

No. 57
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
96th Legislature
REGULAR SESSION OF 2012

House Chamber, Lansing, Tuesday, June 5, 2012.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore Opsommer.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present	Gilbert—present	LeBlanc—present	Price—present
Ananich—present	Glardon—present	Lindberg—excused	Pscholka—present
Barnett—present	Goike—present	Lipton—present	Rendon—present
Bauer—present	Graves—present	Liss—present	Rogers—present
Bledsoe—present	Greimel—present	Lori—present	Rutledge—present
Bolger—present	Haines—present	Lund—present	Santana—present
Brown—present	Hammel—present	Lyons—present	Schmidt, R.—present
Brunner—present	Haugh—present	MacGregor—present	Schmidt, W.—present
Bumstead—present	Haveman—present	MacMaster—present	Segal—present
Byrum—present	Heise—present	McBroom—present	Shaughnessy—present
Callton—present	Hobbs—present	McCann—present	Shirkey—present
Cavanagh—present	Hooker—present	McMillin—present	Slavens—present
Clemente—present	Horn—present	Meadows—present	Smiley—present
Constan—present	Hovey-Wright—present	Moss—present	Somerville—present
Cotter—present	Howze—present	Muxlow—present	Stallworth—present
Crawford—present	Hughes—present	Nathan—present	Stamas—present
Daley—present	Huuki—present	Nesbitt—present	Stanley—present
Damrow—present	Irwin—present	O'Brien—present	Stapleton—present
Darany—present	Jackson—excused	Oakes—present	Switalski—present
Denby—present	Jacobsen—present	Olson—present	Talabi—present
Dillon—present	Jenkins—present	Olumba—e/d/s	Tlaib—present
Durhal—present	Johnson—present	Opsommer—present	Townsend—present
Farrington—present	Kandrevas—present	Ouimet—present	Tyler—present
Forlini—present	Knollenberg—present	Outman—present	Walsh—present
Foster—present	Kowall—present	Pettalia—present	Womack—present
Franz—present	Kurtz—present	Poleski—present	Yonker—present
Geiss—present	LaFontaine—present	Potvin—present	Zorn—present
Genetski—present	Lane—present		

e/d/s = entered during session

Rev., Dr. Mickarl D. Thomas, Sr., Senior Pastor of Vernon Chapel AME Church in Flint, offered the following invocation:

“Almighty and Eternal Father, we pause at this time before the Michigan State House of Representatives’ embarks on their business, to invoke Your Divine presence and spiritual guidance. There are numerous critical issues this august body must address. We are not praying and desiring resources for a particular segment of the great state of Michigan but we are praying the best for all the residents of Michigan. May Your spirit penetrate the minds of the elected officials, stir their hearts and permeate the walls of this chamber.

Lord, please grant courage to the law makers to make the best decisions for their constituency and help the citizens to understand when tough decisions have been made. We pray for all of the elected and appointed officials of the state and help us to reflect on the words of the Hebrew prophets; Micah and Amos. Micah said we are to act justly, love mercy and to walk humbly with our God and Amos declared let justice run down like waters and righteousness like a mighty stream.

Master, we are aware it is imperative for us to have a sensitization to all of humanity. Help us all to recognize the preciousness and sanctity of life. In the midst of political party differences help us find commonalities. As this body represents different nationalities and ethnic groups help us find strength in diversity. Let not philosophical dogmas and theological interpretations bring about fragmentation and alienation. Make us mindful that our different tributaries of politics lead into the main river of humanity which You created and supply.

Where there is poverty we pray for plenty, where there is darkness we pray for light, where there is sickness we pray for healing, where there is oppression we pray for liberation, where there is strife we pray for peace and where there is despair we pray for hope. Now grant each of us that peace which passeth all understanding.

We offer this prayer in the sacred names of all believers; Yahweh, Elohim, El Shaddai, Allah, Lord and Jesus the Christ, Amen.”

The Speaker Pro Tempore assumed the Chair.

Rep. Segal moved that Reps. Jackson and Lindberg be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Rendon, Barnett, Brown, Constan, Daley, Durhal, Heise, LeBlanc, Potvin, Talabi and Tyler offered the following resolution:

House Resolution No. 288.

A resolution to declare June 18-24, 2012, as Pollinator Week in the state of Michigan.

Whereas, Pollinator species, such as birds and insects, are essential partners of farmers and ranchers in producing much of our food supply; and

Whereas, Pollination plays a vital role in the health of our national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources, and recreational opportunities, as well as enhanced economic development opportunities for communities; and

Whereas, Pollinator species provide significant environmental benefits that are necessary for maintaining healthy bio-diverse ecosystems; and

Whereas, Michigan has managed wildlife habitats and public lands, such as state forests and grasslands, for decades; and

Whereas, Michigan provides producers with conservation assistance to promote wise conservation stewardship, including the protection and maintenance of pollinators and their habitats on working lands and wildlands; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 18-24, 2012, as Pollinator Week in the state of Michigan. We urge all citizens to recognize this observance; and be it further

Resolved, That a copy of this resolution be transmitted to Missaukee Conservation District with our highest esteem.

The question being on the adoption of the resolution,

Rep. Rendon moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 288.

A resolution to declare June 18-24, 2012, as Pollinator Week in the state of Michigan.

Whereas, Pollinator species, such as birds and insects, are essential partners of farmers and ranchers in producing much of our food supply; and

Whereas, Pollination plays a vital role in the health of our national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources, and recreational opportunities, as well as enhanced economic development opportunities for communities; and

Whereas, Pollinator species provide significant environmental benefits that are necessary for maintaining healthy bio-diverse ecosystems; and

Whereas, Michigan has managed wildlife habitats and public lands, such as state forests and grasslands, for decades; and

Whereas, Michigan provides producers with conservation assistance to promote wise conservation stewardship, including the protection and maintenance of pollinators and their habitats on working lands and wildlands; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 18-24, 2012, as Pollinator Week in the state of Michigan. We urge all citizens to recognize this observance; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Agriculture and Rural Development and all local conservation districts in this state, with our highest esteem.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Senate Bill No. 930, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending the title and sections 2, 5a, 6a, 7, and 12 (MCL 205.422, 205.425a, 205.426a, 205.427, and 205.432), the title as amended by 2003 PA 285, section 2 as amended by 2005 PA 238, sections 5a and 6a as added by 1997 PA 187, section 7 as amended by 2008 PA 458, and section 12 as amended by 2004 PA 164.

The bill was read a second time.

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Stamas moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 930, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending the title and sections 2, 5a, 6a, 7, and 12 (MCL 205.422, 205.425a, 205.426a, 205.427, and 205.432), the title as amended by 2003 PA 285, section 2 as amended by 2005 PA 238, sections 5a and 6a as added by 1997 PA 187, section 7 as amended by 2008 PA 458, and section 12 as amended by 2004 PA 164.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 350

Yeas—59

Ananich	Geiss	Lori	Segal
Barnett	Genetski	Lund	Shaughnessy
Bledsoe	Greimel	Lyons	Slavens
Bolger	Haines	McCann	Stallworth
Byrum	Heise	Moss	Stamas
Callton	Hobbs	Nathan	Stanley
Cavanagh	Hovey-Wright	Nesbitt	Stapleton
Clemente	Howze	Olson	Switalski
Constan	Jacobsen	Ouimet	Talabi
Crawford	Kandrevas	Poleski	Tlaib
Damrow	Kowall	Price	Townsend
Darany	Lane	Pscholka	Walsh
Dillon	LeBlanc	Santana	Womack
Durhal	Lipton	Schmidt, R.	Zorn
Foster	Liss	Schmidt, W.	

Nays—48

Agema	Glardon	Johnson	Opsommer
Bauer	Goike	Knollenberg	Outman
Brown	Graves	Kurtz	Pettalia
Brunner	Hammel	LaFontaine	Potvin
Bumstead	Haugh	MacGregor	Rendon
Cotter	Haveman	MacMaster	Rogers
Daley	Hooker	McBroom	Rutledge
Denby	Horn	McMillin	Shirkey
Farrington	Hughes	Meadows	Smiley
Forlini	Huuki	Muxlow	Somerville
Franz	Irwin	O'Brien	Tyler
Gilbert	Jenkins	Oakes	Yonker

In The Chair: Walsh

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

“An act to provide for a tax upon the sale and distribution of tobacco products; to regulate and license manufacturers, wholesalers, secondary wholesalers, vending machine operators, unclassified acquirers, transportation companies, transporters, and retailers of tobacco products; to prescribe the powers and duties of the revenue division and the department of treasury in regard to tobacco products; to provide for the administration, collection, and disposition of the tax; to levy an assessment; to provide for the administration, collection, defense, and disposition of the assessment; to provide for the enforcement of this act; to provide for the appointment of special investigators as peace officers for the enforcement of this act; to prescribe penalties and provide remedies for the violation of this act; and to repeal acts and parts of acts.”

The House agreed to the full title.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 46.

A concurrent resolution to memorialize Congress to reconsider cuts to vocational education.

(For text of concurrent resolution, see House Journal No. 9, p. 102.)

(The concurrent resolution was reported by the Committee on Education on March 14.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

House Resolution No. 161.

A resolution to memorialize the United States Congress to fully fund the Individuals with Disabilities Education Act and provide the full amount authorized for special education funding to the state of Michigan.

(For text of resolution, see House Journal No. 94 of 2011, p. 2640.)

(The resolution was reported by the Committee on Education on May 9.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 195.

A resolution to memorialize the Congress of the United States to enact legislation to ensure that amounts credited to the Harbor Maintenance Trust Fund are used solely for the dredging, infrastructure, operation, and maintenance of federally authorized ports.

(For text of resolution, see House Journal No. 22, p. 296.)
 (The resolution was reported by the Committee on Commerce on May 22.)
 The question being on the adoption of the resolution,
 The resolution was adopted.

Rep. Olumba entered the House Chambers.

Third Reading of Bills

House Bill No. 5089, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17775.
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 351

Yeas—108

Agema	Genetski	Lane	Price
Ananich	Gilbert	LeBlanc	Pscholka
Barnett	Glardon	Lipton	Rendon
Bauer	Goike	Liss	Rogers
Bledsoe	Graves	Lori	Rutledge
Bolger	Greimel	Lund	Santana
Brown	Haines	Lyons	Schmidt, R.
Brunner	Hammel	MacGregor	Schmidt, W.
Bumstead	Haugh	MacMaster	Segal
Byrum	Haveman	McBroom	Shaughnessy
Callton	Heise	McCann	Shirkey
Cavanagh	Hobbs	McMillin	Slavens
Clemente	Hooker	Meadows	Smiley
Constan	Horn	Moss	Somerville
Cotter	Hovey-Wright	Muxlow	Stallworth
Crawford	Howze	Nathan	Stamas
Daley	Hughes	Nesbitt	Stanley
Damrow	Huuki	O'Brien	Stapleton
Darany	Irwin	Oakes	Switalski
Denby	Jacobsen	Olson	Talabi
Dillon	Jenkins	Olumba	Tlaib
Durhal	Johnson	Opsommer	Townsend
Farrington	Kandrevas	Ouimet	Tyler
Forlini	Knollenberg	Outman	Walsh
Foster	Kowall	Pettalia	Womack
Franz	Kurtz	Poleski	Yonker
Geiss	LaFontaine	Potvin	Zorn

Nays—0

In The Chair: Walsh

The House agreed to the title of the bill.

House Bill No. 5090, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17776. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 352**Yeas—107**

Agema	Genetski	Lane	Price
Ananich	Gilbert	LeBlanc	Pscholka
Barnett	Glardon	Lipton	Rendon
Bauer	Goike	Liss	Rogers
Bledsoe	Graves	Lori	Rutledge
Bolger	Greimel	Lund	Schmidt, R.
Brown	Haines	Lyons	Schmidt, W.
Brunner	Hammel	MacGregor	Segal
Bumstead	Haugh	MacMaster	Shaughnessy
Byrum	Haveman	McBroom	Shirkey
Callton	Heise	McCann	Slavens
Cavanagh	Hobbs	McMillin	Smiley
Clemente	Hooker	Meadows	Somerville
Constan	Horn	Moss	Stallworth
Cotter	Hovey-Wright	Muxlow	Stamas
Crawford	Howze	Nathan	Stanley
Daley	Hughes	Nesbitt	Stapleton
Damrow	Huuki	O'Brien	Switalski
Darany	Irwin	Oakes	Talabi
Denby	Jacobsen	Olson	Tlaib
Dillon	Jenkins	Olumba	Townsend
Durhal	Johnson	Opsommer	Tyler
Farrington	Kandrevas	Ouimet	Walsh
Forlini	Knollenberg	Outman	Womack
Foster	Kowall	Pettalia	Yonker
Franz	Kurtz	Poleski	Zorn
Geiss	LaFontaine	Potvin	

Nays—1

Santana

In The Chair: Walsh

The House agreed to the title of the bill.

Senate Bill No. 723, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 10301. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 353**Yeas—95**

Ananich	Glardon	LeBlanc	Rogers
Barnett	Graves	Lipton	Rutledge
Bauer	Greimel	Liss	Santana
Bledsoe	Haines	Lori	Schmidt, R.

Bolger	Hammel	Lund	Schmidt, W.
Brown	Haugh	Lyons	Segal
Brunner	Haveman	MacGregor	Shaughnessy
Byrum	Heise	MacMaster	Shirkey
Callton	Hobbs	McCann	Slavens
Cavanagh	Hooker	Meadows	Smiley
Clemente	Horn	Moss	Somerville
Constan	Hovey-Wright	Muxlow	Stallworth
Crawford	Howze	Nathan	Stamas
Daley	Hughes	Nesbitt	Stanley
Damrow	Huuki	O'Brien	Stapleton
Darany	Irwin	Oakes	Switalski
Denby	Jacobsen	Olson	Talabi
Dillon	Jenkins	Olumba	Tlaib
Durhal	Kandrevas	Ouimet	Townsend
Farrington	Knollenberg	Outman	Tyler
Forlini	Kowall	Pettalia	Walsh
Franz	Kurtz	Poleski	Womack
Geiss	LaFontaine	Price	Yonker
Gilbert	Lane	Rendon	

Nays—13

Agema	Genetski	McBroom	Potvin
Bumstead	Goike	McMillin	Pscholka
Cotter	Johnson	Opsommer	Zorn
Foster			

In The Chair: Walsh

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5572, entitled

A bill to support voluntary home visitation programs; to authorize the promulgation of rules regarding home visitation programs; and to prescribe the powers and duties of certain state departments and agencies.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Agema moved to amend the bill as follows:

1. Amend page 2, line 8, after “provide” by striking out “culturally appropriate.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor. The question being on the passage of the bill, The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 354**Yeas—74**

Agema	Greimel	Lipton	Poleski
Bolger	Haines	Liss	Potvin
Bumstead	Haugh	Lori	Price
Clemente	Haveman	Lund	Pscholka
Cotter	Heise	Lyons	Rendon
Crawford	Hooker	MacGregor	Rogers
Daley	Horn	MacMaster	Schmidt, R.
Damrow	Hughes	McBroom	Schmidt, W.
Denby	Huuki	Meadows	Shaughnessy
Dillon	Jacobsen	Moss	Shirkey
Farrington	Jenkins	Muxlow	Slavens
Forlini	Johnson	Nesbitt	Smiley
Foster	Kandrevas	Oakes	Somerville
Franz	Knollenberg	Olson	Stamas
Geiss	Kowall	Opsommer	Tyler
Gilbert	Kurtz	Ouimet	Walsh
Glardon	LaFontaine	Outman	Yonker
Goike	Lane	Pettalia	Zorn
Graves	LeBlanc		

Nays—34

Ananich	Constan	McCann	Stallworth
Barnett	Darany	McMillin	Stanley
Bauer	Durhal	Nathan	Stapleton
Bledsoe	Genetski	O'Brien	Switalski
Brown	Hammel	Olumba	Talabi
Brunner	Hobbs	Rutledge	Tlaib
Byrum	Hovey-Wright	Santana	Townsend
Callton	Howze	Segal	Womack
Cavanagh	Irwin		

In The Chair: Walsh

The House agreed to the title of the bill.

