

No. 39
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
99th Legislature
REGULAR SESSION OF 2018

House Chamber, Lansing, Tuesday, April 24, 2018.

1:30 p.m.

The House was called to order by the Speaker.

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

| | | | |
|--------------------|---------------------|--------------------|--------------------|
| Afendoulis—present | Frederick—present | Kelly—present | Reilly—present |
| Albert—present | Garcia—present | Kesto—present | Rendon—present |
| Alexander—present | Garrett—e/d/s | Kosowski—present | Roberts—present |
| Allor—present | Gay-Dagnogo—present | LaFave—present | Robinson—present |
| Barrett—present | Geiss—present | LaGrand—present | Runestad—present |
| Bellino—present | Glenn—present | LaSata—present | Sabo—present |
| Bizon—present | Graves—present | Lasinski—present | Santana—present |
| Brann—present | Green—present | Lauwers—present | Scott—excused |
| Brinks—present | Greig—present | Leonard—present | Sheppard—present |
| Byrd—excused | Greimel—present | Leutheuser—present | Singh—present |
| Calley—present | Griffin—present | Liberati—present | Sneller—present |
| Cambensy—present | Guerra—present | Lilly—present | Sowerby—present |
| Camilleri—present | Hammoud—present | Love—present | Tedder—present |
| Canfield—present | Hauck—present | Lower—present | Theis—present |
| Chang—present | Hernandez—present | Lucido—present | VanderWall—present |
| Chatfield—present | Hertel—present | Marino—present | VanSingel—present |
| Chirkun—present | Hoadley—present | Maturen—present | Vaupel—present |
| Clemente—present | Hoitenga—present | McCready—present | VerHeulen—present |
| Cochran—present | Hornberger—present | Miller—present | Victory—present |
| Cole—present | Howell—present | Moss—present | Webber—present |
| Cox—present | Howrylak—present | Neeley—present | Wentworth—present |
| Crawford—present | Hughes—present | Noble—present | Whiteford—present |
| Dianda—present | Iden—present | Pagan—present | Wittenberg—present |
| Durhal—present | Inman—present | Pagel—present | Yancey—present |
| Elder—present | Johnson—present | Peterson—present | Yanez—present |
| Ellison—present | Jones—present | Phelps—present | Yaroach—present |
| Faris—present | Kahle—present | Rabhi—present | Zemke—present |
| Farrington—present | | | |

e/d/s = entered during session

Deacon John Fitzmaurice, Deacon of St. Mary's Catholic Church in St. Clair, offered the following invocation:

"Good and gracious God, we thank You for this day and the gift of our lives. Today we ask for special graces for our Michigan House of Representatives. May their work and their decisions be guided by the power of the Holy Spirit! May the legislation they inspire benefit the greater good of all people.

We pray for all of our citizens in the great state of Michigan. We pray that our children feel safe in their schools. We pray that those who are seeking employment find their true vocation. We especially remember all of those who are ill, their caregivers, the homeless and the hungry. We ask for special help as well for the depressed, the grieving, and all who are in need of mental health care.

We ask that You bless us in abundance to continue to watch over our state; rich in fresh water, resources and opportunities. We ask for good weather the rest of this spring and throughout the tourism season. We pray that this summer bring us heavenly experiences.

May the light of Christ fill us all on this special day as we continue to celebrate His resurrection as saving grace. We are in Thanksgiving as we remember how Christ shared His divinity with us and humbled Himself to share in our humanity.

Father in Heaven we know that You hear our prayers before we even say them. We humbly invoke Your help and ask that all of these prayers and the prayers in the silence of the hearts of those individuals assembled here today; to be granted through Christ Our Lord. Amen."

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

Rep. Greig moved that Reps. Byrd and Scott be excused from today's session.
The motion prevailed.

Motions and Resolutions

Reps. Noble, Allor, Brinks, Canfield, Chirkun, Cochran, Crawford, Faris, Gay-Dagnogo, Geiss, Greig, Howrylak, Jones, Kahle, Kelly, Love, Maturen, Rendon and Sneller offered the following resolution:

House Resolution No. 311.

A resolution to declare April 22-28, 2018, as Distracted Driving Awareness Week in the state of Michigan.

Whereas, Distracted driving claims the lives of thousands of people each year and causes hundreds of thousands of injuries; and

Whereas, The National Highway Traffic Safety Administration reports that 94 percent of car crashes are the result of driver error; and

Whereas, 2016 statistics show distracted driving crashes nationwide increased by 5.6% over 2015. 2016 Michigan statistics report there were 312,172 crashes and 980 fatal crashes, which is a 9.7 percent increase in fatalities from 2015. These figures showed that 16-17 year old drivers have the highest crash rate of any age group, as 10,652 Michigan teens were injured in vehicle crashes; and

Whereas, According to the Centers for Disease Control, in the United States, 9 people are killed and more than 1,000 are injured every day in crashes that are reported to involve distracted driving; and

Whereas, The improved health and well-being of Michigan citizens are a direct result of increased awareness about the dangers of distracted driving. Local communities across the state and the Michigan Teen Safe Driving Coalition are committed to reducing the number of traffic deaths and injuries in the state of Michigan by educating motorists and bringing awareness to dangerous driving behaviors; and

Whereas, The campaign against distracted driving has also been immensely aided by law enforcement efforts in Michigan. Programs and activities dedicated to informing individuals about distracted driving will greatly raise awareness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 22-28, 2018, as Distracted Driving Awareness Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Iden, Allor, Brinks, Canfield, Chirkun, Cochran, Faris, Gay-Dagnogo, Geiss, Greig, Howrylak, Jones, Kahle, Kelly, Love, Maturen, Rendon and Sneller offered the following resolution:

House Resolution No. 312.

A resolution to declare April 24, 2018, as Distracted Driving Awareness Day in the state of Michigan.

Whereas, Distracted driving is defined as any activity that could divert a person's attention away from the primary task of driving; and

Whereas, Distracted driving claims the lives of thousands of people each year and causes hundreds of thousands of injuries; and

Whereas, The National Highway Traffic Safety Administration reports that over 90% of car crashes are the result of driver error; and

Whereas, Although Michigan law prohibits drivers from reading, manually typing or sending a text message while driving, 41 percent of young adult drivers admitted to sending texts and emails on a regular basis while driving, according to a recent statewide telephone survey conducted for the Office of Highway Safety Planning; and

Whereas, According to a 2011 Centers for Disease Control and Prevention study, 69% of U.S. drivers ages 18-64 surveyed said they have talked on their phone while driving and 31% said they have read or sent email or text messages while driving; and

Whereas, The improved health and well-being of Michigan citizens are a direct result of increased awareness about the dangers of distracted driving; and

Whereas, The campaign against distracted driving has also been immensely aided by law enforcement efforts in Michigan; and

Whereas, A month dedicated to programs and activities about distracted driving will greatly raise awareness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 24, 2018, as Distracted Driving Awareness Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Iden, Allor, Canfield, Chirkun, Cochran, Crawford, Faris, Gay-Dagnogo, Geiss, Greig, Howrylak, Hughes, Jones, Kahle, Kelly, Love, Maturen, Rendon and Sneller offered the following resolution:

House Resolution No. 313.

A resolution to declare April 2018 as Junior Achievement Month in the state of Michigan.

Whereas, Junior Achievement is a not-for-profit organization that fosters partnerships between businesses and educators and uses hands-on curriculum to help young people understand the economics of life; and

Whereas, Junior Achievement's purpose is to inspire and prepare young people to succeed in a global economy; and

Whereas, Since Junior Achievement's creation in 1919, the program has reached more than 92 million students. It is devoted to its mission of ensuring that every child in America has a fundamental understanding of financial literacy and the free enterprise system; and

Whereas, Junior Achievement is designed to be taught in the classroom by business, parent, and community volunteers. Classroom volunteers make economic concepts relevant, fuel the entrepreneurial spirit, and challenge students to excel; and

Whereas, Junior Achievement has been primarily funded by the private sector of businesses, individuals, and foundations; and

Whereas, Junior Achievement brings volunteers into the classrooms to lead exciting hands-on activities in grades K-12. These activities show students the relevance of education to the workplace and help prepare them for secondary school and lifelong learning. Concepts and skills taught at each program level build on those learned in preceding grades; and

Whereas, Junior Achievement programs focus on developing and preparing young people for issues they will encounter in the economic and employment environment. Students are taught to use economics, business, and financial literacy to prepare for and improve their quality of life; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2018 as Junior Achievement Month in the state of Michigan.

The question being on the adoption of the resolution,

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

Substitute for House Resolution No. 313.

A resolution to declare April 22-28, 2018, as Junior Achievement Week in the state of Michigan.

Whereas, Junior Achievement is a not-for-profit organization that fosters partnerships between businesses and educators and uses hands-on curriculum to help young people understand the economics of life; and

Whereas, Junior Achievement's purpose is to inspire and prepare young people to succeed in a global economy; and

Whereas, Since Junior Achievement's creation in 1919, the program has reached more than 92 million students. It is devoted to its mission of ensuring that every child in America has a fundamental understanding of financial literacy and the free enterprise system; and

Whereas, Junior Achievement is designed to be taught in the classroom by business, parent, and community volunteers. Classroom volunteers make economic concepts relevant, fuel the entrepreneurial spirit, and challenge students to excel; and
Whereas, Junior Achievement has been primarily funded by the private sector of businesses, individuals, and foundations; and

Whereas, Junior Achievement brings volunteers into the classrooms to lead exciting hands-on activities in grades K-12. These activities show students the relevance of education to the workplace and help prepare them for secondary school and lifelong learning. Concepts and skills taught at each program level build on those learned in preceding grades; and

Whereas, Junior Achievement programs focus on developing and preparing young people for issues they will encounter in the economic and employment environment. Students are taught to use economics, business, and financial literacy to prepare for and improve their quality of life; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 22-28, 2018, as Junior Achievement Week in the state of Michigan.

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.

Reps. Cochran, Gay-Dagnogo, Allor, Brinks, Chirkun, Clemente, Elder, Faris, Geiss, Greig, Howrylak, Hughes, Jones, Kahle, Kelly, Love, Maturen, Rendon, Sneller, Sowerby and Wittenberg offered the following resolution:

House Resolution No. 314.

A resolution to declare April 25, 2018, as Suits and Sneakers Day in the state of Michigan.

Whereas, The Coaches vs. Cancer program is a nationwide collaboration between the American Cancer Society and the National Association of Basketball Coaches, leveraging the personal experiences, community leadership, and professional excellence of coaches nationwide to increase cancer awareness and promote healthy living through year-round awareness efforts, fundraising activities, and advocacy programs; and

Whereas, The American Cancer Society saves lives and creates a world with more birthdays by helping people stay well, helping people get well, finding cures, and fighting back in partnership with its nonpartisan advocacy affiliate, the American Cancer Society Cancer Action Network; and

Whereas, More than 57,000 Michiganders will be newly-diagnosed with cancer in 2018; and

Whereas, Cancer patients face countless challenges associated with their diagnoses, including physical, emotional, financial, and day-to-day challenges; and

Whereas, Since 1993, coaches and their supporters have raised more than \$87 million for the American Cancer Society to help make the American Cancer Society's services and programs available to those who need them the most; and

Whereas, During January 22-28, 2018, the Coaches vs. Cancer Suits And Sneakers awareness nationwide effort united coaches across the country to wear sneakers with their game attire while coaching games. It also encourages lawmakers and others to similarly wear suits and sneakers to raise awareness about the fight against cancer, share the importance of nutrition and physical activity in reducing one's cancer risk, and promote the American Cancer Society as a resource for help and support; and

Whereas, The Coaches vs. Cancer Suits And Sneakers effort saw Michigan coaches join together with their fellow coaches nationwide, as well as thousands of volunteers for the American Cancer Society and the American Cancer Society Cancer Action Network, to advocate on behalf of cancer patients, survivors, and caregivers so that one day cancer will be eliminated as a major public health issue; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 25, 2018, as Suits and Sneakers Day in the state of Michigan; and be it further

Resolved, That we urge all Michiganders to use this day as an opportunity to educate themselves about cancer and take proactive steps to reduce their risks and get appropriate screenings.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sabo and VanSingel offered the following resolution:

House Resolution No. 315.

A resolution to support habitat protection and conservation plans for the Karner blue butterfly.

