

No. 66
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House of Representatives
98th Legislature
REGULAR SESSION OF 2016

House Chamber, Lansing, Tuesday, September 20, 2016.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

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

Afendoulis—present	Garcia—present	Kosowski—present	Pscholka—present
Banks—present	Garrett—present	LaFontaine—present	Rendon—present
Barrett—present	Gay-Dagnogo—present	LaGrand—present	Roberts, B.—present
Bizon—present	Geiss—present	Lane—present	Roberts, S.—present
Brinks—present	Gardon—present	Lauwers—present	Robinson—present
Brunner—present	Glenn—present	LaVoy—present	Runestad—present
Bumstead—present	Goike—present	Leonard—present	Rutledge—present
Byrd—present	Graves—present	Leutheuser—present	Santana—present
Callton—present	Greig—present	Liberati—present	Schor—present
Canfield—present	Greimel—present	Love—present	Sheppard—present
Chang—present	Guerra—present	Lucido—present	Singh—present
Chatfield—present	Heise—present	Lyons—present	Smiley—present
Chirkun—present	Hoadley—present	Maturen—present	Somerville—present
Clemente—present	Hooker—present	McBroom—present	Talabi—present
Cochran—present	Hovey-Wright—present	McCready—present	Tedder—present
Cole—present	Howell—present	Miller, A.—present	Theis—present
Cotter—present	Howrylak—present	Moss—present	Townsend—present
Cox—present	Hughes—present	Muxlow—present	Vaupel—present
Crawford—present	Iden—present	Neeley—present	VerHeulen—present
Darany—present	Inman—excused	Nesbitt—present	Victory—present
Dianda—present	Irwin—present	Outman—present	Webber—present
Driskell—present	Jacobsen—present	Pagan—present	Whiteford—present
Durhal—present	Jenkins—present	Pagel—present	Wittenberg—present
Faris—present	Johnson—present	Phelps—present	Yanez—present
Farrington—present	Kelly—present	Poleski—present	Yonker—present
Forlini—present	Kesto—present	Potvin—present	Zemke—present
Franz—present	Kivela—present	Price—present	

e/d/s = entered during session

Rev. Chris Winans, Pastor of Cornerstone Evangelical Presbyterian Church in Brighton, offered the following invocation:

“Dear gracious heavenly Father, Son, and Holy Spirit we thank You for the many gifts You have given us. The gift of life, love, and beauty. We thank You for the gift of this country; and ask for Your gracious, leading hand to be upon it and its leaders. Grant to this body a common mind of humility, discernment, and wisdom. Give them the mind to collectively seek justice. Cause them to show preference not for the many, not for the few, but for the good of all. Holy Spirit, we ask that You superintend the decisions made by this body; may they be in line with Your justice, filled with the wisdom that comes from Your hand. Lead them, and this country, towards a lasting peace that brings people together in the bonds of love that comes from concern for the other, and away from the division that comes from the pursuit of self-interest and exploitation. We ask, knowing that of ourselves we will fail, but with Your help all things are possible. We ask it in the name of Christ, Amen.”

Rep. Nesbitt moved that Rep. Inman be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Reps. Rendon, Santana, Garcia, Guerra, Jenkins, Yanez, Lane, Chang, Geiss, Vaupel, Johnson, Potvin, Cochran, Crawford, Hovey-Wright, Howrylak, Kelly, LaVoy, Love, Sarah Roberts and Wittenberg offered the following resolution:

House Resolution No. 336.

A resolution to declare September 15-October 15, 2016, as Hispanic Heritage Month in the state of Michigan.

Whereas, Hispanic Heritage Month celebrates the long and important presence of Hispanic and Latino Americans in North America, starting with the discovery of America by Christopher Columbus on October 12, 1492; and

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

Whereas, Each year, Americans observe National Hispanic Heritage Month from September 15 to October 15, by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America; and

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

Whereas, Time and again throughout our nation’s history, Hispanic-Americans have faithfully defended the principles of freedom and a representative government; and

Whereas, Eighteenth-century North America had a Hispanic presence, from the small outpost of San Francisco founded in the desolate wilderness of Alta California in 1776, through the Spanish province of Texas with its vaqueros (cowboys), to the fortress of St. Augustine, Florida, the first continuous European settlement in North America which was founded in 1565, long before Jamestown, Virginia; and

Whereas, Hispanic Heritage Week was approved by President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to cover a 30-day period (September 15-October 15), and enacted into law on August 17, 1988 as Public Law 100-402; and

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

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

Whereas, September 15 is the starting point for the celebration because it is the anniversary of independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, when they all declared independence in 1821; and

Whereas, Mexico, Chile, and Belize celebrate their independence days on September 16, September 18, and September 21, respectively; and

Whereas, National Hispanic Heritage Month is the period of time in the United States, when people recognize the contributions of Hispanic and Latino Americans to the United States and celebrate these people's varied heritage, background, and culture; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 15-October 15, 2016, as Hispanic Heritage Month in the state of Michigan. This month coincides with National Hispanic Heritage Month. We encourage all citizens to recognize and applaud the many contributions made by these individuals to enhance the quality of life in this state; and be it further

Resolved, That we encourage all sectors in our state to honor and commemorate the above-listed historical events of liberation in Mexico, Central America, South America, and the Caribbean, as part of the celebrating and recognizing of the history, cultures, and contributions of Hispanics in the U.S. and its territories; and be it further

Resolved, That copies of this resolution be transmitted to appropriate officials of high standing in the state and to representatives of the Hispanic community as enduring testimony of the high esteem in which the ancestors and descendants of Hispanics are held by the Michigan Legislature.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kesto, Crawford, Hovey-Wright, Howrylak, Kelly, LaVoy and Love offered the following resolution:

House Resolution No. 337.