Rep. Irwin, having reserved the right to explain his protest against the passage of the bill, made the following statement: "Mr. Speaker and members of the House:

Unfortunately, I opposed HB 5572 because of a last minute amendment that removed language requiring the department to be 'culturally appropriate.' It is disappointing that an amendment would be offered and accepted by the body when its only effect is to endorse cultural biases that further divide our society. Michigan is at our best when we open our arms to the world and we would do well to remember that 'Michigan' is a name derived from our indigenous ancestors."

Rep. Cavanagh, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I was in favor of HB5572. The idea of expanding and documenting home visitation programs is important; but the Republicans gaveled through an amendment deleting the phrase ‘culturally appropriate’ just seconds before the final vote. I see no reason at all for this amendment but for cultural insensitivity. It is quite appropriate that the Department of Community Health, Human Services and Education take into mind the race and religious beliefs of those they are serving. A good bill was made intolerable by prejudice.”

Reps. Barnett and Bledsoe, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5572, because of an amendment that was unexpectedly adopted before the vote on the bill that removed the requirement that home visitations programs supported by the State be ‘culturally appropriate.’

I support home visitation programs, which have long been used with families with young children to provide information, guidance, risk assessment, and parenting support interventions at home with the goal of improving pregnancy outcomes, parenting skills, and early childhood health and development. These programs target low-income families, who may be at high risk for infant mortality, family violence, developmental delays, disabilities, social isolation, unequal access to health care, environmental exposures, and other adverse conditions.

Working with families with very diverse backgrounds requires that home visitation programs be designed as culturally appropriate to not only tailor the program to the unique needs of the family, but to improve the program and outcomes.”

Rep. Tlaib, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5572 because an amendment was adopted on the House Floor to remove the language ‘culturally appropriate’ from the bill. I represent one of the most diverse communities, House District 12, where we house twenty different ethnicities and our mothers deserve to be provided with culturally sensitive home visitations programs.

I support home visitation programs, which have long been used with families with young children to provide information, guidance, risk assessment, and parenting support interventions at home with the goal of improving pregnancy outcomes, parenting skills, and early childhood health and development. These programs target low-income families, who may be at high risk for infant mortality, family violence, developmental delays, disabilities, social isolation, unequal access to health care, environmental exposures, and other adverse conditions.

Our diverse families require home visitation programs that are culturally appropriate to not only tailor the program to the unique needs of the family, but to improve the program and outcomes. It ensures that our newborns and mothers are provided with the best care possible.”

Senate Bill No. 1090, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20120e (MCL 324.20120e), as added by 2010 PA 228.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Stamas moved that consideration of the bill be postponed temporarily.

The motion prevailed.

Second Reading of Bills

House Bill No. 5333, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7kk (MCL 211.7kk), as added by 2006 PA 612.

The bill was read a second time.

Rep. Zorn moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Opsommer to the Chair.

House Bill No. 5422, entitled

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending section 12 (MCL 791.512), as amended by 2004 PA 583, and by adding section 15a.

The bill was read a second time.

Rep. Haveman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5604, entitled

A bill to amend 1969 PA 162, entitled "An act to establish a state-supported school of osteopathic medicine; to establish and fix the membership of an advisory board for the school; and to provide for its assignment to an established 4-year state institution of higher education," by repealing sections 2, 3, and 4 (MCL 390.662, 390.663, and 390.664).

The bill was read a second time.

Rep. Pscholka moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5606, entitled

A bill to repeal 1966 PA 277, entitled "An act to create a consumers council; to define its powers and duties; and to make an appropriation therefor," (MCL 445.821 to 445.829).

The bill was read a second time.

Rep. Genetski moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4753, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Pettalia moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Pettalia moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Segal moved that Rep. Townsend be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

The House returned to the consideration of

Senate Bill No. 1090, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20120e (MCL 324.20120e), as added by 2010 PA 228.

(The bill was considered earlier today, see today's Journal, p. 1625.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 355**Yeas—67**

Agema
Bolger

Goike
Graves

Liss
Lori

Poleski
Potvin

Bumstead	Haines	Lund	Price
Callton	Haugh	Lyons	Pscholka
Clemente	Haveman	MacGregor	Rendon
Cotter	Heise	MacMaster	Rogers
Crawford	Hooker	McBroom	Schmidt, R.
Daley	Horn	McMillin	Schmidt, W.
Damrow	Hughes	Moss	Shaughnessy
Denby	Huuki	Muxlow	Shirkey
Farrington	Jacobsen	Nesbitt	Somerville
Forlini	Jenkins	O'Brien	Stamas
Foster	Johnson	Olson	Tyler
Franz	Knollenberg	Opsommer	Walsh
Genetski	Kowall	Ouimet	Yonker
Gilbert	Kurtz	Outman	Zorn
Glardon	LaFontaine	Pettalia	

Nays—40

Ananich	Dillon	Lane	Segal
Barnett	Durhal	LeBlanc	Slavens
Bauer	Geiss	Lipton	Smiley
Bledsoe	Greimel	McCann	Stallworth
Brown	Hammel	Meadows	Stanley
Brunner	Hobbs	Nathan	Stapleton
Byrum	Hovey-Wright	Oakes	Switalski
Cavanagh	Howze	Olumba	Talabi
Constan	Irwin	Rutledge	Tlaib
Darany	Kandrevas	Santana	Womack

In The Chair: Opsommer

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5646, entitled

A bill to amend 2003 PA 260, entitled “Tax reverted clean title act,” by amending section 5 (MCL 211.1025) and by adding section 5a; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 356**Yeas—96**

Ananich	Geiss	Lane	Price
Barnett	Genetski	LeBlanc	Pscholka
Bauer	Gilbert	Lipton	Rendon
Bledsoe	Glardon	Liss	Rogers

Bolger	Graves	Lori	Rutledge
Brown	Greimel	Lyons	Santana
Brunner	Haines	MacGregor	Schmidt, R.
Byrum	Hammel	McBroom	Schmidt, W.
Callton	Haugh	McCann	Segal
Cavanagh	Haveman	Meadows	Shaughnessy
Clemente	Heise	Moss	Slavens
Constan	Hobbs	Muxlow	Smiley
Cotter	Horn	Nathan	Stallworth
Crawford	Hovey-Wright	Nesbitt	Stamas
Daley	Howze	O'Brien	Stanley
Damrow	Hughes	Oakes	Stapleton
Darany	Irwin	Olson	Switalski
Denby	Jacobsen	Olumba	Talabi
Dillon	Jenkins	Opsommer	Tlaib
Durhal	Johnson	Ouimet	Tyler
Farrington	Kandrevas	Outman	Walsh
Forlini	Knollenberg	Pettalia	Womack
Foster	Kowall	Poleski	Yonker
Franz	Kurtz	Potvin	Zorn

Nays—11

Agema	Hooker	Lund	Shirkey
Bumstead	Huuki	MacMaster	Somerville
Goike	LaFontaine	McMillin	

In The Chair: Opsommer

The House agreed to the title of the bill.

Rep. Stamas moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Barnett, Bauer, Brown, Cavanagh, Constan, Darany, Dillon, Durhal, Foster, Haugh, Horn, Irwin, Lyons, McCann, Nathan, Oakes, Pettalia, Potvin, Rendon, Santana, Roy Schmidt, Smiley, Stallworth, Stapleton and Talabi were named co-sponsors of the bill.

The Speaker Pro Tempore resumed the Chair.

Second Reading of Bills

House Bill No. 5699, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2011 PA 38.

The bill was read a second time.

Rep. Cavanagh moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5407 of the 96th Legislature is enacted into law."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Greimel moved to amend the bill as follows:

1. Amend page 2, line 9, by striking out “4.25%” and inserting “3.9%”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. McBroom moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5700, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 30a.

The bill was read a second time.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 2, following line 6, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5640 of the 96th Legislature is enacted into law.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 1, line 1, after “30A.” by inserting “(1)”.

2. Amend page 2, following line 6, by inserting:

“(2) EXCEPT AS OTHERWISE PROVIDED UNDER SUBSECTION (3), FOR THE 2012 TAX YEAR AND EACH TAX YEAR AFTER 2012, IN ADDITION TO THE PERSONAL EXEMPTION DEDUCTION ALLOWED UNDER SUBSECTION (1), FOR EACH TAXPAYER AND EVERY DEPENDENT OF A TAXPAYER WHO IS 65 YEARS OF AGE OR OLDER A SINGLE ADDITIONAL EXEMPTION OF \$2,300.00 SHALL BE SUBTRACTED IN THE CALCULATION THAT DETERMINES TAXABLE INCOME. WHEN A DEPENDENT OF A TAXPAYER FILES AN ANNUAL RETURN UNDER THIS PART, THE TAXPAYER OR DEPENDENT OF THE TAXPAYER, BUT NOT BOTH, MAY CLAIM THE ADDITIONAL EXEMPTION ALLOWED UNDER THIS SUBSECTION.

(3) FOR EACH TAX YEAR BEGINNING ON AND AFTER JANUARY 1, 2013, THE ADDITIONAL EXEMPTION ALLOWED UNDER SUBSECTION (2) SHALL BE ADJUSTED BY MULTIPLYING THE EXEMPTION FOR THE TAX YEAR BEGINNING IN 2012 BY A FRACTION, THE NUMERATOR OF WHICH IS THE UNITED STATES CONSUMER PRICE INDEX FOR THE STATE FISCAL YEAR ENDING IN THE TAX YEAR PRIOR TO THE TAX YEAR FOR WHICH THE ADJUSTMENT IS BEING MADE AND THE DENOMINATOR OF WHICH IS THE UNITED STATES CONSUMER PRICE INDEX FOR THE 2010-2011 STATE FISCAL YEAR. THE RESULTANT PRODUCT SHALL BE ROUNDED TO THE NEAREST \$100.00 INCREMENT.

(4) AS USED IN THIS SECTION:

(A) “DEPENDENT” MEANS AN INDIVIDUAL FOR WHOM THE TAXPAYER MAY CLAIM A DEPENDENCY EXEMPTION ON THE TAXPAYER’S FEDERAL INCOME TAX RETURN PURSUANT TO THE INTERNAL REVENUE CODE.

(B) “UNITED STATES CONSUMER PRICE INDEX” MEANS THE UNITED STATES CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AS DEFINED AND REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Hughes moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 5701, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending the title, the heading of chapter 61, and sections 3301, 3330, 4501, 6101, 6105, 6107, and 6110 (MCL 500.3301, 500.3330, 500.4501, 500.6101, 500.6105, 500.6107, and 500.6110), the title as amended by 2002 PA 304, section 4501 as amended by 2012 PA 39, and sections 6101, 6105, 6107, and 6110 as added by 1992 PA 174, and by adding sections 6104, 6104a, 6104b, and 6108; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Insurance,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Segal moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Cavanagh moved to amend the bill as follows:

1. Amend page 19, following line 6, by inserting:

“Enacting section 3. This amendatory act does not take effect unless House Bill No. 4785 of the 96th Legislature is enacted into law.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Segal moved to amend the bill as follows:

1. Amend page 8, line 13, after “INSURANCE” by inserting “**OR AN ACT THAT IS AN UNFAIR AND PROHIBITED TRADE PRACTICE UNDER CHAPTER 20**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Segal moved to amend the bill as follows:

1. Amend page 5, line 13, after “(H)” by striking out “TO” and inserting “**UNTIL DECEMBER 31, 2014, TO**”.

2. Amend page 11, following line 21, by inserting:

“(11) **THE BOARD IS DISSOLVED ON JANUARY 1, 2015.**”.

3. Amend page 13, line 19, after “6104B.” by inserting “(1)”.

4. Amend page 13, following line 22, by inserting:

“(2) **ON OR BEFORE DECEMBER 31, 2014, THE AUTHORITY SHALL TRANSFER ALL ASSETS OF THE AUTHORITY TO THE DEPARTMENT OF STATE POLICE FOR THE BENEFIT OF THE AUTOMOBILE THEFT PREVENTION AUTHORITY.**

(3) AFTER DECEMBER 31, 2015, THE AUTOMOBILE THEFT PREVENTION AUTHORITY BOARD OF DIRECTORS SHALL REINSTATE AND OPERATE THE AUTOMOBILE THEFT PREVENTION AUTHORITY IN THE SAME MANNER THAT IT WAS OPERATED BEFORE JANUARY 1, 2013.

(4) ON JANUARY 1, 2015, THE MICHIGAN AUTOMOBILE INSURANCE FRAUD AND THEFT PREVENTION AUTHORITY, AS HOUSED IN THE FACILITY, IS DISSOLVED.”.

5. Amend page 15, line 4, by striking out all of section 6107.

6. Amend page 17, following line 2, by inserting:

“**SEC. 6107A. (1) SECTION 6107 DOES NOT APPLY FROM JANUARY 1, 2013 TO DECEMBER 31, 2014.**

(2) BEFORE APRIL 1 OF 2013 AND 2014, EACH INSURER AND EACH SELF-INSURER ENGAGED IN WRITING INSURANCE COVERAGES THAT PROVIDE THE SECURITY REQUIRED BY SECTION 3101(1) WITHIN THIS STATE, AS A CONDITION OF ITS AUTHORITY TO TRANSACT INSURANCE IN THIS STATE, SHALL PAY TO THE FACILITY, FOR DEPOSIT INTO THE ACCOUNT OF THE AUTHORITY, AN ASSESSMENT DETERMINED BY THE FACILITY AS PROVIDED IN THE PLAN OF OPERATION. THE ASSESSMENT TO EACH INSURER AND SELF-INSURER SHALL BE BASED ON THE RATIO OF ITS CAR YEARS WRITTEN TO THE STATEWIDE TOTAL CAR YEARS FOR ALL INSURERS AND SELF-INSURERS.

(3) MONEY RECEIVED PURSUANT TO SUBSECTION (1), AND ALL OTHER MONEY RECEIVED BY THE AUTHORITY, SHALL BE SEGREGATED FROM OTHER MONEY OF THE FACILITY, IF APPLICABLE, AND SHALL ONLY BE EXPENDED AS DIRECTED BY THE BOARD.