Whereas, The Karner blue butterfly is a small, blue butterfly found in southern counties in the Lower Peninsula and only in small populations in five other states. The caterpillars of the Karner blue butterfly feed only on blue lupine leaves and flowers. Adult Karner blue butterflies feed on the nectar of several flowers, including the blue lupine; and

Whereas, The Karner blue butterfly is listed as an endangered species by the federal government and as threatened in Michigan. The oak savannas and pine barren ecosystems necessary for the survival of the Karner blue butterfly, lupine, and other unique plant and animal species have become one of the rarest habitats in the world. These habitats are declining in Michigan due to fire suppression and property development. Without fire, these open areas become cluttered with trees and shrubs that prevent the lupine and other necessary plants from growing; and

Whereas, Prescribed fire and other habitat management efforts are needed to maintain Karner blue butterfly habitat. The Michigan Department of Natural Resources has received approval from the U.S. Fish and Wildlife Service for its habitat conservation plan for the Karner blue butterfly. The plan encourages land managers in Michigan to manage their lands to sustain populations of Karner blue butterflies; and

Whereas, Restoring oak savannas and pine barrens in Michigan will result not only in the recovery of Karner blue butterflies, but will also stabilize and enhance populations of other plants and animals that are beneficial to humans as sources of food or medicine; now, therefore, be it

Resolved by the House of Representatives, That we support habitat protection and conservation plans for the Karner blue butterfly, a unique and important part of Michigan's ecosystem.

The resolution was referred to the Committee on Natural Resources.

Reps. Kesto, Allor, Canfield, Chirkun, Clemente, Cochran, Crawford, Elder, Gay-Dagnogo, Geiss, Greig, Howrylak, Hughes, Jones, Kahle, Kelly, Love, Maturen and Rendon offered the following resolution:

House Resolution No. 316.

A resolution to declare April 24, 2018, as a Day of Remembrance in the state of Michigan for the Armenian Genocide of 1915-1923.

Whereas, Michigan Armenian churches have been involved in numerous charity and community drives across the state, including, but not limited to, providing college scholarships for deserving students and serving Armenian refugee communities across the state; and

Whereas, Between 1915-1923, Armenians were subject to torture, starvation, mass murder, and exile from their historic homeland. Over 1.5 million Armenians lost their lives. The bulk of the Armenian population was displaced from their homes and forced to escape to neighboring and far away communities. Many refugees fled to the United States. Today, Michigan is honored to be home to a vibrant Armenian-American population. This thriving community is a proud reminder of the survival and determination even in the face of extreme injustices. The Armenian Genocide represented a deliberate attempt by the Ottoman Empire to eliminate all traces of a thriving, noble civilization; and

Whereas, Armenian communities all over the world commemorate this tragedy on April 24. On this day, we honor the victims and survivors of the genocide and reaffirm our commitment to preventing future atrocities from being committed against any people; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 24, 2018, as a Day of Remembrance in the state of Michigan for the Armenian Genocide of 1915-1923.

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4628, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 10a.

(The bill was received from the Senate on April 19, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 38, p. 685.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 237

Yeas—106

| | | | |
|------------|-------------|------------|----------|
| Afendoulis | Frederick | Kesto | Reilly |
| Albert | Garcia | Kosowski | Rendon |
| Alexander | Gay-Dagnogo | LaFave | Roberts |
| Allor | Geiss | LaGrand | Robinson |
| Barrett | Glenn | LaSata | Runestad |
| Bellino | Graves | Lasinski | Sabo |
| Bizon | Green | Lauwers | Santana |
| Brann | Greig | Leonard | Sheppard |
| Brinks | Greimel | Leutheuser | Singh |

| | | | |
|------------|------------|----------|------------|
| Calley | Griffin | Liberati | Sneller |
| Cambensy | Guerra | Lilly | Sowerby |
| Camilleri | Hammoud | Love | Tedder |
| Canfield | Hauck | Lower | Theis |
| Chang | Hernandez | Lucido | VanderWall |
| Chatfield | Hertel | Marino | VanSingel |
| Chirkun | Hoadley | Maturen | Vaupel |
| Clemente | Hoitenga | McCready | VerHeulen |
| Cochran | Hornberger | Miller | Victory |
| Cole | Howell | Moss | Webber |
| Cox | Howrylak | Neeley | Wentworth |
| Crawford | Hughes | Noble | Whiteford |
| Dianda | Iden | Pagan | Wittenberg |
| Durhal | Inman | Pagel | Yancey |
| Elder | Johnson | Peterson | Yanez |
| Ellison | Jones | Phelps | Yaroch |
| Faris | Kahle | Rabhi | Zemke |
| Farrington | Kelly | | |

Nays—0

In The Chair: Tedder

The House agreed to the title as amended.

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

Rep. Garrett entered the House Chambers.

The Speaker laid before the House

House Bill No. 4945, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 657a (MCL 257.657a), as added by 2014 PA 491.

(The bill was received from the Senate on April 19, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 38, p. 685.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Chirkun moved to amend the Senate substitute (S-1) as follows:

1. Amend page 7, line 5, after “**710E.**” by inserting “**A VILLAGE, CITY, OR TOWNSHIP THAT REQUIRES A GOLF CART REGISTERED WITHIN ITS JURISDICTION TO MEET THE SAFETY REQUIREMENT DESCRIBED IN THIS SUBDIVISION SHALL REQUIRE A CHILD DESCRIBED IN SECTION 710E(3)(A) TO BE RESTRAINED AS PROVIDED IN SECTION 710E(3)(A) WHILE THE CHILD IS A PASSENGER IN A GOLF CART, AND MAY REQUIRE A CHILD DESCRIBED IN SECTION 710E(3)(B) TO BE RESTRAINED USING A SAFETY BELT WHILE THE CHILD IS A PASSENGER IN A GOLF CART.**”.

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

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 238

Yeas—67

| | | | |
|-----------|--------|----------|---------|
| Albert | Garcia | Kelly | Rendon |
| Alexander | Geiss | Kosowski | Roberts |

| | | | |
|------------|------------|------------|------------|
| Allor | Glenn | LaFave | Runestad |
| Barrett | Graves | LaSata | Sheppard |
| Bellino | Greig | Lauwers | Sneller |
| Brann | Griffin | Leonard | Tedder |
| Calley | Hauck | Leutheuser | Theis |
| Canfield | Hernandez | Lilly | VanderWall |
| Chang | Hoadley | Lower | VanSingel |
| Chatfield | Hoitenga | Lucido | Vaupel |
| Cole | Hornberger | Marino | VerHeulen |
| Cox | Howell | Maturen | Victory |
| Crawford | Howrylak | Miller | Webber |
| Dianda | Hughes | Noble | Wentworth |
| Durhal | Iden | Pagel | Whiteford |
| Farrington | Johnson | Phelps | Yaroch |
| Frederick | Kahle | Reilly | |

Nays—40

| | | | |
|------------|-------------|----------|------------|
| Afendoulis | Faris | Kesto | Rabhi |
| Bizon | Garrett | LaGrand | Robinson |
| Brinks | Gay-Dagnogo | Lasinski | Sabo |
| Cambensy | Green | Liberati | Santana |
| Camilleri | Greimel | Love | Singh |
| Chirkun | Guerra | McCready | Sowerby |
| Clemente | Hammoud | Moss | Wittenberg |
| Cochran | Hertel | Neeley | Yancey |
| Elder | Inman | Pagan | Yanez |
| Ellison | Jones | Peterson | Zemke |

In The Chair: Tedder

The House agreed to the full title.

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

Third Reading of Bills**House Bill No. 5085, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 221 (MCL 436.1221).

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

Roll Call No. 239**Yeas—104**

| | | | |
|------------|-------------|----------|----------|
| Afendoulis | Farrington | Kahle | Rabhi |
| Albert | Frederick | Kesto | Rendon |
| Alexander | Garcia | Kosowski | Roberts |
| Allor | Garrett | LaFave | Robinson |
| Barrett | Gay-Dagnogo | LaGrand | Runestad |
| Bellino | Geiss | LaSata | Sabo |
| Bizon | Glenn | Lasinski | Santana |
| Brann | Graves | Lauwers | Sheppard |
| Brinks | Green | Leonard | Singh |

| | | | |
|-----------|------------|------------|------------|
| Calley | Greig | Leutheuser | Sneller |
| Cambensy | Greimel | Liberati | Sowerby |
| Camilleri | Griffin | Lilly | Tedder |
| Canfield | Guerra | Love | Theis |
| Chang | Hammoud | Lower | VanderWall |
| Chatfield | Hauck | Lucido | VanSingel |
| Chirkun | Hernandez | Marino | Vaupel |
| Clemente | Hertel | Maturen | VerHeulen |
| Cochran | Hoadley | McCready | Victory |
| Cole | Hoitenga | Miller | Webber |
| Cox | Hornberger | Moss | Wentworth |
| Crawford | Howell | Neeley | Whiteford |
| Dianda | Howrylak | Noble | Wittenberg |
| Durhal | Hughes | Pagan | Yancey |
| Elder | Iden | Pagel | Yanez |
| Ellison | Inman | Peterson | Yaroch |
| Faris | Jones | Phelps | Zemke |

Nays—3

Johnson Kelly Reilly

In The Chair: Tedder

The House agreed to the title of the bill.

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

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

House Bill No. 5726, entitled

A bill to prohibit pyramid promotional schemes; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties and provide remedies.

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

Roll Call No. 240**Yeas—88**

| | | | |
|------------|------------|------------|------------|
| Afendoulis | Farrington | Kelly | Reilly |
| Albert | Frederick | Kesto | Rendon |
| Alexander | Garcia | Kosowski | Roberts |
| Allor | Geiss | LaFave | Runestad |
| Barrett | Glenn | LaSata | Sabo |
| Bellino | Graves | Lasinski | Sheppard |
| Bizon | Greig | Lauwers | Singh |
| Brann | Greimel | Leonard | Sneller |
| Brinks | Griffin | Leutheuser | Sowerby |
| Calley | Guerra | Liberati | Tedder |
| Cambensy | Hauck | Lilly | Theis |
| Camilleri | Hernandez | Lower | VanderWall |
| Canfield | Hoitenga | Lucido | VanSingel |
| Chang | Hornberger | Marino | Vaupel |
| Chatfield | Howell | Maturen | VerHeulen |
| Clemente | Howrylak | McCready | Victory |
| Cole | Hughes | Miller | Webber |
| Cox | Iden | Moss | Wentworth |

Crawford
Dianda
Durhal
Ellison

Inman
Johnson
Jones
Kahle

Noble
Pagel
Peterson
Phelps

Whiteford
Yanez
Yaroch
Zemke

Nays—19

Chirkun
Cochran
Elder
Faris
Garrett

Gay-Dagnogo
Green
Hammoud
Hertel
Hoadley

LaGrand
Love
Neeley
Pagan
Rabhi

Robinson
Santana
Wittenberg
Yancey

In The Chair: Tedder

The House agreed to the title of the bill.

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

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

House Bill No. 5727, entitled

A bill to amend 1974 PA 269, entitled “Franchise investment law,” by amending section 28 (MCL 445.1528).

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

Roll Call No. 241

Yeas—86

Afendoulis
Albert
Alexander
Allor
Barrett
Bellino
Bizon
Brann
Brinks
Calley
Cambensy
Camilleri
Canfield
Chang
Chatfield
Clemente
Cole
Cox
Crawford
Dianda
Durhal
Ellison

Farrington
Frederick
Garcia
Geiss
Glenn
Graves
Greig
Greimel
Griffin
Guerra
Hauck
Hernandez
Hoitenga
Hornberger
Howell
Howrylak
Hughes
Iden
Inman
Johnson
Jones
Kahle

Kelly
Kesto
Kosowski
LaFave
LaSata
Lauwers
Leonard
Leutheuser
Liberati
Lilly
Lower
Lucido
Marino
Maturen
McCready
Miller
Moss
Noble
Pagel
Peterson
Phelps

Reilly
Rendon
Roberts
Runestad
Sabo
Sheppard
Singh
Sneller
Sowerby
Tedder
Theis
VanderWall
VanSingel
Vaupel
VerHeulen
Victory
Webber
Wentworth
Whiteford
Yaroch
Zemke

Nays—21

Chirkun
Cochran

Green
Hammoud

Lasinski
Love

Robinson
Santana

Elder
Faris
Garrett
Gay-Dagnogo

Hertel
Hoadley
LaGrand

Neeley
Pagan
Rabhi

Wittenberg
Yancey
Yanez

In The Chair: Tedder

The House agreed to the title of the bill.

