund.

These are deep cuts in current-year non-education programs, but were necessary to help offset the huge \$1.3 billion deficit Michigan faces this fiscal year (meaning Michigan's current budget is set to spend \$1.3 billion more than it actually has). The other \$1 billion is being covered by federal stimulus funds.

## **Bills Introduced of Interest to CAP**

**HB 4609**, introduced by Rep. Kim Meltzer (R-Clinton Township), would require expenditure reporting requirements for school districts and public school academies including:

- amount of the school district's or PSA's total budget
- number of full time equated pupils served by the school district or PSA
- number of employees
- names and positions of the board or board of directors
- each member of the school board of directors or school administrator of the school district of PSA who have travel expenses during the school fiscal year totaling more than \$3,000 paid for with school district or PSA funds

This bill has been referred to the House Committee on Education.

**SB 564**, introduced by Sen. Gerald Van Woerkom (R-Norton Shores) would allow charter school enrollment priority to the following pupils: a sibling of a pupil enrolled in the PSA or a pupil who transfers to the PSA from another PSA pursuant to an agreement between the PSAs that provides for this enrollment priority. This bill has been referred to the Senate Committee on Education.

**SJR A**, introduced by Sen. Mike Bishop (R-Rochester) would provide for limitation of legislative session and repeal of term limits for legislators first serving in 2011 or later.

### **Committees Important to CAP**

The House of Representatives has appointed the newly constituted Education Committee. It now consists of:

- Tim Melton (D), Committee Chair, Auburn Hills
- Lisa Brown (D), Majority Vice-Chair, West Bloomfield
- Timothy Bledsoe (D), Grosse Pointe
- Barb Byrum (D), Onondaga
- Marc R. Corriveau (D), Northville
- Douglas A. Geiss (D), Taylor
- Jennifer Haase (D), Richmond
- Deb Kennedy (D), Brownstown
- Steven Lindberg (D), Marquette
- David E. Nathan (D), Detroit
- Gino Polidori (D), Dearborn
- Sarah Roberts (D), St. Clair Shores
- Joel Sheltroun (D), West Branch
- Mary Valentine (D), Muskegon
- Phil Pavlov (R), Minority Vice-Chair, St. Clair Township
- Justin Amash (R), Kentwood
- Richard Ball (R), Laingsburg
- Larry DeShazor (R), Portage
- Tom McMillin (R), Rochester Hills
- Tom Pearce (R), Rockford
- Paul Scott (R), Grand Blanc
- Sharon Tyler (R), Niles
- John J. Walsh (R), Livonia

Likewise the K-12/Department of Education subcommittee to the House of Appropriations has been appointed:

- Terry Brown (D), Chair, Pigeon
- Richard Hammel (D), Majority Vice Chair, Morris Township
- Dudley Spade (D), Tipton
- Rashida Tlaib (D), Detroit
- Richard LeBlanc (D), Westland
- Gail Haines (R), Minority Vice Chair, Waterford
- Chuck Moss (R), Birmingham

Lastly the House Judiciary Committee has been appointed:

- Mark Meadows (D) Chair, East Lansing
- Ellen Cogen-Lipton (D), Majority Vice Chair, Huntington Woods
- Lisa Brown (D), West Bloomfield
- Bob Constan (D), Dearborn Heights
- Mark Corriveau (D), Northville
- Andy Coulouris (D), Saginaw
- Andrew Kandrevas (D), Southgate
- Bettie Scott (D), Detroit
- Rebekah Warren (D) Ann Arbor
- Tonya Schuitmaker (R), Lawton
- Justin Amash (R), Kentwood
- Joe Haveman (R), Holland
- Rick Jones (R), Grand Ledge
- Eileen Kowall (R), White Lake
- Tory Rocca (R), Sterling Heights