(4) FROM THE MONEY RECEIVED ANNUALLY UNDER SUBSECTION (1), THE BOARD SHALL NOT REDUCE THE AMOUNT OF MONEY AVAILABLE TO PROVIDE FINANCIAL SUPPORT FOR PROGRAMS DESIGNED TO REDUCE THE INCIDENCE OF AUTOMOBILE THEFT BELOW \$6,000,000.00.”.

7. Amend page 18, line 25, by striking out all of enacting section 1 and renumbering the remaining enacting section.

8. Amend page 19, line 2, by striking out “6107.”.

9. Amend page 19, line 3, after “500.6105,” by striking out “500.6107.”.

10. Amend page 19, line 4, after “6104a” by inserting a comma and “6107a.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Lund moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Stamas moved to reconsider the vote by which the House adopted **House Concurrent Resolution No. 46**.

(The concurrent resolution was adopted earlier today, see today’s Journal p. 1620.)

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

The question being on the adoption of the concurrent resolution,

Rep. Pettalia moved to substitute (H-1) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 46.

A concurrent resolution to memorialize Congress to reconsider cuts to vocational education and explore future funding opportunities.

Whereas, Vocational education consists of industry-focused teachings, tailored to teach students the skills and knowledge needed to be successful in a specified industry. Companies depend on workers with expertise, and many require an advanced certification in a specified field, creating a large job market for individuals with these qualifications; and

Whereas, In a tough and unstable economy, many students cannot afford to attend a four- year university. Vocational education provides an alternative form of education that allows workers to enter the work force directly and succeed. The Georgetown Center for Education and the Workforce has projected that U.S. employers will have 47 million job openings between 2010 and 2018, 14 million of which will require an associate's degree or a vocational education certificate, rather than a bachelor's degree; and

Whereas, Federal funding for vocational education has been cut by \$140 million this year and has been proposed to be cut an additional 20 percent within the next year. These cuts have depleted a thriving job market for those who obtain skills from vocational education, young people seeking careers and experienced workers pursuing new fields. Many technical jobs, which require two years of college or advanced certification, will go unfilled if the highly skilled workforce is further diminished by funding cuts; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to reconsider cuts to vocational education and explore future funding opportunities; 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.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Stamas moved to reconsider the vote by which the House adopted **House Resolution No. 161.**

(The resolution was adopted earlier today, see today's Journal p. 1620.)

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

The question being on the adoption of the resolution,

Rep. Hooker moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 161.

A resolution to memorialize the United States Congress to explore funding opportunities for the Individuals with Disabilities Education Act and for special education funding to the state of Michigan.

Whereas, Americans recognize that we have a moral and legal obligation to provide equal educational opportunities to all of our children, regardless of their disability status. The United States Congress in 1975 enacted the Education for All Handicapped Children Act in order to help states cope with the financial burdens of providing special education services so that all children may participate fully in public education; and

Whereas, The current law, renamed in 1990 as the Individuals with Disabilities Education Act (IDEA), renewed our national commitment to the ideal of universal public school education for our children regardless of disabilities. However, the federal government has never fulfilled its original promise of providing states with 40 percent of the additional costs of providing special education services. Indeed, the federal government has settled for a goal of providing 17 percent of the state funding needs. Even recent stimulus spending additions have not increased this funding percentage to more than about 18 percent, well under half of the original promise; and

Whereas, In these dire financial times, when our state is struggling to maintain critical services without burdensome additions to our tax system, it is vital that the federal government continually look for prospective funding and initiatives to support state special education programs. We have made great strides in the area of equal opportunity for students with disabilities, but our achievements are threatened. A commitment by Congress to actively engage in finding funds for special education would be welcome in helping to cope with the deep recession that has ravaged Michigan's financial health; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to explore funding opportunities for the Individuals with Disabilities Education Act and for special education funding to the state of Michigan; 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.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Stamas moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Monday, June 4:

House Bill Nos. 5718 5719 5720 5721 5722 5724

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, June 5:

House Bill No. 5723
Senate Bill Nos. 1164 1165 1166 1167

Reports of Select Committees

House Bill No. 5372, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18c, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 25, 26a, 26b, 31a, 31d, 31f, 32d, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 101, 102, 104, 107, 147, 147a, 147b, 152a, 201, 201a, 202, 203, 204, 205, 206, 207, 208, 209, 210, 210a, 212, 213, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, 291, and 293 (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618c, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1624, 388.1624a, 388.1624c, 388.1625, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1639, 388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1702, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1752a, 388.1801, 388.1801a, 388.1802, 388.1803, 388.1804, 388.1805, 388.1806, 388.1807, 388.1808, 388.1809, 388.1810, 388.1810a, 388.1812, 388.1813, 388.1816, 388.1817, 388.1818, 388.1819, 388.1820, 388.1821, 388.1822, 388.1823, 388.1824, 388.1825, 388.1826, 388.1827, 388.1828, 388.1829, 388.1830, 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1890, 388.1891, and 388.1893), sections 3, 19, and 101 as amended by 2010 PA 110, section 4 as amended by 2008 PA 268, sections 6, 11, 11a, 11m, 22a, 22b, 24a, 24c, 26b, 51a, 51c, 74, and 104 as amended by 2012 PA 29, sections 11g, 11k, 15, 18, 20, 20d, 22d, 24, 31a, 32d, 39, 39a, 51d, 54, 56, 61a, 81, 93, 94a, 98, 99, 107, 147, and 152a as amended sections 12, 22f, 147a, 147b, 201, 201a, 202, 203, 204, 205, 206, 207, 208, 209, 210, 210a, 212, 213, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, 291, and 293 as added by 2011 PA 62, sections 11j, 26a, 31d, 31f, 53a, and 62 as amended by 2011 PA 299, section 18c as added by 2000 PA 297, section 25 as amended by 2011 PA 322, and section 102 as amended by 2010 PA 204, and by adding sections 11t, 11u, 22g, 22i, 22j, 26c, 32p, 95, 101a, 147c, 202a, 229a, 236b, 237b, 246, 265a, 273a, and 293a; and to repeal acts and parts of acts.

(For text of conference report, see House Journal No. 56, p. 1536.)

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect. The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Senate Bill No. 955, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236a, 237, 238, 239, 239a, 240, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 291, and 293 (MCL 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1840, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889,

388.1891, and 388.1893), as added by 2011 PA 62, and by adding sections 236b, 237b, 263b, 265a, and 293a; and to repeal acts and parts of acts.

The Senate 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

Senate Bill No. 955, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236a, 237, 238, 239, 239a, 240, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 291, and 293 (MCL 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1840, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1891, and 388.1893), as added by 2011 PA 62, and by adding sections 236b, 237b, 263b, 265a, and 293a; and to repeal acts and parts of acts.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

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

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, 291, and 293 (MCL 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1890, 388.1891, and 388.1893), as added by 2011 PA 62, and by adding sections 236b, 237b, 246, 265a, 273a, and 293a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 236. (1) Subject to the conditions set forth in this article, the amounts listed in subsections (2) to ~~(5)~~(7) are appropriated for higher education for the fiscal year ending September 30, ~~2012~~, **2013**, from the funds indicated in this section. The following is a summary of the appropriations in subsections (2) to ~~(5)~~(7):

(a) The gross appropriation is ~~\$1,362,278,400.00~~. **\$1,399,220,400.00**. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$1,362,278,400.00~~. **\$1,399,220,400.00**.

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

(i) Total federal revenues, ~~\$98,326,400.00~~. **\$97,026,400.00**.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, ~~\$200,219,500.00~~. **\$200,565,700.00**.

(v) State general fund/general purpose money, ~~\$1,063,732,500.00~~. **\$1,101,628,300.00**.

(2) Amounts appropriated for public universities are as follows:

(a) The appropriation for Central Michigan University is ~~\$68,108,900.00~~, ~~\$61,431,100.00~~ **\$69,575,300.00**, **\$68,108,900.00** for operations and ~~\$6,677,800.00~~ **\$1,466,400.00** for tuition restraint incentive, **PERFORMANCE FUNDING**, appropriated from the following:

(i) State school aid fund, \$11,284,600.00.

(ii) State general fund/general purpose money, ~~\$56,824,300.00~~. **\$58,290,700.00**.

(b) The appropriation for Eastern Michigan University is ~~\$64,619,100.00~~, ~~\$61,319,900.00~~ **\$66,297,500.00**, **\$64,619,100.00** for operations and ~~\$3,299,200.00~~ **\$1,678,400.00** for tuition restraint incentive, **PERFORMANCE FUNDING**, appropriated from the following:

(i) State school aid fund, \$10,706,400.00.

(ii) State general fund/general purpose money, ~~\$53,912,700.00~~. **\$55,591,100.00**.

(c) The appropriation for Ferris State University is ~~\$41,324,300.00~~, ~~\$37,971,600.00~~ **\$42,981,400.00**, **\$41,324,300.00** for operations and ~~\$3,352,700.00~~ **\$1,657,100.00** for tuition restraint incentive, **PERFORMANCE FUNDING**, appropriated from the following:

(i) State school aid fund, \$6,846,800.00.

(ii) State general fund/general purpose money, ~~\$34,477,500.00~~. **\$36,134,600.00**.

(d) The appropriation for Grand Valley State University is ~~\$52,677,400.00, \$48,431,500.00~~ **\$55,097,500.00, \$52,677,400.00** for operations and ~~\$4,245,900.00~~ **\$2,420,100.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$8,727,800.00.

(ii) State general fund/general purpose money, ~~\$43,949,600.00~~ **\$46,369,700.00**.

(e) The appropriation for Lake Superior State University is ~~\$10,789,500.00, \$10,055,100.00~~ **\$11,030,700.00, \$10,789,500.00** for operations and ~~\$734,400.00~~ **\$241,200.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$1,787,600.00.

(ii) State general fund/general purpose money, ~~\$9,001,900.00~~ **\$9,243,100.00**.

(f) The appropriation for Michigan State University is ~~\$293,746,600.00, \$222,796,200.00~~ **\$298,733,800.00, \$241,120,800.00** for operations, ~~\$18,324,600.00~~ **\$3,408,400.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, and ~~\$52,625,800.00~~ **\$54,204,600.00** for agricultural experiment and cooperative ~~MSU AGRIORESEARCH AND MSU extension activities~~, appropriated from the following:

(i) State school aid fund, \$39,949,900.00.

(ii) State general fund/general purpose money, ~~\$253,796,700.00~~ **\$258,783,900.00**.

(g) The appropriation for Michigan Technological University is ~~\$40,733,600.00, \$37,409,700.00~~ **\$42,409,900.00, \$40,733,600.00** for operations and ~~\$3,323,900.00~~ **\$1,676,300.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$6,748,900.00.

(ii) State general fund/general purpose money, ~~\$33,984,700.00~~ **\$35,661,000.00**.

(h) The appropriation for Northern Michigan University is ~~\$38,367,400.00, \$36,225,200.00~~ **\$40,348,800.00, \$38,367,400.00** for operations and ~~\$2,142,200.00~~ **\$1,981,400.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$6,356,900.00.

(ii) State general fund/general purpose money, ~~\$32,010,500.00~~ **\$33,991,900.00**.

(i) The appropriation for Oakland University is ~~\$43,145,000.00, \$39,313,500.00~~ **\$44,033,300.00, \$43,145,000.00** for operations and ~~\$3,831,500.00~~ **\$888,300.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$7,148,400.00.

(ii) State general fund/general purpose money, ~~\$35,996,600.00~~ **\$36,884,900.00**.

(j) The appropriation for Saginaw Valley State University is ~~\$23,561,500.00, \$21,969,300.00~~ **\$25,487,500.00, \$23,561,500.00** for operations and ~~\$1,592,200.00~~ **\$1,926,000.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$3,903,800.00.

(ii) State general fund/general purpose money, ~~\$19,657,700.00~~ **\$21,583,700.00**.

(k) The appropriation for University of Michigan - Ann Arbor is ~~\$268,803,300.00, \$254,931,800.00~~ **\$273,056,700.00, \$268,803,300.00** for operations and ~~\$13,871,500.00~~ **\$4,253,400.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$44,536,300.00.

(ii) State general fund/general purpose money, ~~\$224,267,000.00~~ **\$228,520,400.00**.

(l) The appropriation for University of Michigan - Dearborn is ~~\$21,016,300.00, \$19,627,400.00~~ **\$21,898,800.00, \$21,016,300.00** for operations and ~~\$1,388,900.00~~ **\$882,500.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$3,482,100.00.

(ii) State general fund/general purpose money, ~~\$17,534,200.00~~ **\$18,416,700.00**.

(m) The appropriation for University of Michigan - Flint is ~~\$17,762,400.00, \$16,679,400.00~~ **\$19,103,500.00, \$17,762,400.00** for operations and ~~\$1,083,000.00~~ **\$1,341,100.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$2,942,900.00.

(ii) State general fund/general purpose money, ~~\$14,819,500.00~~ **\$16,160,600.00**.

(n) The appropriation for Wayne State University is ~~\$182,036,900.00, \$169,209,400.00~~ **\$183,229,100.00, \$182,036,900.00** for operations and ~~\$12,827,500.00~~ **\$1,192,200.00** for tuition restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

(i) State school aid fund, \$30,160,600.00.

(ii) State general fund/general purpose money, ~~\$151,876,300.00~~ **\$153,068,500.00**.

(o) The appropriation for Western Michigan University is ~~\$93,168,300.00, \$86,866,700.00~~ **\$95,318,300.00, \$93,168,300.00** for operations and ~~\$6,301,600.00~~ **\$2,150,000.00** for tuition-restraint-incentive, **PERFORMANCE FUNDING**, appropriated from the following:

(i) State school aid fund, \$15,436,500.00.

(ii) State general fund/general purpose money, ~~\$77,731,800.00~~ **\$79,881,800.00**.

(3) IN ADDITION TO THE AMOUNTS DESCRIBED IN SUBSECTION (2), \$9,054,200.00 IN TUITION RESTRAINT FUNDING IS APPROPRIATED FOR UNIVERSITY OPERATIONS FROM GENERAL FUND/GENERAL PURPOSE MONEY. THE AMOUNT ALLOCATED TO EACH PUBLIC UNIVERSITY IS DETERMINED IN THE MANNER PROVIDED IN SECTION 265.

(4) THE AMOUNT APPROPRIATED FOR MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM REIMBURSEMENT IS \$446,200.00, APPROPRIATED FROM THE STATE SCHOOL AID FUND.

~~(5)~~ **(3)** The amount appropriated for state and regional programs is \$200,000.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Higher education database modernization and conversion, \$105,000.00.

(b) Midwestern higher education compact, \$95,000.00.

~~(6)~~ **(4)** The amount appropriated for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks program is \$2,691,500.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Select student support services, \$1,956,100.00.

(b) Michigan college/university partnership program, \$586,800.00.

(c) Morris Hood, Jr. educator development program, \$148,600.00.