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

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

House Bill No. 5728, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2012 PA 187.

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

Roll Call No. 242

Yeas—96

Afendoulis
Albert
Alexander
Allor
Barrett
Bellino
Bizon
Brann
Brinks
Calley
Cambensy
Camilleri
Canfield
Chang
Chatfield
Chirkun
Clemente
Cole
Cox
Crawford
Dianda
Durhal
Elder
Ellison

Faris
Farrington
Frederick
Garcia
Geiss
Glenn
Graves
Green
Greig
Greimel
Griffin
Guerra
Hauck
Hernandez
Hertel
Hoadley
Hoitenga
Hornberger
Howell
Howrylak
Hughes
Iden
Inman
Johnson

Jones
Kahle
Kelly
Kesto
Kosowski
LaFave
LaSata
Lasinski
Lauwers
Leonard
Leutheuser
Liberati
Lilly
Lower
Lucido
Marino
Maturen
McCready
Miller
Moss
Neeley
Noble
Pagan
Pagel

Peterson
Phelps
Reilly
Rendon
Roberts
Runestad
Sabo
Sheppard
Singh
Sneller
Sowerby
Tedder
Theis
VanderWall
VanSingel
Vaupel
VerHeulen
Victory
Webber
Wentworth
Whiteford
Yanez
Yaroach
Zemke

Nays—11

Cochran
Garrett
Gay-Dagnogo

Hammoud
LaGrand
Love

Rabhi
Robinson
Santana

Wittenberg
Yancey

In The Chair: Tedder

The House agreed to the title of the bill.
Rep. Lauwers moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 5729, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 2 (MCL 445.902), as amended by 2006 PA 508.

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

Roll Call No. 243

Yeas—90

| | | | |
|------------|------------|------------|------------|
| Afendoulis | Frederick | Kesto | Reilly |
| Albert | Garcia | Kosowski | Rendon |
| Alexander | Geiss | LaFave | Roberts |
| Allor | Glenn | LaSata | Runestad |
| Barrett | Graves | Lasinski | Sabo |
| Bellino | Greig | Lauwers | Sheppard |
| Bizon | Greimel | Leonard | Singh |
| Brann | Griffin | Leutheuser | Sneller |
| Brinks | Guerra | Liberati | Sowerby |
| Calley | Hauck | Lilly | Tedder |
| Cambensy | Hernandez | Lower | Theis |
| Camilleri | Hertel | Lucido | VanderWall |
| Canfield | Hoitenga | Marino | VanSingel |
| Chang | Hornberger | Maturen | Vaupel |
| Chatfield | Howell | McCready | VerHeulen |
| Clemente | Howrylak | Miller | Victory |
| Cole | Hughes | Moss | Webber |
| Cox | Iden | Neeley | Wentworth |
| Crawford | Inman | Noble | Whiteford |
| Dianda | Johnson | Pagel | Yanez |
| Durhal | Jones | Peterson | Yaroch |
| Ellison | Kahle | Phelps | Zemke |
| Farrington | Kelly | | |

Nays—17

| | | | |
|---------|-------------|---------|------------|
| Chirkun | Gay-Dagnogo | LaGrand | Robinson |
| Cochran | Green | Love | Santana |
| Elder | Hammoud | Pagan | Wittenberg |
| Faris | Hoadley | Rabhi | Yancey |
| Garrett | | | |

In The Chair: Tedder

The House agreed to the title of the bill.
Rep. Lauwers moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5664, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 51a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5673, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 4b.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4828, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 14a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5672, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 3b.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5782, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 15a.

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

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

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

The motion prevailed.

Senate Bill No. 618, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 12a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5181, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252a, 252f, and 252g (MCL 257.252a, 257.252f, and 257.252g), section 252a as amended by 2015 PA 48, section 252f as amended by 2008 PA 539, and section 252g as amended by 2012 PA 498.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Financial Services,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Farrington moved to amend the bill as follows:

1. Amend page 12, line 15, after "PAYING" by striking out "THE" and inserting "A".

2. Amend page 12, line 15, after “**FEE**” by striking out the balance of the line through “**SUBSECTION**” on line 16. The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor. Rep. Farrington moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

The Speaker Pro Tempore assumed the Chair.

House Bill No. 5578, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2019; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

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

Rep. Durhal moved to amend the bill as follows:

1. Amend page 705, line 10, by striking out “534,594,700” and inserting “567,294,700”.
2. Amend page 705, line 11, by striking out “958,837,100” and inserting “1,017,487,100”.
3. Amend page 705, line 20, by striking out “1,232,374,500” and inserting “1,291,024,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Rabhi moved to amend the bill as follows:

1. Amend page 184, line 2, by striking out “100” and inserting “8,000,100”.
2. Amend page 184, line 9, by striking out “100” and inserting “8,000,100” and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 291, following line 10, by inserting:

“Sec. 949f. From the one-time appropriations appropriated in part 1 for drinking water declaration of emergency, the department of treasury shall continue to purchase and distribute bottled water through the most recent points of distribution. The purchase and distribution of bottled water must continue until all lead service lines are replaced in the city of Flint.”.

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

Rep. Durhal moved to amend the bill as follows:

1. Amend page 182, line 13, by striking out “175,006,700” and inserting “177,190,000”.
2. Amend page 184, line 4, by striking out “3,100,000” and inserting “6,200,000” and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 296, line 9, after “to” by striking out “100.986%” and inserting “101.986%”.
4. Amend page 298, line 12, after “by” by striking out “\$0.40599” and inserting “\$0.81198” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Johnson moved to amend the bill as follows:

1. Amend page 474, following line 11 by inserting:

“Sec. 1306. Notwithstanding any provision of law to the contrary, a state department or other agency of this state shall not allocate federal or state funds to an entity that performs more than 120 elective abortions per year on 1 or more of the entity’s physical properties.”.

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

Rep. Santana moved to amend the bill as follows:

1. Amend page 91, line 17, by striking out “162,396,100” and inserting “228,396,100” and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 118, line 1, after “assistance,” by striking out the balance of the section and inserting “there is allocated \$26,000,000.00 to raise the entrance threshold of the child development and care program from 130% of the federal poverty guidelines to 150% of the federal poverty guidelines.”.

3. Amend page 118, following line 3, by inserting:

“Sec. 1010. (1) From the funds appropriated in part 1 for child development and care public assistance, there is, subject to subsection (3), allocated \$40,000,000.00 to implement a half/full-day and weekly block reimbursement rate schedule.

(2) The department shall implement a half-day/full-day and weekly block reimbursement rate schedule for the child development and care program, and before implementation, the department shall create a detailed spending report for the half-day/full-day and weekly block reimbursement rate schedule that includes, but is not limited to, all of the following:

(a) How the half-day/full-day and weekly block reimbursement rate schedule will be implemented throughout the state.

(b) The precise rates charged for a half-day/full-day and weekly block reimbursement rate schedule to each provider type and any differentiation of rates charged by age groups.

(c) The overall projected costs for a half-day/full-day and weekly block reimbursement rate schedule for the fiscal years ending September 30, 2019, and September 30, 2020.

(3) The detailed spending report implemented by the department under subsection (2) must be sent to the state budget director, the house and senate subcommittees that oversee the department of education, and the house and senate fiscal agencies before funds described in this section may be expended.”.

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

Rep. Rabhi moved to amend the bill as follows:

1. Amend page 123, following line 8, by inserting:

“Renewing Michigan’s environment fund 79,093,700”.

2. Amend page 123 by striking out all of line 20.

3. Amend page 125, following line 22, by inserting:

“Renewing Michigan’s environment fund 331,800”.

4. Amend page 126 by striking out all of line 4.

5. Amend page 126, following line 26, by inserting:

“Groundwater mapping..... 1,000,000

Groundwater withdrawal assessment tool 500,000”.

6. Amend page 127, line 12, by striking out “4.0” and inserting “8.0”.

7. Amend page 127, line 12, by striking out “1,438,400” and inserting “2,438,400”.

8. Amend page 129, following line 15, by inserting:

“Renewing Michigan’s environment fund 42,100”.

9. Amend page 129 by striking out all of line 23.

10. Amend page 131 by striking out all of line 7.

11. Amend page 131 by striking out all of line 20.

12. Amend page 131, line 21, by striking out “4,343,400” and inserting “4,156,400”.

13. Amend page 132 by striking out all of line 14.

14. Amend page 133, line 4, by striking out “11.0” and inserting “75.0”.

15. Amend page 133, line 5, by striking out “25,000,000” and inserting “79,045,000”.

16. Amend page 133, following line 13, by inserting:

“Electronic waste recycling fund..... 311,100

Environmental pollution prevention fund 187,000”.

17. Amend page 133, following line 19, by inserting:

“Renewing Michigan’s environment fund 78,546,900”.

18. Amend page 135, following line 10, by inserting:

“Renewing Michigan’s environment fund 2,625,400”.

19. Amend page 135 by striking out all of line 18.

20. Amend page 146, following line 3, by inserting:

“Sec. 238. From the funds appropriated in section 102 of part 1 for departmental administration and support, the department shall establish an anonymous tip line for departmental employees to express their respective concerns regarding instances in which departmental action or inaction may endanger Michigan’s public health or environment. All communications submitted to this tip line shall be reported to the members of the House and Senate appropriations subcommittees on environmental quality and the House and Senate natural resources committees.”.

21. Amend page 150, line 14, by striking out all of section 316 and inserting:

“Sec. 316. From the funds appropriated in part 1 for the renewing Michigan’s environment program, the department shall expend funds as follows:

(a) Remediation and redevelopment..... \$ 45,000,000

(b) Recycling grants 15,000,000

(c) Solid waste management..... 6,000,000

(d) State park infrastructure 5,000,000

| | |
|--|-------------|
| (e) Water quality monitoring grants | 5,000,000 |
| (f) Asbestos and landfill gas monitoring | 1,500,000 |
| (g) Materials management | 1,500,000.” |

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. LaGrand moved to amend the bill as follows:

1. Amend page 209, following line 16, by inserting:

“Sec. 318. As a condition of receiving funds appropriated in part 1, the department of attorney general must submit a report by February 1 to the house and senate appropriations subcommittees on general government and the house and senate fiscal agencies that includes the following information:

- (a) The number of all open cases by department division.
- (b) The number of all pending cases by department division.
- (c) The caseload of each assistant attorney general on January 15.
- (d) The number of authorized FTE positions filled by department division.
- (e) The number of unfilled authorized FTE positions and the number of days the positions have been unfilled.”.

2. Amend page 209, following line 16, by inserting:

“Sec. 319. (1) Funds appropriated in part 1 for attorney general and unclassified positions must not be expended if the findings of an investigation into whether employees of the department of attorney general were hired or fired based on partisan considerations conclude that violations of the state constitution of 1963 or rules governing the hiring of Michigan civil service employees have occurred.

(2) If an investigation finds that state funds appropriated to the attorney general were spent on partisan activities or for the purposes of an election campaign of an elected official funds appropriated in part 1 for the attorney general and unclassified positions must not be expended until the elected official reimburses the state in the amount that matches the total amount of funds determined to be spent improperly by any or all investigations.”.

3. Amend page 209, following line 16, by inserting:

“Sec. 320. As a condition of receiving funds appropriated in part 1, the department of attorney general must submit a travel report to the house and senate appropriations committees and the house and senate fiscal agencies. The report shall list each person within the department of attorney general who received compensation, fees, or remuneration under a budget act for travel inside the state during the preceding fiscal year. The listing shall include the name of the person who received the compensation, fees, or remuneration; the destination, reason for, and dates of the travel; and the transportation and related costs.”.

4. Amend page 209, following line 16, by inserting:

“Sec. 321. The department of the attorney general must not include the likeness of, or name of, any specific state officer in any promotional media or brochures related to the student safety hotline or the ok2say program.”.

5. Amend page 229, following line 20, by inserting:

“Sec. 723. (1) As a condition of receiving funds appropriated in part 1, the department of state must investigate allegations into whether the hiring of persons based on partisan consideration, as determined by section 5 of article XI of the state constitution of 1963 and rules governing Michigan civil service employees, has occurred within the department of attorney general.