~~(7)~~ **(5)** Subject to subsection ~~(6)~~, **(8)**, the amount appropriated for grants and financial aid is ~~\$99,526,400.00~~, **\$98,226,400.00**, allocated as follows:

(a) State competitive scholarships, ~~\$19,861,700.00~~ **\$18,361,700.00**.

(b) Tuition grants, \$31,664,700.00.

(c) Tuition incentive program, \$43,800,000.00.

~~(d) Robert C. Byrd honors scholarship program, \$1,500,000.00.~~

~~(D)~~ **(e)** Children of veterans and officer's survivor tuition grant programs, \$1,200,000.00.

~~(E)~~ **(f)** Project GEAR-UP, ~~\$1,500,000.00~~ **\$3,200,000.00**.

(8) ~~(6)~~ The money appropriated in subsection ~~(5)~~ **(7)** for grants and financial aid is appropriated from the following:

~~(a) Federal revenues under subpart 4 of part A of title IV of the higher education act of 1965, Public Law 89-329, 79 Stat. 1232; \$1,500,000.00.~~

~~(b) Federal revenues under subpart 6 of part A of title IV of the higher education act of 1965, Public Law 89-329, 79 Stat. 1232; \$1,500,000.00.~~

~~(A)~~ **(e)** Federal revenues under the United States department of education, office of elementary and secondary education, GEAR-UP program, ~~\$1,500,000.00~~ **\$3,200,000.00**.

~~(B)~~ **(d)** Federal revenues under the social security act, temporary assistance for needy families, \$93,826,400.00.

~~(C)~~ **(e)** Contributions to children of veterans tuition grant program, ~~\$200,000.00~~ **\$100,000.00**.

~~(D)~~ **(f)** State general fund/general purpose money, ~~\$1,000,000.00~~ **\$1,100,000.00**.

Sec. 236a. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, ~~2013~~ **2014** for the items listed in section 236. The fiscal year ~~2012-2013~~ **2013-2014** appropriations are anticipated to be the same as those for fiscal year ~~2011-2012~~, **2012-2013**, except that the amounts will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January ~~2012~~ **2013** consensus revenue estimating conference.

SEC. 236B. IN ADDITION TO THE FUNDS APPROPRIATED IN SECTION 236, THERE IS APPROPRIATED FOR GRANTS AND FINANCIAL AID IN FISCAL YEAR 2012-2013 AN AMOUNT NOT TO EXCEED \$6,000,000.00 FOR FEDERAL CONTINGENCY FUNDS. THESE FUNDS ARE NOT AVAILABLE FOR EXPENDITURE UNTIL THEY HAVE BEEN TRANSFERRED UNDER SECTION 393(2) OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1393, FOR ANOTHER PURPOSE UNDER THIS ARTICLE.

Sec. 237. ~~The ALL OF THE~~ appropriations authorized under this article are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

SEC. 237B. AS USED IN THIS ARTICLE, THE TERM "WORKFORCE DEVELOPMENT AGENCY" MEANS THE WORKFORCE DEVELOPMENT AGENCY OF THE MICHIGAN STRATEGIC FUND.

Sec. 238. Unless otherwise specified, A public universities-**UNIVERSITY** receiving appropriations in section 236 shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 239. ~~Funds~~ **A PUBLIC UNIVERSITY SHALL NOT USE FUNDS** appropriated in section 236 ~~shall not be used~~ for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods and

services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable value. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans if they are competitively priced and of comparable quality.

Sec. 239a. It is the intent of the legislature that ~~the~~**PUBLIC UNIVERSITIES SHALL NOT USE** funds appropriated in section 236 ~~to state institutions of higher education shall not be used~~ to enter into a lease or to purchase a vehicle assembled or manufactured outside of the United States, and that preference be given to vehicles assembled or manufactured in Michigan.

Sec. 241. (1) ~~The~~**SUBJECT TO SECTION 265A, THE** funds appropriated in section 236 to public universities shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 11 equal monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, ~~2011~~**2012**. Except for Wayne State University, each institution shall accrue its July and August ~~2012~~**2013** payments to its institutional fiscal year ending June 30, ~~2012~~**2013**.

(2) All public universities shall submit higher education institutional data inventory (HEIDI) data and associated financial and program information requested by and in a manner prescribed by the state budget director. For public universities with fiscal years ending June 30, ~~2011~~**2012**, these data shall be submitted to the state budget director by October 15, ~~2011~~**2012**. Public universities with a fiscal year ending September 30, ~~2011~~**2012** shall submit preliminary HEIDI data by November 15, ~~2011~~**2012** and final data by December 15, ~~2011~~**2012**. If a public university fails to submit HEIDI data and associated financial aid program information in accordance with this reporting schedule, the state treasurer shall withhold the monthly installments under subsection (1) to the public university until those data are submitted.

Sec. 242. Funds received by the state from the federal government or private sources for the use of a college or university are appropriated for the purposes for which they are provided. The acceptance and use of federal or private funds do not place an obligation ~~upon~~**ON** the legislature to continue the purposes for which the funds are made available.

Sec. 243. ~~A~~**EACH** public university that receives funds under this article shall furnish all program and financial information that is required by and in a manner prescribed by the state budget director or the house or senate appropriations committee.

Sec. 244. A public university receiving funds in section 236 shall cooperate with all measures taken by the state to ~~establish a~~**DEVELOP, OPERATE, AND MAINTAIN THE** statewide P-20 education longitudinal data system ~~to comply with the state fiscal stabilization fund provisions of the American recovery and reinvestment act of 2009, Public Law 111-5~~**DESCRIBED IN SECTION 94A. IF THE STATE BUDGET DIRECTOR FINDS THAT A UNIVERSITY HAS NOT COMPLIED WITH THIS SECTION, THE STATE BUDGET DIRECTOR IS AUTHORIZED TO WITHHOLD THE MONTHLY INSTALLMENTS PROVIDED TO THAT UNIVERSITY UNDER SECTION 236 UNTIL HE OR SHE FINDS THE UNIVERSITY HAS COMPLIED WITH THIS SECTION.**

Sec. 245. From the funds appropriated in section 236, each public university shall develop, post, and maintain, on a user-friendly and publicly accessible Internet site, a comprehensive report categorizing all institutional general fund expenditures made by the university within a fiscal year. The report shall include institutional general fund expenditure amounts categorized both by each academic unit, administrative unit, or external initiative within the university and by major expenditure category, including faculty and staff salaries and fringe benefits, facility-related costs, supplies and equipment, contracts, and transfers to and from other university funds. The report shall also include a list of all employee positions funded partially or wholly through institutional general fund revenue that includes the position title, name, and annual salary or wage amount for each position. The university shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that financial information.

(1) WITHIN 30 DAYS AFTER THE BOARD OF A PUBLIC UNIVERSITY ADOPTS ITS ANNUAL OPERATING BUDGET FOR THE FOLLOWING SCHOOL FISCAL YEAR, OR AFTER THE BOARD ADOPTS A SUBSEQUENT REVISION TO THAT BUDGET, THE PUBLIC UNIVERSITY SHALL MAKE ALL OF THE FOLLOWING AVAILABLE THROUGH A LINK ON ITS WEBSITE HOMEPAGE IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET:

(A) THE ANNUAL OPERATING BUDGET AND SUBSEQUENT BUDGET REVISIONS.

(B) A SUMMARY OF CURRENT EXPENDITURES FOR THE MOST RECENT FISCAL YEAR FOR WHICH THEY ARE AVAILABLE, EXPRESSED AS PIE CHARTS IN THE FOLLOWING 2 CATEGORIES:

(i) A CHART OF PERSONNEL EXPENDITURES, BROKEN INTO THE FOLLOWING SUBCATEGORIES:

(A) EARNINGS AND WAGES.

(B) EMPLOYEE BENEFIT COSTS, INCLUDING, BUT NOT LIMITED TO, MEDICAL, DENTAL, VISION, LIFE, DISABILITY, AND LONG-TERM CARE BENEFITS.

(C) RETIREMENT BENEFIT COSTS.

(D) ALL OTHER PERSONNEL COSTS.

(ii) A CHART OF ALL CURRENT EXPENDITURES THE PUBLIC UNIVERSITY REPORTED AS PART OF ITS HIGHER EDUCATION INSTITUTIONAL DATA INVENTORY DATA UNDER SECTION 241(2), BROKEN INTO THE SAME SUBCATEGORIES IN WHICH IT REPORTED THOSE DATA.

(C) LINKS TO ALL OF THE FOLLOWING FOR THE PUBLIC UNIVERSITY:

(i) THE CURRENT COLLECTIVE BARGAINING AGREEMENT FOR EACH BARGAINING UNIT.

(ii) EACH HEALTH CARE BENEFITS PLAN, INCLUDING, BUT NOT LIMITED TO, MEDICAL, DENTAL, VISION, DISABILITY, LONG-TERM CARE, OR ANY OTHER TYPE OF BENEFITS THAT WOULD CONSTITUTE HEALTH CARE SERVICES, OFFERED TO ANY BARGAINING UNIT OR EMPLOYEE OF THE PUBLIC UNIVERSITY.

(iii) AUDITS AND FINANCIAL REPORTS FOR THE MOST RECENT FISCAL YEAR FOR WHICH THEY ARE AVAILABLE.

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

(D) A LIST OF ALL POSITIONS FUNDED PARTIALLY OR WHOLLY THROUGH INSTITUTIONAL GENERAL FUND REVENUE THAT INCLUDES THE POSITION TITLE, NAME, AND ANNUAL SALARY OR WAGE AMOUNT FOR EACH POSITION.

(2) A PUBLIC UNIVERSITY SHALL PROVIDE A DASHBOARD OR REPORT CARD DEMONSTRATING THE UNIVERSITY'S PERFORMANCE IN SEVERAL "BEST PRACTICE" MEASURES. THE DASHBOARD OR REPORT CARD SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING FOR THE 3 MOST RECENT SCHOOL YEARS FOR WHICH THE DATA ARE AVAILABLE:

(A) ENROLLMENT.

(B) STUDENT RETENTION RATE.

(C) SIX-YEAR GRADUATION RATES.

(D) NUMBER OF PELL GRANT RECIPIENTS.

(E) GEOGRAPHIC ORIGINATION OF STUDENTS, CATEGORIZED AS IN-STATE, OUT-OF-STATE, AND INTERNATIONAL.

(F) FACULTY TO STUDENT RATIOS AND TOTAL UNIVERSITY EMPLOYEE TO STUDENT RATIOS.

(G) TEACHING LOAD BY FACULTY CLASSIFICATION.

(H) GRADUATION OUTCOME RATES, INCLUDING EMPLOYMENT AND CONTINUING EDUCATION.

(3) FOR STATEWIDE CONSISTENCY AND PUBLIC VISIBILITY, PUBLIC UNIVERSITIES MUST USE THE ICON BADGE PROVIDED BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET CONSISTENT WITH THE ICON BADGE DEVELOPED BY THE DEPARTMENT OF EDUCATION FOR K-12 SCHOOL DISTRICTS. IT MUST APPEAR ON THE FRONT OF EACH PUBLIC UNIVERSITY'S HOMEPAGE. THE SIZE OF THE ICON MAY BE REDUCED TO 150 X 150 PIXELS. THE FONT SIZE AND STYLE FOR THIS REPORTING MUST BE CONSISTENT WITH OTHER DOCUMENTS ON EACH UNIVERSITY'S WEBSITE. TO BE IN COMPLIANCE WITH THIS SECTION, ALL DATA ELEMENTS DEFINED IN THIS SECTION MUST BE AVAILABLE ON THE UNIVERSITY'S HOMEPAGE, IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET, BY DECEMBER 31, 2012.

(4) THE STATE BUDGET DIRECTOR SHALL DETERMINE WHETHER A PUBLIC UNIVERSITY HAS COMPLIED WITH THIS SECTION. THE STATE BUDGET DIRECTOR MAY WITHHOLD A PUBLIC UNIVERSITY'S MONTHLY INSTALLMENTS DESCRIBED IN SECTION 241 UNTIL THE PUBLIC UNIVERSITY COMPLIES WITH THIS SECTION.

SEC. 246. (1) THE FUNDS APPROPRIATED IN SECTION 236(4) FOR MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM REIMBURSEMENT SHALL BE ALLOCATED TO EACH PARTICIPATING PUBLIC UNIVERSITY UNDER THIS SECTION BASED ON EACH PARTICIPATING PUBLIC UNIVERSITY'S TOTAL RETIREE HEALTH CARE PREMIUMS PAID FOR MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM RETIRANTS IN PROPORTION TO THE TOTAL RETIREE HEALTH CARE PREMIUMS PAID FOR MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM RETIRANTS FOR ALL PARTICIPATING PUBLIC UNIVERSITIES FOR THE IMMEDIATELY PRECEDING STATE FISCAL YEAR. PAYMENTS SHALL BE MADE IN A FORM AND MANNER DETERMINED BY THE OFFICE OF RETIREMENT SERVICES. A PUBLIC UNIVERSITY THAT RECEIVES MONEY UNDER THIS SECTION SHALL USE THAT MONEY SOLELY FOR THE PURPOSE OF OFFSETTING A PORTION OF THE RETIREMENT CONTRIBUTIONS OWED BY THE UNIVERSITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013.

(2) AS USED IN THIS SECTION, "PARTICIPATING PUBLIC UNIVERSITY" MEANS A PUBLIC UNIVERSITY THAT IS A REPORTING UNIT OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1408, AND THAT PAYS RETIREE HEALTH CARE PREMIUMS TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM FOR THE STATE FISCAL YEAR.

Sec. 251. (1) Payments of the amounts included in section 236 for the state competitive scholarship program shall be distributed pursuant to 1964 PA 208, MCL 390.971 to 390.981.

(2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the department of treasury shall determine an actual maximum state competitive scholarship award per student, which shall be ~~no~~ **NOT** less than ~~\$600.00~~, **\$575.00**, that ensures that the aggregate payments for the state competitive scholarship program do not exceed the appropriation contained in section 236 for the state competitive scholarship program. If the department determines that insufficient funds are available to establish a maximum award amount equal to at least ~~\$600.00~~, **\$575.00**, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director regarding the estimated amount of additional funds necessary to establish a ~~\$600.00~~ **\$575.00** maximum award amount.

(3) The department of treasury shall implement a proportional competitive scholarship maximum award level for recipients enrolled less than full-time in a given semester or term.

(4) If a student who receives an award under this section has his or her tuition and fees paid under the Michigan educational trust program, pursuant to the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, and still has financial need, the funds awarded under this section may be used for educational expenses other than tuition and fees.

(5) If the department of treasury increases the maximum award per eligible student from that provided in the previous fiscal year, it shall not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the maximum grant shall be proportional for all eligible students receiving awards.

(6) Veterans administration benefits shall not be considered in determining eligibility for the award of scholarships under 1964 PA 208, MCL 390.971 to 390.981.

Sec. 252. (1) The amounts appropriated in section 236 for the state tuition grant program shall be distributed pursuant to 1966 PA 313, MCL 390.991 to 390.997a.

(2) Tuition grant awards shall be made to all eligible Michigan residents enrolled in undergraduate degree programs who apply before July 1, ~~2011~~ **2012** and who are qualified.

(3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and subject to subsection (7), the department of treasury shall determine an actual maximum tuition grant award per student, which shall be no less than \$1,512.00, that ensures that the aggregate payments for the tuition grant program do not exceed the appropriation contained in section 236 for the state tuition grant program. If the department determines that insufficient funds are available to establish a maximum award amount equal to at least \$1,512.00, the department shall immediately report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director regarding the estimated amount of additional funds necessary to establish a \$1,512.00 maximum award amount. **IF THE DEPARTMENT DETERMINES THAT SUFFICIENT FUNDS ARE AVAILABLE TO ESTABLISH A MAXIMUM AWARD AMOUNT EQUAL TO AT LEAST \$1,512.00, THE DEPARTMENT SHALL IMMEDIATELY REPORT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR REGARDING THE MAXIMUM AWARD AMOUNT ESTABLISHED AND THE PROJECTED AMOUNT OF ANY PROJECTED YEAR-END APPROPRIATION BALANCE BASED ON THAT MAXIMUM AWARD AMOUNT.** By December 15, ~~2011~~, **2012**, and again by February 1, ~~2012~~, **18, 2013**, the department shall analyze the status of award commitments, shall make any necessary adjustments, and shall confirm that those award commitments will not exceed the appropriation contained in section 236 for the tuition grant program. The determination and actions shall be reported to the state budget director and the house and senate fiscal agencies no later than **FINAL DAY OF February 15, 2012. OF EACH YEAR.** If award adjustments are necessary, the students shall be notified of the adjustment by ~~the third Monday in February.~~ **MARCH 4 OF EACH YEAR.**

(4) Any unexpended and unencumbered funds remaining on September 30, 2012 from the amounts appropriated in section 236 for the tuition grant program shall not lapse on September 30, 2012, but shall continue to be available for expenditure for tuition grants provided in the 2012-2013 fiscal year under a work project account. The use of these unexpended fiscal year 2011-2012 funds shall terminate at the end of the 2012-2013 fiscal year.

(5) The department of treasury shall continue a proportional tuition grant maximum award level for recipients enrolled less than full-time in a given semester or term.

(6) If the department of treasury increases the maximum award per eligible student from that provided in the previous fiscal year, it shall not have the effect of reducing the number of eligible students receiving awards in relation to the total number of eligible applicants. Any increase in the maximum grant shall be proportional for all eligible students receiving awards for fiscal year ~~2011-2012.~~ **2012-2013.**

(7) The department of treasury shall not award more than \$3,000,000.00 in tuition grants to eligible students enrolled in the same independent nonprofit college or university in this state. Any decrease in the maximum grant shall be proportional for all eligible students enrolled in that college or university, as determined by the department.

Sec. 253. The auditor general may audit selected enrollments, degrees, and awards at selected independent colleges and universities receiving awards **THAT ARE** administered by the department of treasury. The audits shall be based upon definitions and requirements established by the department of treasury, the state budget director, and the senate and house fiscal agencies. The auditor general shall accept the Free Application for Federal Student Aid (FAFSA) form as the standard of residency documentation.

Sec. 254. The sums appropriated in section 236 for the state competitive scholarship, tuition incentive, **AND** tuition grant ; ~~and Robert C. Byrd honors scholarship~~ programs shall be paid out of the state treasury and shall be distributed to the respective institutions under a quarterly payment system as follows: 50% shall be paid at the beginning of the state's first fiscal quarter, ~~and 50% at the beginning of the state's second fiscal quarter.~~ **30% DURING THE STATE'S SECOND FISCAL QUARTER, 10% DURING THE STATE'S THIRD FISCAL QUARTER, AND 10% DURING THE STATE'S FOURTH FISCAL QUARTER.**

Sec. 255. The department of treasury shall determine the needs analysis criteria for students to qualify for the state competitive scholarship program and tuition grant program. To be consistent with federal requirements, **THE DEPARTMENT OF TREASURY MAY TAKE** student wages ~~may be taken into~~ consideration when determining the amount of the award.

Sec. 256. (1) The funds appropriated in section 236 for the tuition incentive program shall be distributed as provided in this section and pursuant to the administrative procedures for the tuition incentive program of the department of treasury.

(2) As used in this section:

(a) "Phase I" means the first part of the tuition incentive assistance program defined as the academic period of 80 semester or 120 term credits, or less, leading to an associate degree or certificate.

(b) "Phase II" means the second part of the tuition incentive assistance program which provides assistance in the third and fourth year of 4-year degree programs.

(c) "Department" means the department of treasury.

(3) ~~A person~~ **AN INDIVIDUAL** shall meet the following basic criteria and financial thresholds to be eligible for tuition incentive benefits:

(a) To be eligible for phase I, ~~a person~~ **AN INDIVIDUAL** shall meet all of the following criteria:

(i) Apply for certification to the department before graduating from high school or completing the general education development (GED) certificate.

(ii) Be less than 20 years of age at the time of ~~high school graduation or~~ **HE OR SHE GRADUATES FROM HIGH SCHOOL WITH A DIPLOMA OR CERTIFICATE OF COMPLETION OR COMPLETES HIS OR HER GED completion.**

(iii) Be a United States citizen and a resident of Michigan according to institutional criteria.

(iv) Be at least a half-time student, earning less than 80 semester or 120 term credits at a participating educational institution within 4 years of high school graduation or GED certificate completion.

(v) Request information on filing a FAFSA.

(b) To be eligible for phase II, ~~a person~~ **AN INDIVIDUAL** shall meet either of the following criteria in addition to the criteria in subdivision (a):

(i) Complete at least 56 transferable semester or 84 transferable term credits.

(ii) Obtain an associate degree or certificate at a participating institution.

(c) To be eligible for phase I or phase II, ~~a person~~ **AN INDIVIDUAL** must not be incarcerated and must be financially eligible as determined by the department. ~~A person~~ **AN INDIVIDUAL** is financially eligible for the tuition incentive program if that ~~person~~ **HE OR SHE** was Medicaid-eligible **FOR MEDICAID FROM THE STATE OF MICHIGAN** for 24 months within the 36 months before application. **THE DEPARTMENT SHALL ACCEPT CERTIFICATION OF MEDICAID ELIGIBILITY ONLY FROM THE DEPARTMENT OF HUMAN SERVICES FOR THE PURPOSES OF VERIFYING IF A PERSON IS MEDICAID ELIGIBLE FOR 24 MONTHS WITHIN THE 36 MONTHS BEFORE APPLICATION.** Certification of eligibility may begin in the sixth grade. **AS USED IN THIS SUBDIVISION, "INCARCERATED" DOES NOT INCLUDE DETENTION OF A JUVENILE IN A STATE-OPERATED OR PRIVATELY OPERATED JUVENILE DETENTION FACILITY.**

(4) For phase I, the department shall provide payment on behalf of a person eligible under subsection (3). The department shall reject billings that are excessive or outside the guidelines for the type of educational institution.

(5) For phase I, all of the following apply:

(a) Payments for associate degree or certificate programs shall not be made for more than 80 semester or 120 term credits for any individual student at any participating institution.

(b) For persons enrolled at a Michigan community college, the department shall pay the current in-district tuition and mandatory fees. For persons residing in an area that is not included in any community college district, the out-of-district tuition rate may be authorized.

(c) For persons enrolled at a Michigan public university, the department shall pay lower division resident tuition and mandatory fees for the current year.

(d) For persons enrolled at a Michigan independent, nonprofit degree-granting college or university, or a Michigan federal tribally controlled community college, or Focus: HOPE, the department shall pay mandatory fees for the current year and a per-credit payment that does not exceed the average community college in-district per-credit tuition rate as reported on August 1, for the immediately preceding academic year.

(6) A person participating in phase II may be eligible for additional funds not to exceed \$500.00 per semester or \$400.00 per term up to a maximum of \$2,000.00 subject to the following conditions:

(a) Credits are earned in a 4-year program at a Michigan degree-granting 4-year college or university.

(b) The tuition reimbursement is for coursework completed within 30 months of completion of the phase I requirements.

(7) The department shall work closely with participating institutions to develop an application and eligibility determination process that will provide the highest level of participation and ensure that all requirements of the program are met.

(8) Applications for the tuition incentive program may be approved at any time after the student begins the sixth grade. If a determination of financial eligibility is made, that determination is valid as long as the student meets all other program requirements and conditions.

(9) Each institution shall ensure that all known available restricted grants for tuition and fees are used prior to billing the tuition incentive program for any portion of a student's tuition and fees.

(10) The department shall ensure that the tuition incentive program is well publicized and that eligible Medicaid clients are provided information on the program. The department shall provide the necessary funding and staff to fully operate the program.

Sec. 257. To enable the legislature and the state budget director to evaluate the appropriation needs of higher education, each independent college and university shall make available to the legislature or state budget director, upon request, data regarding grants for the preceding, current, and ~~ensuing~~-**FUTURE** fiscal years.

Sec. 258. By February 15 of each year, the department of treasury shall submit a report to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies for the preceding fiscal year on all student financial aid programs for which funds are appropriated in section 236. For each student financial aid program, the report shall include, but is not limited to, the total number of awards paid in the preceding fiscal year, the total dollar amount of those awards, and the number of students receiving awards and the total amount of those awards at each eligible postsecondary institution. To the extent information is available, the report shall also include information on ~~the average exam performance~~, household income, and other demographic characteristics of students receiving awards under each program and historical information on the number of awards and total award amounts for each program.

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

Sec. 263. (1) Included in the appropriation in section 236 for ~~agricultural experiment and cooperative extension~~ **MSU AGBIORESEARCH AND MSU EXTENSION** activities is \$5,628,100.00 for project GREEN. Project GREEN is intended to address critical regulatory, food safety, economic, and environmental problems faced by this state's plant-based agriculture, forestry, and processing industries. "GREEN" is an acronym for generating research and extension to meet environmental and economic needs.

(2) The department of agriculture and rural development and Michigan State University, in consultation with agricultural commodity groups and other interested parties, shall develop project GREEN and its program priorities.

~~(3) By September 30, 2012, Michigan State University shall submit a report to the house and senate appropriations subcommittees on agriculture and on higher education, the house and senate standing committees on agriculture, the house and senate fiscal agencies, and the state budget director for the preceding school fiscal year regarding expenditures and programmatic outcomes of the agricultural experiment station and cooperative extension service. The report shall include, but is not limited to:~~

~~(a) Total funds expended by the agricultural experiment station and cooperative extension service identified by state, local, private, federal, and university fund sources.~~

~~(b) The dollar amount of each project GREEN project and a review of each project's performance and accomplishments.~~

~~(c) The dollar amount of each bioeconomy research and development project and a review of each project's performance and accomplishments.~~

~~(d) The dollar amount and description of all other individual programs and services provided by the agricultural experiment station and cooperative extension service and a review of each project's performance and accomplishments.~~

~~(e) The number of businesses created or that had increased employment and the number of patents generated as a result of work conducted by the agricultural experiment station and cooperative extension service.~~

Sec. 263a. (1) Annually, in partnership with stakeholders of the agricultural experiment station and cooperative extension service, Michigan State University shall develop a set of research and extension priorities. As a part of this effort, Michigan State University and the department of agriculture and rural development, in partnership with the agriculture industry, shall convene a summit to set priorities for research and extension regarding production agriculture. **BY JANUARY 1, 2013, THE MICHIGAN STATE UNIVERSITY COLLEGE OF AGRICULTURE AND NATURAL RESOURCES, MSU EXTENSION, AND MSU AGBIORESEARCH, IN PARTNERSHIP WITH THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT AND OTHER STAKEHOLDERS, SHALL ESTABLISH A STRATEGIC GROWTH INITIATIVE FOR THE MICHIGAN FOOD AND AGRICULTURE INDUSTRY. THIS INITIATIVE SHALL ADDRESS THE FOLLOWING GOALS AS ESTABLISHED AT THE 2011 GOVERNOR'S SUMMIT FOR PRODUCTION AGRICULTURE:**

(A) INCREASING THE SECTOR'S TOTAL ECONOMIC IMPACT FROM TODAY'S \$71,000,000,000.00 TO \$100,000,000,000.00.

(B) DOUBLING MICHIGAN'S AGRICULTURAL EXPORTS FROM \$1,750,000,000.00 TO \$3,500,000,000.00.

(C) INCREASING JOBS IN THE FOOD AND AGRICULTURE SECTOR BY 10%.

(D) IMPROVING ACCESS BY MICHIGAN CONSUMERS TO HEALTHY FOODS BY 20%.

(2) THE INITIATIVE DESCRIBED IN SUBSECTION (1) SHALL BE PATTERNED AFTER PROJECT GREEN, SHALL EMPHASIZE PRIORITIES AS SET BY THE MICHIGAN FOOD AND AGRICULTURAL INDUSTRY, AND SHALL INCLUDE A COMMITMENT TO CONTINUOUS COMMUNICATION, INPUT, AND INTERACTION AMONG STAKEHOLDERS IN GOVERNMENT AND INDUSTRY AND AT MICHIGAN STATE UNIVERSITY. SIMILAR TO PROJECT GREEN, THE INITIATIVE SHALL ALSO INCLUDE A COMMITMENT TO COMMUNICATING RESULTS AND IMPACTS TO STAKEHOLDERS AND THE LEGISLATURE BASED ON A MUTUALLY ESTABLISHED SET OF METRICS DESIGNED TO ASSURE MSU EXTENSION AND AGBIORESEARCH PROGRAMS ARE CONTRIBUTING TO THE GOALS DESCRIBED IN SUBSECTION (1)(A) TO (D).

(3) ~~(2)~~ Not later than September 30, ~~2012~~, 2013, Michigan State University shall submit a report to the house and senate appropriations subcommittees on agriculture and on higher education, the house and senate standing committees on agriculture, the house and senate fiscal agencies, and the state budget director for the preceding school fiscal year detailing, but not limited to:

(a) Total funds expended by ~~the agricultural experiment station~~ MSU AGBIORESEARCH and by ~~the cooperative~~ MSU extension service identified by state, local, private, federal, and university fund sources.

(B) THE METRIC GOALS THAT WERE USED TO EVALUATE THE IMPACTS OF PROGRAMS OPERATED BY MSU EXTENSION AND MSU AGBIORESEARCH. IT IS THE INTENT OF THE LEGISLATURE THAT THE FOLLOWING METRIC GOALS WILL BE USED TO EVALUATE THE IMPACTS OF THOSE PROGRAMS:

(i) INCREASING THE NUMBER OF AGRICULTURE AND FOOD-RELATED FIRMS COLLABORATING WITH AND USING SERVICES OF RESEARCH AND EXTENSION FACULTY AND STAFF BY 3% PER YEAR.

(ii) INCREASING THE NUMBER OF INDIVIDUALS UTILIZING MSU EXTENSION'S EDUCATIONAL SERVICES BY 5% PER YEAR.