(2) The department of state must submit a report on the findings of the investigation to the house and senate appropriations subcommittees on general government and the house and senate oversight committees by November 1.”.

6. Amend page 261, following line 26, by inserting:

“Sec. 853. (1) The civil service commission must investigate allegations into whether the hiring of persons based on partisan consideration, as determined by section 5 of article XI of the state constitution of 1963 and rules governing Michigan civil service employees, has occurred within the department of attorney general.

(2) The civil service commission must submit a report on the findings of the investigation to the house and senate appropriations subcommittees on general government and the house and senate oversight committees by November 1.”.

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

Rep. Neeley moved to amend the bill as follows:

1. Amend page 360, line 20, by striking out “1,680,100” and inserting “4,621,100”.

2. Amend page 361, line 2, by striking out “11,461,100” and inserting “14,402,100” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 519, line 1, after “contamination.” by striking out “These” and inserting “The department shall allocate \$2,941,000.00 for purchases of bottled water, water filters, replacement filter cartridges, and other supplies related to water resources for distribution to residents, and for access and functional needs home delivery services to residents. Any federal matching funds received related to the expenditures for water resources shall be likewise expended only for water resources. The remaining” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Camilleri moved to amend the bill as follows:

1. Amend page 706, following line 16, by inserting:

“MI-TRAIN 13,000,000”.

2. Amend page 706, line 17, by striking out “19,674,600” and inserting “6,674,600” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Phelps moved to amend the bill as follows:

1. Amend page 184, following line 2, by inserting:

“Police and fire equipment grant..... 2,000,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 291, following line 10, by inserting:

“Sec. 949m. The funds appropriated in part 1 for police and fire equipment grant must be awarded to a city with a population of between 102,000 and 103,000 located in a county with a population of between 425,000 and 426,000 as of the most recent federal decennial census. The funds awarded to the city must be used for the purchase of police and fire equipment.”.

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

Rep. Phelps moved to amend the bill as follows:

1. Amend page 135, following line 26, by inserting:

“Flint surface water study \$ 375,000”

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Rabhi moved to amend the bill as follows:

1. Amend page 132, line 26, by striking out “35.0” and inserting “40.0”.

2. Amend page 132, line 26, by striking out “6,202,700” and inserting “7,052,700”.

3. Amend page 133, line 13, by striking out “16,359,400” and inserting “17,209,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Dianda moved to amend the bill as follows:

1. Amend page 188, following line 24, by inserting:

“Enhancement grants 711,400”.

2. Amend page 311, following line 16, by inserting:

“Sec. 1023. From the funds appropriated in part 1 for enhancement grants, \$711,400.00 shall be awarded for a retirement funding shortfall at an association established to provide services and support to Michigan’s workforce development system located in a county with a population of between 16,000 and 17,000 as of the most recent federal decennial census.” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. VerHeulen moved to amend the bill as follows:

1. Amend page 185, line 25, by striking out “16,400,000” and inserting “18,400,000”.

2. Amend page 188, line 25, by striking out “2,500,000” and inserting “1,500,000”.

3. Amend page 188, line 27, by striking out “2,000,000” and inserting “1,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Inman moved to amend the bill as follows:

1. Amend page 186, line 1, by striking out “32,500,000” and inserting “35,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Rendon moved to amend the bill as follows:

1. Amend page 474, following line 11, by inserting:

“Sec. 1305. (1) From the funds appropriated in part 1 for family planning local agreements and the pregnancy prevention program, the department shall not contract with or award grants to an entity that engages in 1 or more of the activities described in section 1091(2) of 2002 PA 360, MCL 333.1091, if the entity is located in a county or health district where family planning or pregnancy prevention services are provided by the county, the health district, or a qualified entity that does not engage in any of the activities described in section 1091(2) of 2002 PA 360, MCL 333.1091.

(2) The department shall give priority to counties or health districts where no contracts or grants currently exist for family planning or pregnancy prevention services before contracting with or awarding grants to an entity that engages in 1 or more of the activities described in 1091(2) of 2002 PA 360, MCL 333.1091, if that entity is located in a county where family planning and pregnancy prevention services are provided by the county, the health district, or another qualified entity that does not engage in the activities described in 1091(2) of 2002 PA 360, MCL 333.1091.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Bizon moved to amend the bill as follows:

1. Amend page 598, line 15, by striking out “100” and inserting “2,500,100” and adjusting the subtotals, totals, and section 201 accordingly.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Cox moved to amend the bill as follows:

1. Amend page 7, by striking out all of line 8.

2. Amend page 342, by striking out all of line 5 and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Yanez moved to amend the bill as follows:

1. Amend page 186, by striking out all of line 1.

2. Amend page 349, line 27, by striking out “2,364,039,500” and inserting “2,396,539,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

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

The motion prevailed.

Rep. Lauwers 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

House Bill No. 5578, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2019; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Roll Call No. 244

Yeas—66

| | | | |
|------------|------------|------------|------------|
| Afendoulis | Frederick | Kesto | Rendon |
| Albert | Garcia | LaFave | Roberts |
| Alexander | Glenn | LaSata | Runestad |
| Allor | Graves | Lauwers | Sheppard |
| Barrett | Griffin | Leonard | Sneller |
| Bellino | Hauck | Leutheuser | Tedder |
| Bizon | Hernandez | Lilly | Theis |
| Brann | Hoadley | Lower | VanderWall |
| Brinks | Hoitenga | Lucido | VanSingel |
| Calley | Hornberger | Marino | Vaupel |
| Canfield | Howell | Maturen | VerHeulen |
| Chatfield | Howrylak | McCready | Victory |
| Cole | Hughes | Miller | Webber |
| Cox | Iden | Noble | Wentworth |
| Crawford | Inman | Pagel | Whiteford |
| Durhal | Kahle | Peterson | Yaroach |
| Farrington | Kelly | | |

Nays—41

| | | | |
|-----------|-------------|----------|------------|
| Cambensy | Gay-Dagnogo | Kosowski | Reilly |
| Camilleri | Geiss | LaGrand | Robinson |
| Chang | Green | Lasinski | Sabo |
| Chirkun | Greig | Liberati | Santana |
| Clemente | Greimel | Love | Singh |
| Cochran | Guerra | Moss | Sowerby |
| Dianda | Hammoud | Neeley | Wittenberg |
| Elder | Hertel | Pagan | Yancey |
| Ellison | Johnson | Phelps | Yanez |
| Faris | Jones | Rabhi | Zemke |
| Garrett | | | |

In The Chair: Chatfield

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5579, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2017 PA 143, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2017 PA 108.

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

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

Rep. Faris moved to amend the bill as follows:

1. Amend page 56, line 23, after "subsection." by inserting "**BEGINNING IN 2018-2019, FOR PUPILS IN MEMBERSHIP IN A PUBLIC SCHOOL ACADEMY THAT WAS ISSUED A CONTRACT UNDER SECTION 552 OF THE REVISED SCHOOL CODE, MCL 380.552, TO OPERATE AS A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, THE ALLOCATION CALCULATED UNDER THIS SECTION SHALL BE AN AMOUNT EQUAL TO 75 PERCENT OF THE AMOUNT AS WOULD OTHERWISE BE CALCULATED FOR A PUBLIC SCHOOL ACADEMY UNDER THIS SUBSECTION.**".

2. Amend page 90, line 6, after "**EXCEED**" by striking out "**\$4,239,600,000.00**" and inserting "**\$4,214,600,000.00**".

3. Amend page 158, following line 24, by inserting:

"(7) IN ADDITION TO THE FUNDS ALLOCATED UNDER SUBSECTION 1, THERE IS ALLOCATED FOR 2018-2019, AN AMOUNT NOT TO EXCEED \$22,700,000.00 FROM THE TALENT INVESTMENT FUND FOR THE MICHIGAN EDUCATION CORPS TO PROVIDE TUTORS IN DISTRICTS TO IMPROVE READING PROFICIENCY FOR PUPILS IN GRADES K TO 3.

(8) THE FUNDS ALLOCATED UNDER SUBSECTION (7) FOR 2018-2019 ARE A WORK PROJECT APPROPRIATION, AND ANY UNEXPENDED FUNDS FOR 2018-2019 ARE CARRIED FORWARD INTO 2019-2020. THE PURPOSE OF THE WORK PROJECT IS TO CONTINUE TO PROVIDE TUTORS TO IMPROVE READING PROFICIENCY FOR PUPILS IN GRADES K TO 3. THE ESTIMATED COMPLETION DATE OF THE WORK PROJECT IS SEPTEMBER 30, 2020."

4. Amend page 190, line 2, by striking out "**\$18,911,300.00**" and inserting "**\$43,911,300.00**".

5. Amend page 190, line 3, after "**APPROPRIATION**" by striking out "**AND AN AMOUNT NOT TO EXCEED \$22,700,000.00 FROM THE TALENT INVESTMENT FUND APPROPRIATION**".

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

Rep. Cochran moved to amend the bill as follows:

1. Amend page 250, line 8, after “districts” by striking out the comma and “and from the general fund appropriation in section 11, there is allocated an amount not to exceed \$300,000.00 for **2018-2019** for competitive grants to nonpublic schools,”.

2. Amend page 250, line 24, after “districts” by striking out “and nonpublic schools”.

3. Amend page 251, line 2, after “district” by striking out “or nonpublic school”.

4. Amend page 251, line 5, after “district” by striking out “or nonpublic school”.

5. Amend page 251, line 6, after “district” by striking out “or nonpublic school”.

6. Amend page 251, line 13, after “districts” by striking out “or nonpublic schools”.

7. Amend page 251, line 15, after “districts” by striking out “or nonpublic schools”.

8. Amend page 251, line 22, after “districts” by striking out “or nonpublic schools”.

9. Amend page 252, line 1, by striking out all of subsections (4) and (5).

10. Amend page 314, line 6, by striking out all of section 152b and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Rep. Pagan moved to amend the bill as follows:

1. Amend page 90, line 6, after “**EXCEED**” by striking out “**\$4,239,600,000.00**” and inserting “**\$3,879,600,000.00**”.

2. Amend page 90, line 19, after “22a” by inserting a comma and “**22P**,”.

3. Amend page 94, following line 7, by inserting:

“(12) PAYMENTS TO PUBLIC SCHOOL ACADEMIES MUST NOT BE MADE UNDER THIS SECTION FOR PUPILS ENROLLED AND COUNTED IN MEMBERSHIP IN THOSE PUBLIC SCHOOL ACADEMIES. PAYMENTS FOR THOSE PUPILS MUST BE MADE UNDER SECTION 22P.”.

4. Amend page 99, following line 5, by inserting:

“SEC. 22P. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$360,000,000.00 FOR 2018-2019 FOR PAYMENTS TO ELIGIBLE PUBLIC SCHOOL ACADEMIES UNDER THIS SECTION. TO BE ELIGIBLE FOR PAYMENTS UNDER THIS SECTION, A PUBLIC SCHOOL ACADEMY MUST MEET ONE OF THE FOLLOWING:

(A) CONTRACT WITH A NONPROFIT EDUCATIONAL MANAGEMENT ORGANIZATION THAT IS TAX EXEMPT UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, BEING 26 USC 501(C)(3).

(B) CONTRIBUTE AN AMOUNT EQUAL TO 20.96 PERCENT OF ITS PURCHASED SERVICES EXPENDITURES ATTRIBUTABLE TO SALARIES OF INDIVIDUALS WORKING IN THE PUBLIC SCHOOL ACADEMY TO THE MICHIGAN PUBLIC SCHOOL EMPLOYEES RETIREMENT SYSTEM.

(2) FOR AN ELIGIBLE PUBLIC SCHOOL ACADEMY, THE AMOUNT PAID TO THE ELIGIBLE PUBLIC SCHOOL ACADEMY UNDER THIS SECTION SHALL BE CALCULATED AND PAID IN THE SAME MANNER AS IF THE ELIGIBLE PUBLIC SCHOOL ACADEMY RECEIVED FUNDING UNDER SECTION 22B.

(3) FUNDS ALLOCATED UNDER THIS SECTION THAT ARE NOT EXPENDED IN THE FISCAL YEAR FOR WHICH THEY ARE ALLOCATED, AS DETERMINED BY THE DEPARTMENT, MAY BE USED TO SUPPLEMENT THE ALLOCATION UNDER SECTION 22B.”.

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

Rep. Hoadley moved to amend the bill as follows:

1. Amend page 112, line 4, by striking out all of section 31a and inserting:

“Sec. 31a. (1) From the state school aid fund money appropriated in section 11, there is allocated for ~~2017-2018~~ 2018-2019 an amount not to exceed \$510,207,300.00 for payments to eligible districts and eligible public school academies for the purposes of ensuring that pupils are proficient in English language arts by the end of grade 3, that pupils are proficient in mathematics by the end of grade 8, that pupils are attending school regularly, that high school graduates are career and college ready, THAT DISTRICTS IMPLEMENT A MULTI-TIERED SYSTEM OF SUPPORTS, and for the purposes under subsections (7) and (8).

(2) For a district that has combined state and local revenue per membership pupil under sections 20 and 20m that is greater than the basic foundation allowance under section 20 for the current fiscal year, the allocation under this section shall be an amount equal to 30% of the allocation for which it would otherwise be eligible under this section before any proration under subsection (14).

(3) For a district or public school academy to be eligible to receive funding under this section, other than funding under subsection (7) or (8), the district or public school academy, for grades K to 3-~~12~~, shall comply with the requirements under section 1280f of the revised school code, MCL 380.1280f, and SHALL use resources to address early literacy AND NUMERACY, and for at least grades 4-K to 8 or, if the district or public school academy does not operate all of grades 4-K to 8, for all of the grades it operates, must implement a multi-tiered system of supports that is an evidence-based model-FRAMEWORK that uses

data-driven problem solving to integrate academic and behavioral instruction and that uses intervention delivered to all pupils in varying intensities based on pupil needs. ~~This~~ **FOR ENGLISH LANGUAGE LEARNERS, THE DISTRICT SHALL IMPLEMENT CULTURALLY AND LINGUISTICALLY RESPONSIVE TEACHING STRATEGIES FOCUSED ON ACADEMIC LANGUAGE DEVELOPMENT ALIGNED WITH STATE ENGLISH LANGUAGE PROFICIENCY STANDARDS. THE** multi-tiered system of supports **DESCRIBED IN THIS SUBSECTION** must provide at least all of the following essential elements: **COMPONENTS:**

(a) ~~Implements effective instruction for all learners.~~ **TEAM-BASED LEADERSHIP.**

(b) ~~Intervenes early.~~ **A TIERED DELIVERY SYSTEM.**

(c) ~~Provides a multi-tiered model of instruction and intervention that provides the following:~~

(i) ~~A core curriculum and classroom interventions available to all pupils that meet the needs of most pupils.~~

(ii) ~~Targeted group interventions.~~

(iii) ~~Intense individual interventions.~~

(C) **SELECTION AND IMPLEMENTATION OF INSTRUCTION, INTERVENTIONS, AND SUPPORTS.**

(d) ~~Monitors pupil progress to inform instruction.~~ **A COMPREHENSIVE SCREENING AND ASSESSMENT SYSTEM.**

(e) ~~Uses data to make instructional decisions.~~ **CONTINUOUS DATA-BASED DECISION MAKING.**

(f) ~~Uses assessments including universal screening, diagnostics, and progress monitoring.~~

(g) ~~Engages families and the community.~~

(h) ~~Implements evidence-based, scientifically validated, instruction and intervention.~~

(i) ~~Implements instruction and intervention practices with fidelity.~~

(j) ~~Uses a collaborative problem-solving model.~~

(4) Except as otherwise provided in this subsection, an eligible district or eligible public school academy shall receive under this section for each membership pupil in the district or public school academy who is determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year, an amount per pupil equal to 11.5% of the statewide weighted average foundation allowance. However, a public school academy that began operations as a public school academy after the pupil membership count day of the immediately preceding school year shall receive under this section for each membership pupil in the public school academy, who is determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the current fiscal year, an amount per pupil equal to 11.5% of the statewide weighted average foundation allowance.

(5) Except as otherwise provided in this section, a district or public school academy receiving funding under this section shall use that money only to provide instructional programs and direct noninstructional services, including, but not limited to, medical, mental health, or counseling services, for at-risk pupils; for school health clinics; and for the purposes of subsection (6), (7), or (8). In addition, a district that is a school district of the first class or a district or public school academy in which at least 50% of the pupils in membership were determined to be economically disadvantaged in the immediately preceding state fiscal year, as determined and reported as described in subsection (4), may use not more than 20% of the funds it receives under this section for school security. A district or public school academy shall not use any of that money for administrative costs. The instruction or direct noninstructional services provided under this section may be conducted before or after regular school hours or by adding extra school days to the school year.

(6) A district or public school academy that receives funds under this section and that operates a school breakfast program under section 1272a of the revised school code, MCL 380.1272a, shall use from the funds received under this section an amount, not to exceed \$10.00 per pupil for whom the district or public school academy receives funds under this section, necessary to pay for costs associated with the operation of the school breakfast program.

(7) From the funds allocated under subsection (1), there is allocated for ~~2017-2018~~ **2018-2019** an amount not to exceed \$6,057,300.00 to support primary health care services provided to children and adolescents up to age 21. These funds shall be expended in a form and manner determined jointly by the department and the department of health and human services. If any funds allocated under this subsection are not used for the purposes of this subsection for the fiscal year in which they are allocated, those unused funds shall be used that fiscal year to avoid or minimize any proration that would otherwise be required under subsection (14) for that fiscal year.

(8) From the funds allocated under subsection (1), there is allocated for ~~2017-2018~~ **2018-2019** an amount not to exceed \$5,150,000.00 for the state portion of the hearing and vision screenings as described in section 9301 of the public health code, 1978 PA 368, MCL 333.9301. A local public health department shall pay at least 50% of the total cost of the screenings. The frequency of the screenings shall be as required under R 325.13091 to R 325.13096 and R 325.3271 to R 325.3276 of the Michigan Administrative Code. Funds shall be awarded in a form and manner approved jointly by the department and the department of health and human services. Notwithstanding section 17b, payments to eligible entities under this subsection shall be paid on a schedule determined by the department.

(9) Each district or public school academy receiving funds under this section shall submit to the department by July 15 of each fiscal year a report, in the form and manner prescribed by the department, that includes a brief description of each program conducted or services performed by the district or public school academy using funds under this section, the amount of funds under this section allocated to each of those programs or services, the total number of at-risk pupils served by each of those

programs or services, and the data necessary for the department and the department of health and human services to verify matching funds for the temporary assistance for needy families program. In prescribing the form and manner of the report, the department shall ensure that districts are allowed to expend funds received under this section on any activities that are permissible under this section. If a district or public school academy does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district or public school academy complies with this subsection. If the district or public school academy does not comply with this subsection by the end of the state fiscal year, the withheld funds shall be forfeited to the school aid fund.

(10) In order to receive funds under this section, a district or public school academy shall allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district or public school academy shall reimburse the state for all disallowances found in the audit.

(11) Subject to subsections (6), (7), and (8), **FOR SCHOOLS IN WHICH MORE THAN 60% OF PUPILS ARE IDENTIFIED AS AT-RISK**, a district or public school academy may use up to 100% of the funds it receives under this section to implement schoolwide reform in schools with 40% or more of their pupils identified as at-risk pupils by providing instructional or noninstructional services consistent with the school improvement plan. **REFORMS BY PROVIDING INSTRUCTIONAL OR NONINSTRUCTIONAL SERVICES CONSISTENT WITH THE SCHOOL IMPROVEMENT PLAN THAT ARE TIER 1 EVIDENCE-BASED, HIGH-QUALITY ACADEMIC, BEHAVIORAL, AND SOCIAL-EMOTIONAL INSTRUCTION, AND PART OF THE DISTRICT'S MULTI-TIERED SYSTEM OF SUPPORTS. DECISIONS ON IMPLEMENTING SCHOOLWIDE REFORMS MUST BE GUIDED BY THE DISTRICT'S COMPREHENSIVE NEEDS ASSESSMENT AND MUST BE INCLUDED IN THE DISTRICT IMPROVEMENT PLAN. SCHOOLWIDE REFORMS MUST INCLUDE PARENT AND COMMUNITY SUPPORTS, ACTIVITIES, AND SERVICES, THAT MAY INCLUDE THE PATHWAYS TO POTENTIAL PROGRAM CREATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE COMMUNITIES IN SCHOOLS PROGRAM.**

(12) A district or public school academy that receives funds under this section may use up to 3%-5% of those funds to provide research-based professional development **AND TO IMPLEMENT A COACHING MODEL THAT SUPPORTS THE MULTI-TIERED SYSTEM OF SUPPORTS FRAMEWORK. PROFESSIONAL DEVELOPMENT MAY BE PROVIDED** to district and school leadership and teachers that is **AND MUST BE** aligned to professional learning standards; is integrated into district, school building, and classroom practices; and is solely related to the following:

(a) Implementing the multi-tiered system of supports required in subsection (3) with fidelity and utilizing the data from that system to inform curriculum and instruction.

(b) Implementing section 1280f of the revised school code, MCL 380.1280f, as required under subsection (3), with fidelity.

(13) A district or public school academy that receives funds under this section may use funds received under this section to support instructional or behavioral coaches. Funds used for this purpose are not subject to the cap under subsection (12).

(14) If necessary, and before any proration required under section 296, the department shall prorate payments under this section by reducing the amount of the allocation as otherwise calculated under this section by an equal percentage per district.

(15) If a district is dissolved pursuant to section 12 of the revised school code, MCL 380.12, the intermediate district to which the dissolved school district was constituent shall determine the estimated number of pupils that are economically disadvantaged and that are enrolled in each of the other districts within the intermediate district and provide that estimate to the department for the purposes of distributing funds under this section within 60 days after the school district is declared dissolved.

(16) Beginning in 2018-2019, if a district or public school academy does not demonstrate to the satisfaction of the department that at least 50% of at-risk pupils are proficient in English language arts by the end of grade 3 as measured by the state assessment for the immediately preceding school year and demonstrate to the satisfaction of the department improvement over each of the 3 immediately preceding school years in the percentage of at-risk pupils that are career- and college-ready as determined by proficiency on the English language arts, mathematics, and science content area assessments on the grade 11 summative assessment under section 1279g(2)(a) of the revised school code, MCL 380.1279g, the district or public school academy shall ensure all of the following:

(a) The district or public school academy shall determine the proportion of total at-risk pupils that represents the number of pupils in grade 3 that are not proficient in English language arts by the end of grade 3, and the district or public school academy shall expend that same proportion multiplied by 1/2 of its total at-risk funds under this section on tutoring and other methods of improving grade 3 English language arts proficiency.

(b) The district or public school academy shall determine the proportion of total at-risk pupils that represent the number of pupils in grade 11 that are not career- and college-ready as measured by the student's score on the English language arts, mathematics, and science content area assessments on the grade 11 summative assessment under section 1279g(2)(a) of the revised school code, MCL 380.1279g, and the district or public school academy shall expend that same proportion multiplied by 1/2 of its total at-risk funds under this section on tutoring and other activities to improve scores on the college entrance examination portion of the Michigan merit examination.

(17) As used in subsection (16), "total at-risk pupils" means the sum of the number of pupils in grade 3 that are not proficient in English language arts by the end of third grade as measured on the state assessment and the number of pupils in grade 11 that are not career- and college-ready as measured by the student's score on the English language arts, mathematics, and

~~science content area assessments on the grade 11 summative assessment under section 1279g(2)(a) of the revised school code, MCL 380.1279g.~~ **ALL OF THE FOLLOWING APPLY TO DISTRICTS AND PUBLIC SCHOOL ACADEMIES RECEIVING FUNDS UNDER THIS SECTION:**

(A) IF A DISTRICT OR PUBLIC SCHOOL ACADEMY IS DETERMINED BY THE DEPARTMENT TO BE BELOW THE STATEWIDE AVERAGE IN THE PERCENTAGE OF ECONOMICALLY DISADVANTAGED PUPILS WHO ARE PROFICIENT IN ENGLISH LANGUAGE ARTS BY THE END OF GRADE 3, AS MEASURED ON THE 2017-2018 ENGLISH LANGUAGE ARTS STATE ASSESSMENT, THE DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL COMPLY WITH THE REQUIREMENTS DESCRIBED UNDER SUBDIVISION (D).