(iii) INCREASING EXTERNAL FUNDS GENERATED IN SUPPORT OF RESEARCH AND EXTENSION, BEYOND STATE APPROPRIATIONS, BY 10% OVER THE AMOUNTS GENERATED IN THE PAST 3 STATE FISCAL YEARS.

(C) ~~(b)~~ A review of major programs within both ~~the agricultural experiment station and the cooperative extension service with specific reference to accomplishments and impacts:~~ MSU AGBIORESEARCH AND MSU EXTENSION WITH SPECIFIC REFERENCE TO ACCOMPLISHMENTS, IMPACTS, AND THE METRICS DESCRIBED IN SUBDIVISION (B), INCLUDING A SPECIFIC ACCOUNTING OF PROJECT GREEN EXPENDITURES AND THE IMPACT OF THOSE EXPENDITURES.

Sec. 264. Included in the appropriation in section 236 for Michigan State University is \$80,000.00 for the Michigan future farmers of America association. This \$80,000.00 ~~appropriation~~ ALLOCATION shall not supplant any existing support that Michigan State University provides to the Michigan future farmers of America association.

Sec. 265. (1) ~~The amounts~~ PAYMENTS FROM THE AMOUNT appropriated in section ~~236~~ 236(3) for public university tuition restraint incentives shall only be paid MADE to a public university that certifies to the state budget director by August 31, ~~2011~~ 2012 that its board did not adopt an increase in tuition and fee rates for resident undergraduate students after February SEPTEMBER 1, 2011 for the ~~2010-2011~~ 2011-2012 academic year and that its board will not adopt an increase in tuition and fee rates for resident undergraduate students for the ~~2011-2012~~ 2012-2013 academic year that is greater than ~~the calculated average of annual statewide changes in tuition and fee rates for academic years 2006-2007 through 2010-2011, as determined by the state budget director.~~ 4.0%. As used in this subsection AND SUBSECTION (2):

(a) ~~"Fee"~~ SUBJECT TO SUBDIVISION (C), "FEE" means any board-authorized fee that will be paid by more than 1/2 of all resident undergraduate students at least once during their enrollment at a public university. A university increasing a fee that applies to a specific subset of students or courses shall provide sufficient information to prove that the increase applied to that subset will not cause the increase in the average amount of board-authorized total tuition and fees paid by resident undergraduate students in the ~~2011-2012~~ 2012-2013 academic year to exceed the limit established in this subsection.

(b) "Tuition and fee rate" means the average of FULL-TIME rates for all undergraduate classes, based on ~~the highest board-authorized rate for any semester during the academic year.~~ AN AVERAGE OF THE RATES AUTHORIZED BY THE UNIVERSITY BOARD AND ACTUALLY CHARGED TO STUDENTS, DEDUCTING ANY UNIFORMLY-EQUATED OR REFUNDED AMOUNTS, FOR THE 2 SEMESTERS WITH THE HIGHEST LEVELS OF FULL-TIME EQUATED RESIDENT UNDERGRADUATE ENROLLMENT DURING THE ACADEMIC YEAR.

(C) FOR PURPOSES OF SUBDIVISION (A), FOR A PUBLIC UNIVERSITY THAT COMPELS RESIDENT UNDERGRADUATE STUDENTS TO BE COVERED BY HEALTH INSURANCE AS A CONDITION TO ENROLL AT THE UNIVERSITY, "FEE" INCLUDES THE ANNUAL AMOUNT A STUDENT IS CHARGED FOR COVERAGE BY THE UNIVERSITY-AFFILIATED GROUP HEALTH INSURANCE POLICY IF HE OR SHE

DOES NOT PROVIDE PROOF THAT HE OR SHE IS OTHERWISE COVERED BY HEALTH INSURANCE. THIS SUBDIVISION DOES NOT APPLY TO LIMITED SUBSETS OF RESIDENT UNDERGRADUATE STUDENTS TO BE COVERED BY HEALTH INSURANCE FOR SPECIFIC REASONS OTHER THAN GENERAL ENROLLMENT AT THE UNIVERSITY.

(2) FOR PURPOSES OF SECTION 236(3), EACH PUBLIC UNIVERSITY'S ALLOCATION FOR TUITION RESTRAINT INCENTIVE SHALL BE DETERMINED AS FOLLOWS:

(A) CALCULATE AN ADJUSTMENT FOR EACH UNIVERSITY BY SUBTRACTING EACH UNIVERSITY'S REPORTED PERCENT CHANGE IN TUITION AND FEE RATES FOR ACADEMIC YEAR 2012-2013 FROM 4.1%. IF THE RESULT OF THE CALCULATION IN THIS SUBDIVISION IS LESS THAN 0.1%, THE UNIVERSITY IS NOT QUALIFIED TO RECEIVE AN ALLOCATION UNDER THIS SECTION. ALL CALCULATIONS UNDER THIS SUBDIVISION SHALL BE ROUNDED TO THE FIRST DECIMAL PLACE.

(B) FOR EACH QUALIFIED UNIVERSITY, DIVIDE THE UNIVERSITY'S ADJUSTMENT AS CALCULATED UNDER SUBDIVISION (A) BY THE SUM OF ALL ADJUSTMENTS FOR QUALIFYING UNIVERSITIES UNDER SUBDIVISION (A) AND THEN MULTIPLY THE RESULTING CALCULATION FOR EACH UNIVERSITY BY THE TOTAL AMOUNT AVAILABLE FOR TUITION RESTRAINT INCENTIVE FUNDING, ROUNDED TO THE NEAREST HUNDRED DOLLARS.

(3) (2)-The state budget director shall implement uniform reporting requirements to ensure that a public university receiving an appropriation under section 236-236(3) has satisfied the tuition restraint requirements of this section. The state budget director shall have the sole authority to determine if a public university has met the requirements of this section. Information reported by a public university to the state budget director under this subsection shall also be reported to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies.

(4) (3) In conjunction with the uniform reporting requirements established under subsection (2)-(3), each public university shall also report the following information to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director by August 31, 2011-2012:

(a) Actual OR ESTIMATED fiscal year 2010-2011-2011-2012 and budgeted fiscal year 2011-2012-2012-2013 total general fund tuition and fee revenue.

(b) Actual OR ESTIMATED fiscal year 2010-2011-2011-2012 and budgeted fiscal year 2011-2012-2012-2013 total general fund revenue.

(c) Actual OR ESTIMATED fiscal year 2010-2011-2011-2012 and budgeted fiscal year 2011-2012-2012-2013 general fund expenditures for student financial aid.

(d) Actual OR ESTIMATED fiscal year 2010-2011-2011-2012 and budgeted fiscal year 2011-2012-2012-2013 total general fund expenditures.

(e) Actual OR ESTIMATED fiscal year 2010-2011-2011-2012 and budgeted fiscal year 2011-2012-2012-2013 total fiscal year equated student enrollment.

SEC. 265A. (1) APPROPRIATIONS TO PUBLIC UNIVERSITIES IN SECTION 236 FOR PERFORMANCE FUNDING SHALL BE PAID ONLY TO A PUBLIC UNIVERSITY THAT COMPLIES WITH ALL OF THE FOLLOWING REQUIREMENTS:

(A) THE UNIVERSITY CERTIFIES TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2012, THAT, BY JANUARY 3, 2013, IT WILL BE PARTICIPATING IN REVERSE TRANSFER AGREEMENTS DESCRIBED IN SECTION 286 WITH AT LEAST 3 MICHIGAN COMMUNITY COLLEGES OR HAVE MADE A GOOD-FAITH EFFORT TO ENTER INTO REVERSE TRANSFER AGREEMENTS.

(B) THE UNIVERSITY CERTIFIES TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2012, THAT, BY JANUARY 3, 2013, IT WILL NOT CONSIDER WHETHER DUAL ENROLLMENT CREDITS EARNED BY AN INCOMING STUDENT WERE UTILIZED TOWARDS HIS OR HER HIGH SCHOOL GRADUATION REQUIREMENTS WHEN MAKING A DETERMINATION AS TO WHETHER THOSE CREDITS MAY BE USED BY THE STUDENT TOWARD COMPLETION OF A UNIVERSITY DEGREE OR CERTIFICATE PROGRAM.

(C) THE UNIVERSITY CERTIFIES TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2012 THAT THE UNIVERSITY PARTICIPATES IN THE MICHIGAN TRANSFER NETWORK CREATED AS PART OF THE MICHIGAN ASSOCIATION OF COLLEGIATE REGISTRARS AND ADMISSIONS OFFICERS TRANSFER AGREEMENT.

(2) ANY PERFORMANCE FUNDING AMOUNTS UNDER SECTION 236 THAT ARE NOT PAID TO A PUBLIC UNIVERSITY BECAUSE IT DID NOT COMPLY WITH 1 OR MORE REQUIREMENTS UNDER SUBSECTION (1)

ARE UNAPPROPRIATED AND REAPPROPRIATED FOR TUITION RESTRAINT FUNDING DESCRIBED IN SECTION 265.

(3) **THE STATE BUDGET DIRECTOR SHALL REPORT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION AND THE HOUSE AND SENATE FISCAL AGENCIES BY SEPTEMBER 17, 2012, REGARDING ANY PERFORMANCE FUNDING AMOUNTS NOT PAID TO A PUBLIC UNIVERSITY BECAUSE IT DID NOT COMPLY WITH 1 OR MORE REQUIREMENTS UNDER SUBSECTION (1) AND ANY REAPPROPRIATION OF FUNDS UNDER SUBSECTION (2).**

(4) **A UNIVERSITY THAT HAS NOT IMPLEMENTED THE POLICIES REQUIRED UNDER SUBSECTION (1)(A) AND (B) BY AUGUST 31, 2012, BUT CERTIFIES THAT IT WILL IMPLEMENT THOSE POLICIES BY JANUARY 3, 2013, SHALL RECERTIFY TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES BY JANUARY 3, 2013, THAT THE POLICIES HAVE BEEN FULLY IMPLEMENTED. FOR A UNIVERSITY THAT DOES NOT RECERTIFY THAT THE POLICIES HAVE BEEN FULLY IMPLEMENTED, THE PERFORMANCE FUNDING APPROPRIATED TO THAT UNIVERSITY IN SECTION 236 SHALL BE RETROACTIVELY WITHHELD AND UNAPPROPRIATED AND REAPPROPRIATED UNDER SUBSECTION (2).**

Sec. 267. All public universities shall submit the amount of tuition and fees actually charged to a full-time resident undergraduate student for academic year ~~2011-2012~~ **2012-2013** as part of their higher education institutional data inventory (HEIDI) data by August 31, ~~2011~~. **OF EACH YEAR.** A public university shall report any revisions for any semester of the reported academic year ~~2011-2012~~ **2012-2013** tuition and fee charges to HEIDI within 15 days of being adopted.

Sec. 268. For the fiscal year ending September 30, ~~2012~~, **2013**, it is the intent of the legislature that funds be allocated for unfunded North American Indian tuition waiver costs incurred by public universities under 1976 PA 174, MCL 390.1251 to 390.1253, from the general fund.

Sec. 269. ~~From~~ **FOR FISCAL YEAR 2012-2013, FROM** the amount appropriated in section 236 to Central Michigan University for operations, \$29,700.00 shall be paid to Saginaw Chippewa Tribal College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

Sec. 270. ~~From~~ **FOR FISCAL YEAR 2012-2013, FROM** the amount appropriated in section 236 to Lake Superior State University for operations, \$100,000.00 shall be paid to Bay Mills Community College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253.

Sec. 273. It is the intent of the legislature that each public university shall submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director by October 15, ~~2011~~, **2012**, on the university's efforts to accommodate the sincerely held religious beliefs of students enrolled in accredited counseling degree programs at the university.

SEC. 273A. (1) IT IS THE INTENT OF THE LEGISLATURE THAT A PUBLIC UNIVERSITY THAT RECEIVES FUNDS IN SECTION 236 SHALL NOT KNOWINGLY AND DIRECTLY USE ANY PORTION OF THOSE FUNDS TO BENEFIT A NONPROFIT WORKER TRAINING CENTER WHOSE DOCUMENTED ACTIVITIES INCLUDE COERCION THROUGH PROTEST, DEMONSTRATION, OR ORGANIZATION AGAINST A MICHIGAN BUSINESS.

(2) THIS SECTION DOES NOT LIMIT THE RIGHT OF A NONPROFIT WORKER TRAINING CENTER AND THE STUDENTS OR FACULTY OF A PUBLIC UNIVERSITY TO COMMUNICATE OR TO PEACEABLY ASSEMBLE.

Sec. 274. It is the intent of the legislature that each public university that has received a donation of human embryos that is subject to section 27 of article I of the state constitution of 1963, or that is conducting ongoing research using human embryonic stem cells derived from donated human embryos pursuant to section 27 of article I of the state constitution of 1963, shall submit a report to the director of the department of community health by December 1, ~~2011~~ that includes all of the following:

(a) The number of human embryos and the number of human embryo stem cell lines received by the university during fiscal year ~~2010-2011~~.

(b) The number of human embryos utilized for research purposes during fiscal year ~~2010-2011~~.

(c) The number of human embryo stem cell lines created from the embryos received during fiscal year ~~2010-2011~~.

(d) The number of donated human embryos being held in storage by the university as of September 30, ~~2011~~.

(e) The number of research projects using human embryonic stem cells derived from donated embryos being conducted by the university. **IT IS THE INTENT OF THE LEGISLATURE THAT PUBLIC AND PRIVATE ORGANIZATIONS THAT CONDUCT HUMAN EMBRYONIC STEM CELL DERIVATION SUBJECT TO SECTION 27 OF ARTICLE I OF THE STATE CONSTITUTION OF 1963 WILL PROVIDE INFORMATION TO THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY HEALTH BY DECEMBER 1, 2012 THAT INCLUDES ALL OF THE FOLLOWING:**

(A) DOCUMENTATION THAT THE ORGANIZATION CONDUCTING HUMAN EMBRYONIC STEM CELL DERIVATION IS CONDUCTING ITS ACTIVITIES IN COMPLIANCE WITH THE REQUIREMENTS OF

SECTION 27 OF ARTICLE I OF THE STATE CONSTITUTION OF 1963 AND ALL RELEVANT NATIONAL INSTITUTES OF HEALTH GUIDELINES PERTAINING TO EMBRYONIC STEM CELL DERIVATION.

(B) A LIST OF ALL HUMAN EMBRYONIC STEM CELL LINES SUBMITTED BY THE ORGANIZATION TO THE NATIONAL INSTITUTES OF HEALTH FOR INCLUSION IN THE HUMAN EMBRYONIC STEM CELL REGISTRY BEFORE AND DURING FISCAL YEAR 2011-2012, AND THE STATUS OF EACH SUBMISSION AS APPROVED, PENDING APPROVAL, OR REVIEW COMPLETED BUT NOT YET ACCEPTED.

(C) NUMBER OF HUMAN EMBRYONIC STEM CELL LINES DERIVED AND NOT SUBMITTED FOR INCLUSION IN THE HUMAN EMBRYONIC STEM CELL REGISTRY, BEFORE AND DURING FISCAL YEAR 2011-2012.