(B) IF A DISTRICT OR PUBLIC SCHOOL ACADEMY IS DETERMINED BY THE DEPARTMENT TO BE BELOW THE STATEWIDE AVERAGE IN THE PERCENTAGE OF ECONOMICALLY DISADVANTAGED PUPILS WHO ARE PROFICIENT IN MATHEMATICS AT THE END OF GRADE 8, AS MEASURED ON THE 2017-2018 MATHEMATICS STATE ASSESSMENT, THE DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL COMPLY WITH THE REQUIREMENTS DESCRIBED UNDER SUBDIVISION (D).

(C) IF A DISTRICT OR PUBLIC SCHOOL ACADEMY IS DETERMINED BY THE DEPARTMENT TO BE BELOW THE STATEWIDE AVERAGE IN THE PERCENTAGE OF ECONOMICALLY DISADVANTAGED PUPILS WHO ARE CAREER- AND COLLEGE-READY, AS DETERMINED BY PROFICIENCY ON THE ENGLISH LANGUAGE ARTS, MATHEMATICS, AND SCIENCE CONTENT AREA ASSESSMENTS ON THE GRADE 11 SUMMATIVE ASSESSMENT UNDER SECTION 1279G OF THE REVISED SCHOOL CODE, MCL 380.1279G, THE DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL COMPLY WITH THE REQUIREMENTS DESCRIBED UNDER SUBDIVISION (D).

(D) FOR DISTRICTS AND PUBLIC SCHOOL ACADEMIES BELOW THE STATEWIDE AVERAGES DESCRIBED IN SUBDIVISION (A), (B), OR (C), THE DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL ACHIEVE AT LEAST 1 OF THE FOLLOWING BY OCTOBER 1, 2021 ON EACH OF THE GRADE-LEVEL AND SUBJECT-AREA ASSESSMENTS DESCRIBED IN THIS SUBSECTION:

(i) THE DISTRICT OR PUBLIC SCHOOL ACADEMY HAS ATTAINED THE STATEWIDE AVERAGE IN THE PERCENTAGE OF ECONOMICALLY DISADVANTAGED PUPILS WHO ARE PROFICIENT IN THE 2020-2021 GRADE-LEVEL AND SUBJECT-AREA ASSESSMENTS DESCRIBED IN THIS SUBSECTION, AS APPLICABLE. FOR THE PURPOSES OF THIS SUBDIVISION, THE STATEWIDE AVERAGE IN THE PERCENTAGE OF ECONOMICALLY DISADVANTAGED PUPILS WHO ARE PROFICIENT SHALL BE DETERMINED BY THE DEPARTMENT USING DATA FROM THE 2017-2018 STATE ASSESSMENTS FOR GRADE-LEVEL AND SUBJECT-AREA ASSESSMENTS DESCRIBED IN THIS SUBSECTION.

(ii) THE DISTRICT OR PUBLIC SCHOOL ACADEMY HAS ATTAINED AN IMPROVEMENT OF AT LEAST 10 PERCENTAGE POINTS IN THE PERCENTAGE OF ECONOMICALLY DISADVANTAGED PUPILS WHO ARE PROFICIENT IN THE GRADE-LEVEL AND SUBJECT-AREA ASSESSMENTS DESCRIBED IN THIS SUBSECTION ON THE 2020-2021 STATE ASSESSMENT COMPARED TO THE DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S RESULTS ON THE 2017-2018 STATE ASSESSMENT IN THE APPLICABLE GRADES AND SUBJECT AREAS.

(17) FOR A DISTRICT OR PUBLIC SCHOOL ACADEMY NOT MEETING THE REQUIREMENTS DESCRIBED IN SUBSECTION (16)(D), THE SUPERINTENDENT SHALL ASSIGN A TEAM OF PERSONS WITH EXPERTISE IN COMPREHENSIVE SCHOOL AND DISTRICT REFORM TO PARTNER WITH THE DISTRICT OR PUBLIC SCHOOL ACADEMY, THE INTERMEDIATE DISTRICT IN WHICH THE DISTRICT OR PUBLIC SCHOOL ACADEMY IS LOCATED, COMMUNITY ORGANIZATIONS, LOCAL EMPLOYERS, EDUCATION ORGANIZATIONS, AND POSTSECONDARY INSTITUTIONS AS DETERMINED BY THE SUPERINTENDENT TO CONDUCT AN EVALUATION THAT INCLUDES AT LEAST ALL OF THE FOLLOWING:

(A) A REVIEW OF THE DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S IMPLEMENTATION AND UTILIZATION OF ITS MULTI-TIERED SYSTEM OF SUPPORTS TO ENSURE IT IS BEING USED TO APPROPRIATELY INFORM INSTRUCTION OF AT-RISK PUPILS AND MAKE RECOMMENDATIONS FOR CHANGES.

(B) AN ACADEMIC PERFORMANCE AUDIT THAT REVIEWS AT LEAST ALL OF THE FOLLOWING AND INCLUDES RECOMMENDATIONS FOR CHANGES, IF NECESSARY:

(i) DISTRICT AND BUILDING LEADERSHIP AND EDUCATOR CAPACITY TO SUBSTANTIALLY IMPROVE PUPIL OUTCOMES.

(ii) CLASSROOM, INSTRUCTIONAL, AND OPERATIONAL PRACTICES AND CURRICULUM TO ENSURE ALIGNMENT WITH RESEARCH-BASED INSTRUCTIONAL PRACTICES AND STATE CURRICULUM STANDARDS.

(iii) A REVIEW OF THE DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S USE OF FINANCIAL RESOURCES WITH RECOMMENDATIONS TO MORE EFFECTIVELY USE THOSE RESOURCES TO IMPROVE ACADEMIC ACHIEVEMENT FOR AT-RISK PUPILS. THESE RECOMMENDATIONS MUST INCLUDE A PLAN FOR USING FUNDS RECEIVED UNDER THIS SECTION.

(D) THE DISTRICT OR PUBLIC SCHOOL ACADEMY AND THE SUPERINTENDENT SHALL BECOME AN EARLY WARNING DISTRICT AND MUST ADOPT A DISTRICT IMPROVEMENT PLAN THAT INCORPORATES AT LEAST ALL OF THE RECOMMENDATIONS RESULTING FROM THE EVALUATION UNDER SUBDIVISION (A), SPECIFIES THE ROLES AND RESPONSIBILITIES OF THE PARTNERS, ESTABLISHES 18-MONTH BENCHMARKS, AND IS SIGNED BY THE PARTNERS AND APPROVED BY THE SUPERINTENDENT.

(E) THE DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL SPEND FUNDS RECEIVED UNDER THIS SECTION ONLY IN ACCORDANCE WITH THE PLAN INCLUDED UNDER SUBDIVISION (B)(iii) AND SHALL IMPLEMENT TIER 1 EVIDENCE-BASED, HIGH-QUALITY ACADEMIC AND SOCIAL-EMOTIONAL INSTRUCTION AS A PART OF ITS MULTI-TIERED SYSTEM OF SUPPORT.

(18) A district or public school academy that receives funds under this section may use funds received under this section to provide an anti-bullying or crisis intervention program.

(19) The department shall collaborate with the department of health and human services to prioritize assigning Pathways to Potential Success coaches to elementary schools that have a high percentage of pupils in grades K to 3 who are not proficient in English language arts, based upon state assessments for pupils in those grades.

~~(20) For the purpose of determining the number of economically disadvantaged pupils enrolled in a community district for 2017-2018, disadvantaged pupils who were enrolled in the education achievement system for 2016-2017 shall be considered to have been enrolled in the community district for 2016-2017.~~

(20) (21)- As used in this section:

(a) "At-risk pupil" means a pupil for whom the district has documentation that the pupil meets any of the following criteria:

(i) The pupil is economically disadvantaged.

(ii) The pupil is an English language learner.

(iii) The pupil is chronically absent as defined by and reported to the center.

(iv) The pupil is a victim of child abuse or neglect.

(v) The pupil is a pregnant teenager or teenager parent.

(vi) The pupil has a family history of school failure, incarceration, or substance abuse.

(vii) The pupil is an immigrant who has immigrated within the immediately preceding 3 years.

(viii) The pupil did not complete high school in 4 years and is still continuing in school as identified in the Michigan cohort graduation and dropout report.

(ix) For pupils for whom the results of the state summative assessment have been received, is a pupil who did not achieve proficiency on the English language arts, mathematics, science, or social studies content area assessment.

(x) Is a pupil who is at risk of not meeting the district's or public school academy's core academic curricular objectives in English language arts or mathematics, as demonstrated on local assessments.

(b) "Economically disadvantaged" means a pupil who has been determined eligible for free or reduced-price meals as determined under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j; who is in a household receiving supplemental nutrition assistance program or temporary assistance for needy families assistance; or who is homeless, migrant, or in foster care, as reported to the center.

(c) "English language learner" means limited English proficient pupils who speak a language other than English as their primary language and have difficulty speaking, reading, writing, or understanding English as reported to the center.

(d) "Statewide weighted average foundation allowance" means the number that is calculated by adding together the result of each district's or public school academy's foundation allowance or per pupil payment calculated under section 20 multiplied by the number of pupils in membership in that district or public school academy, and then dividing that total by the statewide number of pupils in membership. For the purposes of this calculation, a district's foundation allowance shall not exceed the basic foundation allowance under section 20 for the current state fiscal year."

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

Rep. Durhal moved to amend the bill as follows:

1. Amend page 349, line 20, by striking out the balance of the subdivision and inserting **"\$214,171,400.00, \$199,169,800.00 FOR OPERATIONS, \$1,596,700.00 FOR PERFORMANCE FUNDING, AND \$13,404,900.00 FOR SUPPLEMENTAL EQUITY PAYMENT."**

2. Amend page 350, line 3, by striking out **"\$1,062,842,200.00"** and inserting **"\$1,076,247,100.00."** and adjusting the subtotals, totals, and enacting section 1 accordingly.

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 350, line 3, by striking out **"\$1,062,842,200.00"** and inserting **"\$1,126,639,500.00"**.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Iden moved to amend the bill as follows:

1. Amend page 301, line 10, after **"EXCEED"** by striking out **"\$600,000.00"** and inserting **"\$3,000,000.00"**.

2. Amend page 301, line 14, after “NONPUBLIC” by striking out “HIGH SCHOOLS.” and inserting “SCHOOLS THAT OPERATE ANY OF GRADES K TO 12.” and adjusting the totals in section 11 and enacting section 1 accordingly. The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Kelly moved to amend the bill as follows:

1. Amend page 229, following line 6, by inserting:

“SEC. 68D. FROM THE TALENT INVESTMENT FUND APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$100.00 FOR 2018-2019 FOR COMPETITIVE GRANTS TO DISTRICTS AND INTERMEDIATE DISTRICTS FOR THE PURPOSE OF PROVIDING CAREER DEVELOPMENT NAVIGATORS TO PUPILS.” and adjusting the totals in section 11 and enacting section 1 accordingly.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. LaSata moved to amend the bill as follows:

1. Amend page 374, following line 11, by inserting:

“SEC. 265D. THE LEGISLATURE ENCOURAGES EACH PUBLIC UNIVERSITY THAT RECEIVES AN APPROPRIATION IN SECTION 236 TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH AT LEAST 1 LOCAL LAW ENFORCEMENT AGENCY WITH JURISDICTION ON OR AROUND CAMPUS FOR THE COMMUNICATION AND COORDINATION OF RESPONSES TO INCIDENTS OF SEXUAL ASSAULT. THE FORM AND CONTENT OF THE MEMORANDUM OF UNDERSTANDING SHOULD BE DETERMINED BY AGREEMENT BETWEEN THE UNIVERSITY AND ANY PARTICIPATING LAW ENFORCEMENT AGENCIES. IT IS RECOMMENDED THAT THE MEMORANDUM OF UNDERSTANDING INCLUDE AT LEAST ALL OF THE FOLLOWING:

(A) GUIDELINES FOR PROPER COMMUNICATION AND COORDINATION OF RESPONSES TO INCIDENTS OF REPORTED SEXUAL ASSAULT, INCLUDING, BUT NOT LIMITED TO, GUIDELINES AIMED AT ENSURING THE FAIR AND SENSITIVE TREATMENT OF COMPLAINANTS AND RESPONDENTS.

(B) PROCEDURES FOR FILING A COMPLAINT OF SEXUAL ASSAULT WITH THE PUBLIC UNIVERSITY.

(C) INFORMATION ABOUT LOCAL AND CAMPUS RESOURCES FOR VICTIMS OF SEXUAL ASSAULT, INCLUDING COUNSELING, MEDICAL, AND LEGAL SERVICES.

(D) SPECIFIC DETAILS CONCERNING HOW LOCAL LAW ENFORCEMENT WILL INFORM THE PUBLIC UNIVERSITY ABOUT REPORTS OF SEXUAL ASSAULT IT RECEIVES INVOLVING STUDENTS, FACULTY, OR STAFF AND A GENERAL TIME FRAME FOR HOW LONG IT WILL TAKE LOCAL LAW ENFORCEMENT TO CONDUCT ANY INVESTIGATION.

(E) PROCEDURES FOR SHARING INFORMATION, INCLUDING INFORMATION CONCERNING RECENT TRENDS AND STRATEGIES TO PREVENT SEXUAL ASSAULT, SUCH AS TRAUMA-INFORMED INVESTIGATION PRACTICES THAT ENCOURAGE REPORTING.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. LaSata moved to amend the bill as follows:

1. Amend page 378, line 14, by striking out all of subsection (2) and inserting:

“(2) FOR PURPOSES OF THE REPORT REQUIRED IN SUBSECTION (1), EACH UNIVERSITY SHALL INCLUDE A TITLE IX SUMMARY REPORT THAT INCLUDES ALL OF THE FOLLOWING INFORMATION:

(A) THE AMOUNTS AND DESCRIPTIONS OF ALL FEES INCURRED IN TITLE IX-RELATED CIVIL AND CRIMINAL LITIGATION.

(B) THE NUMBER OF TITLE IX COMPLAINTS.

(C) THE AVERAGE LENGTH OF TIME FOR INVESTIGATION AND RESOLUTION OF TITLE IX COMPLAINTS.

(D) THE AGGREGATE NUMBER OF TITLE IX CASES, INVESTIGATIONS, AND COMPLAINTS FOR EACH OF THE FOLLOWING CATEGORIES:

(i) CASES INVESTIGATED FOR LESS THAN 15 DAYS.

(ii) CASES INVESTIGATED FOR AT LEAST 15 DAYS AND LESS THAN 30 DAYS.

(iii) CASES INVESTIGATED FOR AT LEAST 30 DAYS AND LESS THAN 60 DAYS.

(iv) CASES INVESTIGATED FOR AT LEAST 60 DAYS AND LESS THAN 90 DAYS.

(v) CASES INVESTIGATED FOR 90 DAYS OR MORE.

(E) THE NUMBER OF TITLE IX APPEALS AND THE RESOLUTIONS OF THOSE APPEALS.

(F) THE NUMBER OF TITLE-IX-RELATED COMPLAINTS FILED BY THE UNIVERSITY WITH LAW ENFORCEMENT AGENCIES.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. LaSata moved to amend the bill as follows:

1. Amend page 371, line 18, by striking out all of section 265b and inserting:

“SEC. 265B. (1) APPROPRIATIONS TO PUBLIC UNIVERSITIES IN SECTION 236 FOR FISCAL YEAR 2018-2019 FOR OPERATIONS FUNDING SHALL BE REDUCED BY 10% FOR A PUBLIC UNIVERSITY THAT FAILS TO COMPLY WITH SECTIONS 274C AND 274D OR FAILS TO CERTIFY TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2018 THAT IT COMPLIES WITH ALL OF THE FOLLOWING REQUIREMENTS:

(A) FOR TITLE IX INVESTIGATIONS OF ALLEGED SEXUAL MISCONDUCT, THE UNIVERSITY PROHIBITS THE USE OF MEDICAL EXPERTS THAT HAVE AN ACTUAL OR APPARENT CONFLICT OF INTEREST.

(B) FOR TITLE IX INVESTIGATIONS OF ALLEGED SEXUAL MISCONDUCT, THE UNIVERSITY PROHIBITS THE ISSUANCE OF DIVERGENT REPORTS TO COMPLAINANTS, RESPONDENTS, AND ADMINISTRATION AND INSTEAD REQUIRES THAT IDENTICAL REPORTS BE ISSUED TO THEM.

(C) FOR TITLE IX INVESTIGATIONS OF ALLEGED SEXUAL MISCONDUCT, THE UNIVERSITY REQUIRES THAT COMPLAINANTS BE INFORMED OF THEIR RIGHT TO NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY WHILE THE INVESTIGATION IS ONGOING. THE UNIVERSITY SHALL ENSURE THAT EVERY COMPLAINANT IS MADE AWARE OF THIS RIGHT BY OBTAINING THE COMPLAINANT’S SIGNATURE ON A FORM DESIGNATED BY THE UNIVERSITY INDICATING THAT THE UNIVERSITY HAS INFORMED THE COMPLAINANT OF HIS OR HER RIGHT TO NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY.

(D) THE UNIVERSITY PROVIDES BOTH OF THE FOLLOWING:

(i) FOR ALL FRESHMEN AND INCOMING TRANSFER STUDENTS ENROLLED, AN IN-PERSON SEXUAL MISCONDUCT PREVENTION PRESENTATION OR COURSE, WHICH MUST INCLUDE CONTACT INFORMATION FOR THE TITLE IX OFFICE OF THE UNIVERSITY.

(ii) FOR ALL STUDENTS NOT CONSIDERED FRESHMEN OR INCOMING TRANSFER STUDENTS, AN ONLINE OR ELECTRONIC SEXUAL MISCONDUCT PREVENTION PRESENTATION OR COURSE.

(E) THE UNIVERSITY PROHIBITS SEEKING COMPENSATION FROM THE RECIPIENT OF ANY MEDICAL PROCEDURE, TREATMENT, OR CARE PROVIDED BY A MEDICAL PROFESSIONAL WHO HAS BEEN CONVICTED OF A FELONY ARISING OUT OF THE MEDICAL PROCEDURE, TREATMENT, OR CARE.

(F) THE UNIVERSITY HAS OR PLANS TO HAVE A THIRD PARTY REVIEW ITS TITLE IX COMPLIANCE OFFICE AND RELATED POLICIES AND PROCEDURES BY THE END OF THE 2018-2019 ACADEMIC YEAR.

(G) THE UNIVERSITY REQUIRES THAT A SUMMARY OF ALL TITLE IX REPORTS OF COMPLETED INVESTIGATIONS OF COMPLAINTS AGAINST EMPLOYEES OF THE UNIVERSITY, INCLUDING, BUT NOT LIMITED TO, THE AGGREGATE NUMBER OF TITLE IX REPORTS OF COMPLETED INVESTIGATIONS OF COMPLAINTS AGAINST EMPLOYEES, BE PROVIDED TO THE GOVERNING BODY OF THE UNIVERSITY. A MEMBER OF THE GOVERNING BODY MAY REQUEST TO REVIEW A TITLE IX INVESTIGATION REPORT INVOLVING A COMPLAINT AGAINST AN EMPLOYEE, AND THE UNIVERSITY SHALL PROVIDE THE REPORT IN A MANNER IT CONSIDERS APPROPRIATE. THE UNIVERSITY SHALL PROTECT THE COMPLAINANT’S ANONYMITY.

(H) THE UNIVERSITY REQUIRES THAT A THIRD-PARTY TITLE IX INVESTIGATION OR THIRD-PARTY REVIEW OF ITS INVESTIGATION TAKE PLACE IF AN EMPLOYEE IS THE SUBJECT OF MORE THAN 1 TITLE IX COMPLAINT THAT RESULTED IN A FINDING OF NO MISCONDUCT. A THIRD-PARTY TITLE IX INVESTIGATION UNDER THIS SUBDIVISION DOES NOT PROHIBIT THE UNIVERSITY FROM SIMULTANEOUSLY CONDUCTING ITS OWN TITLE IX INVESTIGATION THROUGH ITS OWN TITLE IX COORDINATOR.

(2) EACH PUBLIC UNIVERSITY THAT RECEIVES AN APPROPRIATION IN SECTION 236 SHALL ALSO CERTIFY THAT ITS PRESIDENT OR CHANCELLOR AND A MEMBER OF ITS GOVERNING BODY HAS REVIEWED ALL TITLE IX REPORTS INVOLVING THE ALLEGED SEXUAL MISCONDUCT OF AN EMPLOYEE OF THE UNIVERSITY, AND SHALL SEND THE CERTIFICATION TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR BY AUGUST 31, 2018.

(3) FOR PURPOSES OF THIS SECTION, “SEXUAL MISCONDUCT” INCLUDES, BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

(A) INTIMATE PARTNER VIOLENCE.

(B) NONCONSENSUAL SEXUAL CONDUCT.

(C) SEXUAL ASSAULT.

(D) SEXUAL EXPLOITATION.**(E) SEXUAL HARASSMENT.****(F) STALKING.”**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Afendoulis moved to amend the bill as follows:

1. Amend page 373, line 16, after “**2019**” by striking out “**AND BIENNIALY BY FEBRUARY 1 THEREAFTER**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Lauwers 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

House Bill No. 5579, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2017 PA 143, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2017 PA 108.

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

Roll Call No. 245

Yeas—71

| | | | |
|------------|------------|------------|------------|
| Afendoulis | Frederick | Kesto | Rendon |
| Albert | Garcia | Kosowski | Roberts |
| Alexander | Glenn | LaFave | Runestad |
| Allor | Graves | LaSata | Sheppard |
| Bellino | Greimel | Lasinski | Sneller |
| Bizon | Griffin | Lauwers | Tedder |
| Brann | Hauck | Leonard | Theis |
| Brinks | Hernandez | Leutheuser | VanderWall |
| Calley | Hoitenga | Lilly | VanSingel |
| Camilleri | Hornberger | Lower | Vaupel |
| Canfield | Howell | Lucido | VerHeulen |
| Chatfield | Howrylak | Marino | Victory |
| Chirkun | Hughes | Maturen | Webber |
| Cole | Iden | McCready | Wentworth |
| Cox | Inman | Miller | Whiteford |
| Crawford | Jones | Noble | Yaroeh |
| Durhal | Kahle | Pagel | Zemke |
| Farrington | Kelly | Peterson | |

Nays—36

| | | | |
|----------|-------------|----------|------------|
| Barrett | Garrett | Johnson | Reilly |
| Cambensy | Gay-Dagnogo | LaGrand | Robinson |
| Chang | Geiss | Liberati | Sabo |
| Clemente | Green | Love | Santana |
| Cochran | Greig | Moss | Singh |
| Dianda | Guerra | Neeley | Sowerby |
| Elder | Hammoud | Pagan | Wittenberg |

Ellison
Faris

Hertel
Hoadley

Phelps
Rabhi

Yancey
Yanez

In The Chair: Chatfield

The question being on agreeing to the title of the bill,

Rep. Lauwers moved to amend the title to read as follows:

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 6, 11, 11a, 11j, 11k, 11m, 11s, 15, 18, 19, 20, 20d, 20f, 21f, 21h, 21j, 22a, 22b, 22d, 22m, 22n, 24, 24a, 24c, 25e, 25f, 25g, 26a, 26b, 26c, 31a, 31b, 31d, 31f, 31j, 32d, 32p, 32q, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54b, 56, 61a, 61b, 61c, 62, 64b, 64d, 65, 67, 67a, 74, 81, 94, 94a, 95b, 98, 99h, 99k, 99r, 99s, 99t, 99u, 102d, 104, 104c, 104d, 104e, 107, 147, 147a, 147b, 147c, 147e, 152a, 152b, 166b, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 225, 226, 229, 229a, 230, 236, 236a, 236b, 236c, 241, 251, 252, 256, 263, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 274d, 276, 277, 278, 279, 280, 281, 282, and 289 (MCL 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611s, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1621f, 388.1621h, 388.1621j, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622n, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631b, 388.1631d, 388.1631f, 388.1631j, 388.1632d, 388.1632p, 388.1632q, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654b, 388.1656, 388.1661a, 388.1661b, 388.1661c, 388.1662, 388.1664b, 388.1664d, 388.1665, 388.1667, 388.1667a, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1699h, 388.1699k, 388.1699r, 388.1699s, 388.1699t, 388.1699u, 388.1702d, 388.1704, 388.1704c, 388.1704d, 388.1704e, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1747e, 388.1752a, 388.1752b, 388.1766b, 388.1801, 388.1801a, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1817, 388.1825, 388.1826, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1841, 388.1851, 388.1852, 388.1856, 388.1863, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1874c, 388.1874d, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, and 388.1889), sections 6, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 22a, 22b, 22d, 24, 24a, 24c, 25f, 25g, 26a, 26b, 26c, 31b, 31d, 31f, 32p, 32q, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54b, 56, 61a, 61b, 62, 64b, 65, 67, 74, 81, 94, 94a, 98, 99s, 104, 104d, 147, 147b, 147c, 152a, 152b, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 225, 226, 229, 229a, 230, 236, 236a, 236b, 236c, 241, 251, 252, 256, 263, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 276, 277, 278, 279, 280, 281, and 282 as amended and sections 21h, 21j, 22m, 22n, 99k, 147e, and 274d as added by 2017 PA 108, sections 11, 21f, 25e, 31a, 31j, 32d, 35a, 61c, 64d, 67a, 95b, 99h, 99r, 99t, 102d, 104c, 107, 147a, and 166b as amended and sections 99u and 104e as added by 2017 PA 143, section 19 as amended by 2016 PA 533, and section 289 as amended by 2013 PA 60, and by adding sections 17c, 22o, 25h, 35b, 54d, 68, 68a, 68b, 68c, 68d, 110, 167b, 210f, 215, 265b, 265c, 265d, 274e, 274f, and 292; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, April 19:

| | | | | | | | | | | | | | | |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| House Bill Nos. | 5837 | 5838 | 5839 | 5840 | 5841 | 5842 | 5843 | 5844 | 5845 | 5846 | 5847 | 5848 | 5849 | 5850 |
| | 5851 | 5852 | | | | | | | | | | | | |
| Senate Bill Nos. | 954 | 955 | 956 | 957 | 958 | 959 | | | | | | | | |

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 23, for his approval of the following bills:

Enrolled House Bill No. 5012 at 12:24 p.m.

Enrolled House Bill No. 5644 at 12:26 p.m.

Enrolled House Bill No. 5646 at 12:28 p.m.

Enrolled House Bill No. 5669 at 12:30 p.m.

Enrolled House Bill No. 5261 at 12:32 p.m.

Enrolled House Bill No. 4905 at 12:34 p.m.

The Clerk announced that the following bills had been reproduced and made available electronically on Tuesday, April 24:
Senate Bill Nos. 960 961 962

Reports of Standing Committees

The Committee on Law and Justice, by Rep. Kesto, Chair, reported

House Bill No. 5765, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 319 (MCL 257.319), as amended by 2016 PA 358.

With the recommendation that the bill be referred to the Committee on Transportation and Infrastructure.

Favorable Roll Call

To Report Out:

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati and Wittenberg

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kesto, Chair, of the Committee on Law and Justice, was received and read:

Meeting held on: Tuesday, April 24, 2018

Present: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati and Wittenberg

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 24, 2018

Present: Reps. Glenn, Hauck, Barrett, Cole, Tedder, Bellino, Farrington, Griffin, Johnson, LaFave, Lower, Reilly, Lasinski, Dianda, Camilleri, Elder, Green and Sneller

Absent: Rep. Garrett

Excused: Rep. Garrett

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 24, 2018

Present: Reps. Hoitenga, Griffin, Glenn, Sheppard, Tedder, Lower, Phelps, Hertel, Jones and Lasinski

Absent: Rep. Runestad

Excused: Rep. Runestad

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cole, Chair, of the Committee on Transportation and Infrastructure, was received and read:

Meeting held on: Tuesday, April 24, 2018

Present: Reps. Cole, Webber, Lucido, Maturen, Roberts, Howell, Alexander, Calley, Noble, Chirkun, Love, Clemente, Sabo and Yancey

Messages from the Senate

House Bill No. 5238, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1274a (MCL 380.1274a), as amended by 2017 PA 23.

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

The House agreed to the full title.

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

House Bill No. 5394, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 9b.

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

The House agreed to the full title.

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

House Bill No. 5463, entitled

A bill to amend 1967 PA 119, entitled "An act to regulate the sale, distribution, and use of certain chemical agents and devices containing certain chemical agents; and to provide penalties," by amending section 2a (MCL 752.272a), as added by 2000 PA 299.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5464, entitled

A bill to amend 1967 PA 119, entitled "An act to regulate the sale, distribution, and use of certain chemical agents and devices containing certain chemical agents; and to provide penalties," (MCL 752.271 to 752.273) by amending the title, as amended by 2000 PA 299, and by adding section 2b.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Concurrent Resolution No. 15.

A concurrent resolution to memorialize the Congress of the United States to take action on immigration reform. (For text of resolution, see House Journal No. 67 of 2017, p. 1603.)

The Senate has adopted the concurrent resolution and named Senators Booher and Rocca as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Messages from the Governor

Date: April 24, 2018

Time: 10:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5190 (Public Act No. 110, I.E.), being

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state

departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 517a (MCL 436.1517a), as amended by 2016 PA 180.

(Filed with the Secretary of State April 24, 2018, at 10:50 a.m.)

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing Administrative Rules

April 17, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2017-025-LR (Secretary of State Filing #18-04-07) on this date at 1:35 P.M. for the Department of Licensing and Regulatory Affairs entitled, “Licensing Qualifications”.

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communication was referred to the Clerk.

The following communication from the Department of Technology, Management & Budget was received and read:

April 16, 2018

Michigan Public School Employees’ Retirement System Summary Annual Report for FY 2017. Required by Section 13 (3) of PA 314 of 1965 as amended and Section 28 (1) of PA 300 of 1980 as amended.

Available at: https://www.michigan.gov/documents/orsschools/MPERS_Summary_Annual_Report_FY2017_620493_7.pdf

The communication was referred to the Clerk.

Introduction of Bills

Reps. Sabo and VanSingel introduced

House Bill No. 5853, entitled

A bill to designate an official butterfly of this state.

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

Reps. Howell, Bellino, LaFave, Sheppard, Lucido, Lilly, Kosowski, Rendon, Dianda, Cole, Glenn, Reilly, Hauck, Hornberger, VanSingel, Miller, VanderWall and Chirkun introduced

House Bill No. 5854, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30312d (MCL 324.30312d), as amended by 2013 PA 98, and by adding section 30312f.

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

Reps. Bellino, Howell, LaFave, Sheppard, Lucido, Lilly, Kosowski, Rendon, Dianda, Cole, Glenn, Reilly, Hauck, Hornberger, VanSingel, Miller, Chirkun and VanderWall introduced

House Bill No. 5855, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30301 (MCL 324.30301), as amended by 2012 PA 247.

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

Reps. Cochran, Dianda, Peterson, Howrylak, Elder and Gay-Dagnogo introduced

House Bill No. 5856, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 4b.

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

Reps. Bellino, LaFave, Ellison, Brann, Lucido, Greimel, Hauck, Hornberger, Kosowski, Camilleri, Chang and Marino introduced

House Bill No. 5857, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17761 (MCL 333.17761), as amended by 1986 PA 304, and by adding section 7333c.

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

Reps. Whiteford, Rendon, Lucido, Victory, Sheppard, Canfield, Hoadley, Barrett, Kahle, Alexander and Rabhi introduced

House Bill No. 5858, entitled

A bill to amend 1984 PA 218, entitled “Third party administrator act,” by amending section 2 (MCL 550.902) and by adding section 27.

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

Reps. McCready, LaGrand, Iden, Bellino, Graves, Lilly, Runestad, Lucido, Cochran, Garcia, Afendoulis, Calley, Howrylak and VanderWall introduced

House Bill No. 5859, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2112 (MCL 500.2112), as amended by 2015 PA 141.

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

Reps. Elder, Cochran, Lasinski and Glenn introduced

House Bill No. 5860, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 17a.

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

Reps. Glenn, Rabhi, Barrett and Dianda introduced

House Bill No. 5861, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending section 22 (MCL 460.1022), as added by 2016 PA 342, and by adding part 8.

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

Reps. Dianda, Rabhi, Chirkun, Cochran, Barrett and Glenn introduced

House Bill No. 5862, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending sections 3, 5, 7, 9, 13, 173, 175, and 177 (MCL 460.1003, 460.1005, 460.1007, 460.1009, 460.1013, 460.1173, 460.1175, and 460.1177), as amended by 2016 PA 342.

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

Reps. Rabhi, Barrett, Glenn and Dianda introduced

House Bill No. 5863, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending section 179 (MCL 460.1179), as amended by 2016 PA 342, and by adding sections 177a and 178.

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

Reps. Barrett, Rabhi and Glenn introduced

House Bill No. 5864, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending section 173 (MCL 460.1173), as amended by 2016 PA 342.

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

Reps. Johnson, Rabhi, Barrett, Dianda and Glenn introduced

House Bill No. 5865, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10a (MCL 460.10a), as amended by 2016 PA 341.

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

Reps. Bellino, Barrett and Noble introduced

House Bill No. 5866, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 48703, 48703a, 48705, 48710, 48711, 48712, 48721, 48727, and 48735 (MCL 324.48703, 324.48703a, 324.48705, 324.48710, 324.48711, 324.48712, 324.48721, 324.48727, and 324.48735), section 48703 as amended by 2012 PA 471, section 48703a as amended by 2016 PA 382, sections 48705 and 48710 as amended by 2018 PA 36, sections 48711, 48712, and 48727 as added by 1995 PA 57, section 48721 as amended by 2010 PA 30, and section 48735 as amended by 2003 PA 270; and to repeal acts and parts of acts.

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

Reps. Greig, Sheppard, Vaupel, Green, Lasinski, Chang, Love, Cochran, Pagan, Hoadley, Hertel, Dianda, Zemke, Yanez, Brinks, Garrett, Lucido, Iden, LaGrand, Canfield, Inman, Faris and Sneller introduced

House Bill No. 5867, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” (MCL 450.1101 to 450.2098) by adding chapter 9A.

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

Reps. Sheppard, Greig, Vaupel, Green, Lasinski, Chang, Love, Cochran, Pagan, Hoadley, Hertel, Dianda, Zemke, Yanez, Brinks, Garrett, Lucido, Iden, LaGrand, Canfield, Inman, Faris and Sneller introduced

House Bill No. 5868, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending sections 105, 106, 131, 202, 211, 745, 746, and 762 (MCL 450.1105, 450.1106, 450.1131, 450.1202, 450.1211, 450.1745, 450.1746, and 450.1762), sections 105, 106, 202, 211, and 762 as amended by 2012 PA 569 and section 131 as amended and sections 745 and 746 as added by 2008 PA 402.

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

Reps. Santana, Sheppard, Greig, Vaupel, Green, Lasinski, Chang, Love, Cochran, Pagan, Hoadley, Hertel, Dianda, Zemke, Yanez, Brinks, Garrett, Lucido, Iden, LaGrand, Canfield, Inman, Faris and Sneller introduced

House Bill No. 5869, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending section 911 (MCL 450.1911), as amended by 2012 PA 569.

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

Reps. Yaroch, McCready, Tedder, Webber and Lucido introduced

House Bill No. 5870, entitled

A bill to amend 2012 PA 387, entitled “Regional transit authority act,” by amending section 4 (MCL 124.544).

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

Reps. Wittenberg, Sabo, Cochran, Ellison, Rabhi, Gay-Dagnogo, Hammoud, Cambensy, Howrylak, Yancey, Sowerby, Green, Pagan, Howell, LaGrand and Zemke introduced

House Bill No. 5871, entitled

A bill to repeal 2016 PA 389, entitled “An act to preempt local ordinances regulating the use, disposition, or sale of, prohibiting or restricting, or imposing any fee, charge, or tax on certain containers,” (MCL 445.591 to 445.593).

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

Reps. Vaupel, Greig, Green, Lasinski, Chang, Love, Cochran, Pagan, Hoadley, Hertel, Dianda, Zemke, Yanez, Brinks, Garrett, Lucido, Iden, LaGrand, Canfield, Inman, Faris and Sneller introduced

House Bill No. 5872, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” (MCL 450.1101 to 450.2098) by adding section 961 to chapter 9A.

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

Rep. Rendon moved that the House adjourn.

The motion prevailed, the time being 5:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 25, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