Sec. 274a. (1) It is the intent of the legislature that a public university ~~receiving~~ **THAT RECEIVES** funds in section 236 not provide health insurance or other fringe benefits for any adult coresident of an employee of the university who is not married to or a dependent of that employee or for any dependent of such an adult coresident.

(2) It is the intent of the legislature that each public university receiving funds in section 236 submit a report by December 1, ~~2011~~ **2012** to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director containing the number of individuals described in subsection (1) who received health insurance or other fringe benefits provided by the university in fiscal year ~~2010-2011~~ **2011-2012** and the cost to the university of providing those benefits.

Sec. 275. (1) It is the intent of the legislature that each public university receiving an appropriation in section 236 do all of the following:

(a) Meet the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, ~~title V of Public Law 110-252~~, 38 USC 3301 to 3324, including voluntary participation in the yellow ribbon GI education enhancement program established in that act in 38 USC 3317. By October 1 of each year, each public university shall report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the presidents council, state universities of Michigan on whether or not it has chosen to participate in the yellow ribbon GI education enhancement program. If at any time during the fiscal year a university participating in the yellow ribbon program chooses to leave the yellow ribbon program, it shall notify the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the presidents council, state universities of Michigan.

(b) Establish an on-campus veterans' liaison to provide information and assistance to all student veterans.

(c) Provide flexible enrollment application deadlines for all veterans.

(d) Include in its admission application process a specific question as to whether an applicant for admission is a veteran, an active member of the military, a member of the national guard or military reserves, or the spouse or dependent of a veteran, active member of the military, or member of the national guard or military reserves, in order to more quickly identify potential educational assistance available to that applicant.

(2) As used in this section, "veteran" means an honorably discharged veteran entitled to educational assistance under the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, ~~title V of Public Law 110-252~~, 38 USC 3301 to 3324.

Sec. 275a. Funds appropriated in section 236 shall not be used **BY A PUBLIC UNIVERSITY** to pay for the construction or maintenance of a self-liquidating project. A public university shall comply with the current use and finance requirements of the joint capital outlay subcommittee (JCOS) for any construction, renovation, or other capital outlay projects pursuant to JCOS policy. The appropriation in section 236 for a public university that fails to comply with JCOS reporting requirements shall be reduced by 1% for each violation.

Sec. 276. (1) Included in the appropriation **FOR FISCAL YEAR 2012-2013** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks future faculty program that is intended to increase the pool of academically or economically disadvantaged candidates pursuing faculty teaching careers in postsecondary education. Preference may not be given to applicants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage applications from applicants who would otherwise not adequately be represented in the graduate student and faculty populations. Each public university shall apply the percentage change applicable to every public university in the calculation of appropriations in section 236 to the amount of funds allocated to the future faculty program.

(2) The program shall be administered by each public university in a manner prescribed by the workforce development agency. The workforce development agency shall use a good faith effort standard to evaluate whether a fellowship is in default.

Sec. 277. (1) Included in the appropriation **FOR FISCAL YEAR 2012-2013** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college day program that is intended to introduce academically or economically disadvantaged schoolchildren to the potential of a college education. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) Individual program plans of each public university shall include a budget of equal contributions from this program, the participating public university, the participating school district, and the participating independent degree-granting college. College day funds shall not be expended to cover indirect costs. Not more than 20% of the university match shall be attributable

to indirect costs. Each public university shall apply the percentage change applicable to every public university in the calculation of appropriations in section 236 to the amount of funds allocated to the college day program.

(3) The program described in this section shall be administered by each public university in a manner prescribed by the workforce development agency.

Sec. 278. (1) Included in section 236 **FOR FISCAL YEAR 2012-2013** is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks select student support services program for developing academically or economically disadvantaged student retention programs for 4-year public and independent educational institutions in this state. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) An award made under this program to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the workforce development agency.

Sec. 279. (1) Included in section 236 **FOR FISCAL YEAR 2012-2013** is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college/university partnership program between 4-year public and independent colleges and universities and public community colleges, which is intended to increase the number of academically or economically disadvantaged students who transfer from community colleges into baccalaureate programs. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the transfer student population.

(2) The grants shall be made under the program described in this section to Michigan public and independent colleges and universities. An award to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the workforce development agency.

Sec. 280. (1) Included in the appropriation **FOR FISCAL YEAR 2012-2013** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks visiting professors program which is intended to increase the number of instructors in the classroom to provide role models for academically or economically disadvantaged students. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) The program described in this section shall be administered by the workforce development agency.

Sec. 281. (1) Included in the appropriation **FOR FISCAL YEAR 2012-2013** in section 236 is funding under the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the Morris Hood, Jr. educator development program which is intended to increase the number of academically or economically disadvantaged students who enroll in and complete K-12 teacher education programs at the baccalaureate level. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the teacher education student population.

(2) The program described in this section shall be administered by each state-approved teacher education institution in a manner prescribed by the workforce development agency.

(3) Approved teacher education institutions may and are encouraged to use student support services funding in coordination with the Morris Hood, Jr. funding to achieve the goals of the program described in this section.

Sec. 282. Each institution receiving funds under section 278, 279, or 281 shall notify the workforce development agency by April 15, ~~2012~~ **2013** as to whether it will expend by the end of its fiscal year the funds received under section 278, 279, or 281. Notwithstanding the award limitations in sections 278 and 279, the amount of funding reported as not being expended will be reallocated to the institutions that intend to expend all funding received under section 278, 279, or 281.

Sec. 283. (1) From the amount appropriated in section 236, the public universities shall systematically inform Michigan high schools regarding the academic status of students from each high school in a manner prescribed by the presidents council, state universities of Michigan in cooperation with the Michigan association of secondary school principals. **PUBLIC UNIVERSITIES SHALL ALSO WORK WITH THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION TO DESIGN AND IMPLEMENT A SYSTEMATIC APPROACH FOR ACCOMPLISHING THIS TASK.**

(2) The Michigan high schools shall systematically inform the public universities about the use of information received under this section in a manner prescribed by the Michigan association of secondary school principals in cooperation with the presidents council, state universities of Michigan.

Sec. 284. From the amount appropriated in section 236, the public universities shall inform Michigan community colleges regarding the academic status of community college transfer students in a manner prescribed by the presidents council, state universities of Michigan in cooperation with the Michigan community college association. **PUBLIC UNIVERSITIES SHALL ALSO WORK WITH THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION TO DESIGN AND IMPLEMENT A SYSTEMATIC APPROACH FOR ACCOMPLISHING THIS TASK.**

Sec. 285. Public universities shall work with the state community colleges to encourage the transfer of students from the community colleges to the public universities and to facilitate the transfer of credits from the community colleges to **THOSE** public universities.

Sec. 286. It is the intent of the legislature that public universities work with community colleges in the state to implement statewide reverse transfer agreements to increase the number of students that are awarded credentials of value upon completion of the necessary credits. ~~In doing so, the institutions should work collaboratively and cooperatively to remove administrative barriers that result in understating the academic attainment of Michigan's citizens.~~ It is the intent of the legislature that by August 1, 2012, ~~THESE~~ statewide agreements are in place between community colleges and public universities that **SHALL** enable students who have earned a significant number of credits at a community college and transfer to a baccalaureate granting institution before completing a degree to transfer the credits earned at the baccalaureate institution back to the community college in order to be awarded a credential of value.

Sec. 289. (1) The auditor general shall review higher education institutional data inventory (HEIDI) enrollment data submitted by all public universities **UNDER SECTION 241** and may perform audits of selected public universities if determined necessary. The review and audits shall be based upon the definitions, requirements, and uniform reporting categories established by the state budget director in consultation with the HEIDI advisory committee. The auditor general shall submit a report of findings to the house and senate appropriations committees and the state budget director no later than July 1, ~~2012.~~ **OF EACH YEAR.**

(2) Student credit hours reports shall not include the following:

(a) Student credit hours generated through instructional activity by faculty or staff in classrooms located outside Michigan, with the exception of instructional activity related to study-abroad programs or field programs.

(b) Student credit hours generated through distance learning instruction for students not eligible for the public university's in-state main campus resident tuition rate. However, in instances where a student is enrolled in distance education and non-distance education credit hours in a given term and the student's non-distance education enrollment is at a campus or site located within Michigan, student credit hours per the student's eligibility for in-state or out-of-state tuition rates may be reported.

(c) Student credit hours generated through credit by examination.

(d) Student credit hours generated through inmate prison programs regardless of teaching location.

(e) Student credit hours generated in new degree programs after January 1, 1975, that have not been specifically authorized for funding by the legislature, except spin-off programs converted from existing core programs that do all of the following:

(i) Represent new options, fields, or concentrations within existing programs.

(ii) Are consistent with the current institutional role and mission.

(iii) Are accommodated within the continuing funding base of the public university.

(iv) Do not require a new degree level beyond that which the public university is currently authorized to grant within that discipline or field.

(v) Do not require funding from the state other than that provided by the student credit hours generated within the program, either before program initiation or within the first 3 years of program operation.

(3) The auditor general shall periodically audit higher education institutional data inventory (HEIDI) data as submitted by the public universities **UNDER SECTION 241** for compliance with the definitions established by the state budget director in consultation with the HEIDI advisory committee for the HEIDI database.

(4) "Distance learning instruction" as used in subsection (2) means instruction that occurs solely in other than a traditional classroom setting where the student and instructor are in the same physical location and for which a student receives course credits and is charged tuition and fees. Examples of distance learning instruction are instruction delivered solely through the Internet, cable television, teleconference, or mail.

Sec. 290. (1) ~~Pursuant to~~ **FOR THE PURPOSES OF** section 289(2)(e), **THE LEGISLATURE AUTHORIZES THE** public universities ~~may~~ **TO** establish the following **NEW** degree programs:

(a) Bachelor's degree programs:

~~Central Michigan University, Athletic Training, B.S.A.T.~~

~~Grand Valley State University, Comprehensive Science and Arts for Teaching (CSAT), B.A./B.S.~~

~~Northern Michigan University, Fisheries and Wildlife Management, B.S.~~

~~Northern Michigan University, German Studies, Baccalaureate~~

~~Oakland University, Bachelor of Liberal Studies, B.A.~~

~~University of Michigan-Dearborn, Bio-Engineering, B.S.E.~~

~~University of Michigan-Dearborn, Integrated Science, B.S.~~

~~University of Michigan-Flint, Economics, B.S.~~

~~University of Michigan-Flint, Energy and Sustainable Systems, B.S.~~

~~University of Michigan-Flint, English with a Specialization in Linguistics, B.A.~~

~~Wayne State University, Astronomy, B.A.~~

~~Wayne State University, Biomedical Engineering, B.S.~~

CENTRAL MICHIGAN UNIVERSITY, COMPUTER ENGINEERING, B.S.

EASTERN MICHIGAN UNIVERSITY, INTERDISCIPLINARY ENVIRONMENTAL SCIENCE AND SOCIETY PROGRAM, B.S.

FERRIS STATE UNIVERSITY, GRAPHIC MEDIA MANAGEMENT, B.S.

FERRIS STATE UNIVERSITY, HEALTH CARE MARKETING, B.S.
FERRIS STATE UNIVERSITY, INSURANCE AND RISK MANAGEMENT, B.S.
GRAND VALLEY STATE UNIVERSITY, RELIGIOUS STUDIES, B.A./B.S.
MICHIGAN TECHNOLOGICAL UNIVERSITY, ENGINEERING MANAGEMENT, B.S.
OAKLAND UNIVERSITY, BIOMEDICAL SCIENCES, B.S.
OAKLAND UNIVERSITY, LIBERAL ARTS MAJOR IN CREATIVE WRITING, B.A.
UNIVERSITY OF MICHIGAN - ANN ARBOR, ENVIRONMENTAL ENGINEERING, B.S.E
UNIVERSITY OF MICHIGAN - DEARBORN, DIGITAL FORENSICS, B.S.
UNIVERSITY OF MICHIGAN - DEARBORN, READING - ELEMENTARY CERTIFICATION, B.A.
WAYNE STATE UNIVERSITY, INSTRUCTIONAL TECHNOLOGY, B.A./B.S.
WESTERN MICHIGAN UNIVERSITY, JAPANESE, B.A.
WESTERN MICHIGAN UNIVERSITY, E-BUSINESS MARKETING, B.B.A.
WESTERN MICHIGAN UNIVERSITY, HEALTH INFORMATICS AND INFORMATION MANAGEMENT, B.S./
B.B.A.

(b) Master's degree programs:

Eastern Michigan University, Teaching - Secondary Mathematics, M.A.

Michigan State University, Education for the Health Professions, M.A.

Michigan State University, Marketing Research, M.S.

Oakland University, Clinical Nurse Leadership, M.S.N.

Oakland University, Master of Arts Communication, M.A.C.

Oakland University, Mechatronics, M.S.

University of Michigan-Ann Arbor, Oral and Maxillofacial Pathology Program, M.S.

University of Michigan-Flint, Master of Public Health, M.P.H.

Wayne State University, Electric-Drive Vehicle Engineering, M.S.

Western Michigan University, Engineering (Chemical), M.S.

FERRIS STATE UNIVERSITY, INFORMATION SECURITY AND INTELLIGENCE, M.S.

MICHIGAN TECHNOLOGICAL UNIVERSITY, INTEGRATED GEOSPATIAL TECHNOLOGY, M.S.

MICHIGAN TECHNOLOGICAL UNIVERSITY, MEDICAL INFORMATICS, M.S.

OAKLAND UNIVERSITY, PSYCHOLOGY, M.S.

UNIVERSITY OF MICHIGAN - ANN ARBOR, ENTREPRENEURSHIP, MASTER'S

UNIVERSITY OF MICHIGAN - ANN ARBOR, JOINT MASTER'S DEGREE AND GRADUATE CERTIFICATE PROGRAM IN HEALTH INFORMATICS, MASTER'S

UNIVERSITY OF MICHIGAN - ANN ARBOR, MASTER'S OF ENGINEERING IN APPLIED CLIMATE, MASTER'S

UNIVERSITY OF MICHIGAN - ANN ARBOR, MASTER'S OF MEDICAL SCIENCE, M.M.S.

UNIVERSITY OF MICHIGAN - DEARBORN, BUSINESS ANALYTICS WITH A MAJOR IN BUSINESS ANALYTICS, M.S.

UNIVERSITY OF MICHIGAN - DEARBORN, SUPPLY CHAIN MANAGEMENT WITH MINOR IN SUPPLY CHAIN MANAGEMENT, M.S.

UNIVERSITY OF MICHIGAN - FLINT, ACCOUNTING, M.S.

UNIVERSITY OF MICHIGAN - FLINT, MASTER OF ARTS WITH CERTIFICATION PROGRAM, M.A.

UNIVERSITY OF MICHIGAN - FLINT, MATHEMATICS, M.A.

(c) Doctoral degree programs:

Central Michigan University, Doctor of Medicine, M.D.

Michigan Technological University, Environmental and Energy Policy, Ph.D.

Michigan Technological University, Geophysics, Ph.D.

Oakland University, Doctor of Medicine, M.D.

University of Michigan-Ann Arbor, Doctor of Nursing Practice, D.N.P.

University of Michigan-Ann Arbor, Doctoral Degree Granting Program in Cancer Biology, Doctoral

University of Michigan-Dearborn, Education Specialist, Ed.S.

University of Michigan-Flint, Doctor of Anesthesia Practice, Dr.A.P.

University of Michigan-Flint, Doctor of Occupational Therapy, Dr.O.T.

Western Michigan University, Engineering and Applied Sciences, Ph.D.

MICHIGAN STATE UNIVERSITY, DOCTOR OF NURSING PRACTICE, D.N.P.

MICHIGAN STATE UNIVERSITY, EDUCATIONAL LEADERSHIP, ED.D.

MICHIGAN TECHNOLOGICAL UNIVERSITY, BIOCHEMISTRY AND MOLECULAR BIOLOGY, PH.D.

NORTHERN MICHIGAN UNIVERSITY, DOCTOR OF NURSING PRACTICE, D.N.P.

**OAKLAND UNIVERSITY, EARLY EDUCATION AND INTERVENTION, ED.S.
 OAKLAND UNIVERSITY, PSYCHOLOGY, PH.D.
 SAGINAW VALLEY STATE UNIVERSITY, DOCTOR OF NURSING PRACTICE, D.N.P.
 UNIVERSITY OF MICHIGAN - ANN ARBOR, NUTRITIONAL SCIENCES, PH.D.**

(2) The listing of degree programs in subsection (1) does not constitute legislative intent to provide additional dollars for those programs.

(3) When submitting the listing of new degree programs for purposes of section 289(2)(e), the presidents council of state universities shall also provide a listing of degree programs that institutions of higher education will no longer offer in subsequent academic years.

Sec. 291. The auditor general may conduct performance audits of public universities receiving funds in section 236 during the fiscal year ending September 30, 2012 as the auditor general considers necessary.

Sec. 293. A public university receiving ~~THAT RECEIVES~~ funds under this article and also subject to the family educational rights and privacy act, (FERPA), 20 USC 1232g, 34 CFR part 99, shall, when requested, provide information from the records of a student to any ~~person or persons~~ **INDIVIDUAL OR INDIVIDUALS** to whom the student has authorized disclosure on a written consent form pursuant to 34 CFR 99.30.

SEC. 293A. IT IS THE INTENT OF THE LEGISLATURE THAT FISCAL YEAR 2012-2013 APPROPRIATIONS TO THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET FOR STATE BUILDING AUTHORITY RENT BE PROVIDED FOR THE STATE SHARE OF COSTS FOR PREVIOUSLY CONSTRUCTED CAPITAL PROJECTS FOR PUBLIC UNIVERSITIES. THESE APPROPRIATIONS FOR STATE BUILDING AUTHORITY RENT REPRESENT ADDITIONAL STATE GENERAL FUND SUPPORT PROVIDED TO PUBLIC UNIVERSITIES, AND THE FOLLOWING IS AN ESTIMATE OF THE AMOUNT OF THAT SUPPORT TO EACH UNIVERSITY:

- (A) CENTRAL MICHIGAN UNIVERSITY, \$9,100,100.00.**
- (B) EASTERN MICHIGAN UNIVERSITY, \$5,203,100.00.**
- (C) FERRIS STATE UNIVERSITY, \$6,322,100.00.**
- (D) GRAND VALLEY STATE UNIVERSITY, \$4,251,000.00.**
- (E) LAKE SUPERIOR STATE UNIVERSITY, \$910,000.00.**
- (F) MICHIGAN STATE UNIVERSITY, \$16,096,000.00.**
- (G) MICHIGAN TECHNOLOGICAL UNIVERSITY, \$7,645,600.00.**
- (H) NORTHERN MICHIGAN UNIVERSITY, \$7,450,000.00.**
- (I) OAKLAND UNIVERSITY, \$10,726,000.00.**
- (J) SAGINAW VALLEY STATE UNIVERSITY, \$9,774,000.00.**
- (K) UNIVERSITY OF MICHIGAN – ANN ARBOR, \$9,156,100.00.**
- (L) UNIVERSITY OF MICHIGAN – DEARBORN, \$6,294,000.00.**
- (M) UNIVERSITY OF MICHIGAN – FLINT, \$2,854,100.00.**
- (N) WAYNE STATE UNIVERSITY, \$13,000,100.00.**
- (O) WESTERN MICHIGAN UNIVERSITY, \$15,264,000.00.**

Enacting section 1. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for higher education for fiscal year 2012-2013 under article III of the state school aid act of 1979, 1979 PA 94, as amended by this amendatory act, is estimated at \$1,302,194,000.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2012-2013 is estimated at \$0.

Enacting section 2. Sections 237a, 240, 262, 266, 270a, 271, 272, 292, and 294 of the state school aid act of 1979, 1979 PA 94, MCL 388.1837a, 388.1840, 388.1862, 388.1866, 388.1870a, 388.1871, 388.1872, 388.1892, and 388.1894, are repealed effective October 1, 2012.

Enacting section 3. (1) Except as otherwise provided in subsection (2), this amendatory act takes effect October 1, 2012.

(2) Sections 252, 265, 265a, and 267 of the state school aid act of 1979, 1979 PA 94, MCL 388.1852, 388.1865, 388.1865a, and 388.1867, as amended by this amendatory act, take effect upon enactment of this amendatory act.

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

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, 291, and 293 (MCL 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864,

388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1890, 388.1891, and 388.1893), as added by 2011 PA 62, and by adding sections 236b, 237b, 246, 265a, 273a, and 293a; and to repeal acts and parts of acts.

Tonya Schuitmaker
Roger Kahn
Conferees for the Senate

Chuck Moss
Kevin Cotter
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Horn, Chair, reported
House Bill No. 5523, entitled

A bill to prohibit employers and educational institutions from requiring certain individuals to disclose information that allows access to certain social networking accounts; to prohibit employers and educational institutions from taking certain actions for failure to disclose information that allows access to certain social networking accounts; and to provide remedies.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Horn, Shirkey, Opsommer, Crawford, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Roy Schmidt, Stallworth, Santana, Irwin, Brunner, Cavanagh, Smiley, Switalski and Greimel

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Horn, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, June 5, 2012

Present: Reps. Horn, Shirkey, Opsommer, Crawford, Kowall, Jacobsen, McBroom, Nesbitt, Outman, Price, Zorn, Roy Schmidt, Stallworth, Santana, Irwin, Brunner, Cavanagh, Smiley, Switalski and Greimel

Absent: Rep. Franz

Excused: Rep. Franz

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Franz, Chair, reported

House Bill No. 5582, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3d (MCL 338.883d), as added by 1990 PA 246.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Zorn, Haines, Tyler, Callton, Hughes, Graves, Nathan, Darany, Smiley, Liss, Clemente and Greimel

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Franz, Chair, reported **House Bill No. 5583, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending section 25 (MCL 338.3535).

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Zorn, Haines, Tyler, Callton, Hughes, Graves, Nathan, Darany, Smiley, Liss, Clemente and Greimel

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Franz, Chair, reported **House Bill No. 5590, entitled**

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 6 (MCL 338.1056), as amended by 2002 PA 473.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Franz, Zorn, Haines, Tyler, Callton, Hughes, Graves, Nathan, Darany, Smiley, Liss, Clemente and Greimel

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Franz, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, June 5, 2012

Present: Reps. Franz, Zorn, Haines, Tyler, Callton, Hughes, Graves, Nathan, Darany, Smiley, Liss, Clemente and Greimel

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported **Senate Bill No. 248, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 2132 (MCL 324.503 and 324.2132), section 503 as amended by 2004 PA 587 and section 2132 as amended by 1998 PA 117.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes and Johnson

Nays: Reps. Haugh and Bledsoe

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported **Senate Bill No. 897, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48703 (MCL 324.48703), as amended by 2008 PA 291.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens
Nays: None

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported
Senate Bill No. 1045, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40111, 81101, and 81133 (MCL 324.40111, 324.81101, and 324.81133), section 40111 as added by 1995 PA 57, section 81101 as amended by 2009 PA 200, and section 81133 as amended by 2008 PA 365.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens
Nays: None

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported
House Resolution No. 285.

A resolution to declare June 9-17, 2012, as Aquatic Invasive Species Awareness Week in the state of Michigan.
(For text of resolution, see House Journal No. 55, p. 1239.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens
Nays: None

The Committee on Natural Resources, Tourism, and Outdoor Recreation, by Rep. Foster, Chair, reported
House Concurrent Resolution No. 56.

A concurrent resolution to declare June 9-17, 2012, as Aquatic Invasive Species Awareness Week in the state of Michigan.
(For text of concurrent resolution, see House Journal No. 55, p. 1239.)

With the recommendation that the concurrent resolution be adopted.

Favorable Roll Call

To Report Out:

Yeas: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Foster, Chair, of the Committee on Natural Resources, Tourism, and Outdoor Recreation, was received and read:

Meeting held on: Tuesday, June 5, 2012

Present: Reps. Foster, Huuki, Wayne Schmidt, Damrow, Hughes, Johnson, Pettalia, Haugh, Stapleton, Bledsoe and Slavens

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

House Bill No. 5437, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 32 (MCL 432.32), as amended by 1996 PA 13.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente and Townsend

Nays: None

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

House Bill No. 5461, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14c of chapter XVII (MCL 777.14c), as added by 2002 PA 29.

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

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente and Townsend

Nays: None

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

House Bill No. 5668, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 235 (MCL 257.217 and 257.235), section 217 as amended by 2005 PA 36 and section 235 as amended by 2002 PA 652, and by adding section 235b.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente and Townsend

Nays: None

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

Senate Bill No. 1106, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 46 (MCL 421.46), as amended by 2011 PA 269.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Farrington, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente and Townsend

Nays: Rep. Shirkey

The Committee on Commerce, by Rep. Wayne Schmidt, Chair, reported

Senate Bill No. 1107, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 13m (MCL 421.13m), as amended by 2011 PA 269.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente and Townsend

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wayne Schmidt, Chair, of the Committee on Commerce, was received and read:
Meeting held on: Tuesday, June 5, 2012

Present: Reps. Wayne Schmidt, Tyler, Gilbert, Knollenberg, Denby, Lund, Shirkey, Farrington, Glardon, Shaughnessy, Somerville, Zorn, Switalski, Bledsoe, Haugh, Barnett, Clemente, Townsend and Olumba

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 5497, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20934 (MCL 333.20934), as amended by 2000 PA 375.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin and Cavanagh

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

The Committee on Judiciary, by Rep. Walsh, Chair, reported

House Bill No. 5714, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 48 (MCL 24.248), as amended by 1999 PA 262.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

The Committee on Judiciary, by Rep. Walsh, Chair, reported

Senate Bill No. 1082, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212, 7401, 7402, 7403, and 7404 (MCL 333.7212, 333.7401, 333.7402, 333.7403, and 333.7404), section 7212 as amended by 2011 PA 88, sections 7401

and 7403 as amended by 2010 PA 352, section 7402 as amended by 2002 PA 710, and section 7404 as amended by 2010 PA 169, and by adding section 7417.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin, Cavanagh and Olumba

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Walsh, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Tuesday, June 5, 2012

Present: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Constan, Brown, Irwin, Cavanagh and Olumba

Absent: Reps. Meadows and Oakes

Excused: Reps. Meadows and Oakes

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kurtz, Chair, of the Committee on Families, Children, and Seniors, was received and read:

Meeting held on: Tuesday, June 5, 2012

Present: Reps. Kurtz, O'Brien, Haines, Hooker, Rendon, Slavens, Lane and Stapleton

Absent: Rep. Heise

Excused: Rep. Heise

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. McMillin, Chair, of the Committee on Oversight, Reform, and Ethics, was received and read:

Meeting held on: Tuesday, June 5, 2012

Present: Reps. McMillin, Jacobsen, Denby, Price, Bledsoe and Brown

Communications from State Officers

The following communication from the Department of Licensing and Regulatory Affairs was received and read:

June 1, 2012

The enclosed annual report, *Status of Telecommunications Competition in Michigan*, is submitted on behalf of the Michigan Public Service Commission in accordance with Section 103 of the Michigan Telecommunications Act. This report will be made available on the Commission's website at michigan.gov/mpsc. The purpose of this report is to describe the status of competition in telecommunications service in Michigan, including, but not limited to, the toll and local exchange markets in the state. The report includes information on the traditional wireline industry in Michigan, as well as information specific to Michigan on mobile wireless, Voice over Internet Protocol (VoIP) and broadband.

Sincerely,

John D. Quackenbush, Chairman

Michigan Public Service Commission

The communication was referred to the Clerk.

Introduction of Bills

Reps. MacGregor, Opsommer, Shaughnessy, McMillin, Jacobsen, Price and Franz introduced

House Bill No. 5725, entitled

A bill to amend 1984 PA 427, entitled "Municipal employees retirement act of 1984," by amending section 36 (MCL 38.1536), as amended by 2004 PA 490, and by adding section 41a.

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

Reps. Opsommer, MacGregor, Shaughnessy, Jacobsen, Price and Franz introduced

House Bill No. 5726, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 103, 305, and 503 (MCL 141.2103, 141.2305, and 141.2503) and by adding section 518.

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

Reps. Damrow, Daley, Muxlow, Johnson, Kowall, Callton, LaFontaine, Shaughnessy, Denby, Somerville, Agema, Huuki, Haines, O'Brien, Horn, Rendon, Jacobsen, MacGregor, McBroom, Foster, Opsommer, Kurtz, Wayne Schmidt, Graves, McMillin, Rogers, Hughes, Pscholka, Heise, Hooker, Potvin, Bumstead, Jenkins, Lyons, Walsh, MacMaster, Haveman, Yonker, Dillon, Liss, Brunner, Smiley, Slavens, Haugh, Darany, Gilbert, Knollenberg, Outman, Tyler, Shirkey, Cotter and Moss introduced

House Joint Resolution VV, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to establish a right to engage in farming and ranching practices.

The joint resolution was read a first time by its title and referred to the Committee on Agriculture.

Reps. Daley, Damrow, Muxlow, Johnson, Kowall, Callton, LaFontaine, Shaughnessy, Denby, Somerville, Agema, Huuki, Haines, O'Brien, Horn, Rendon, Jacobsen, MacGregor, McBroom, Foster, Opsommer, Kurtz, Wayne Schmidt, Graves, McMillin, Rogers, Hughes, Pscholka, Heise, Hooker, Potvin, Bumstead, Jenkins, Lyons, Walsh, MacMaster, Haveman, Yonker, Dillon, Liss, Brunner, Smiley, Slavens, Haugh, Darany, Gilbert, Knollenberg, Outman, Tyler, Shirkey, Cotter and Moss introduced

House Joint Resolution WW, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 29 to article I, to prohibit laws which abridge the right of farmers and ranchers to employ agricultural technology and modern livestock production and ranching practices.

The joint resolution was read a first time by its title and referred to the Committee on Agriculture.

Rep. Liss moved that the House adjourn.

The motion prevailed, the time being 4:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 6, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