A resolution to declare September 2016 as Kinship Care Month in the state of Michigan.

Whereas, Kinship Care month provides an opportunity to recognize the children and their grandparents and other relatives who raise them in kinship care and who ensure their safety, promote their well-being, and establish a stable household in which they can be nurtured and thrive and succeed; and

Whereas, More than 150,000 children throughout Michigan are raised in kinship families with grandparent or relative caregivers who have stepped forward out of love and loyalty to care for their young relatives and provide them with a sense of connection, security, and ties to their cultural heritage, their family, and their community; and

Whereas, The public becomes increasingly aware of the challenges faced by children, grandparents, and other relatives in kinship care to work in partnership with the education, legal, social services, mental health, justice, and other systems to access services that can enable kinship youth to flourish in all facets of their life; and

Whereas, Michiganders join to honor grandparents and relatives residing in urban, rural, and suburban households across the state who step forward out of love and loyalty to care for relatives when the child's biological parents are no longer able to do so; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2016 as Kinship Care Month in the state of Michigan. We encourage all of Michigan's citizens to raise their awareness and understanding of the positive family environment that kinship families offer for many children.

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. 5275, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 72101, 72115, and 81133 (MCL 324.72101, 324.72115, and 324.81133), section 72101 as amended by 2014 PA 211, section 72115 as amended by 2014 PA 213, and section 81133 as amended by 2014 PA 147, and by adding section 72117; and to repeal acts and parts of acts.

(The bill was received from the Senate on September 8, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1789.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 454

Yeas—68

Afendoulis
Barrett

Glardon
Glenn

Leutheuser
Love

Pscholka
Rendon

Bizon	Goike	Lucido	Roberts, B.
Brunner	Graves	Lyons	Runestad
Bumstead	Heise	Maturen	Rutledge
Callton	Hooker	McBroom	Santana
Canfield	Howell	McCready	Sheppard
Chatfield	Hughes	Miller, A.	Smiley
Cole	Iden	Muxlow	Somerville
Cotter	Jacobsen	Neeley	Tedder
Cox	Jenkins	Nesbitt	Theis
Crawford	Johnson	Outman	Vaupel
Farrington	Kelly	Pagel	VerHeulen
Forlini	Kesto	Phelps	Victory
Franz	LaFontaine	Poleski	Webber
Garcia	Lauwers	Potvin	Whiteford
Garrett	Leonard	Price	Yonker

Nays—38

Banks	Durhal	Irwin	Roberts, S.
Brinks	Faris	Kivela	Robinson
Byrd	Gay-Dagnogo	Kosowski	Schor
Chang	Geiss	LaGrand	Singh
Chirkun	Greig	Lane	Talabi
Clemente	Greimel	LaVoy	Townsend
Cochran	Guerra	Liberati	Wittenberg
Darany	Hoadley	Moss	Yanez
Dianda	Hovey-Wright	Pagan	Zemke
Driskell	Howrylak		

In The Chair: Leonard

The House agreed to the title as amended.

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

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

The Speaker laid before the House

House Bill No. 5283, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 2 and 36 (MCL 567.222 and 567.256), section 2 as amended by 2015 PA 242, and by adding section 36a.

(The bill was received from the Senate on September 8, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1789.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 455**Yeas—78**

Afendoulis	Garcia	Lauwers	Pscholka
Barrett	Glardon	LaVoy	Rendon

Bizon	Glenn	Leonard	Roberts, B.
Brunner	Goike	Leutheuser	Runestad
Bumstead	Graves	Love	Rutledge
Byrd	Heise	Lucido	Santana
Callton	Hooker	Lyons	Schor
Canfield	Hovey-Wright	Maturen	Sheppard
Chatfield	Howell	McBroom	Singh
Clemente	Howrylak	McCready	Smiley
Cole	Hughes	Miller, A.	Somerville
Cotter	Iden	Muxlow	Tedder
Cox	Jacobsen	Nesbitt	Theis
Crawford	Jenkins	Outman	Vaupel
Darany	Johnson	Pagel	VerHeulen
Dianda	Kelly	Phelps	Victory
Faris	Kesto	Poleski	Webber
Farrington	Kivela	Potvin	Whiteford
Forlini	Kosowski	Price	Yonker
Franz	LaFontaine		

Nays—28

Banks	Garrett	Irwin	Roberts, S.
Brinks	Gay-Dagnogo	LaGrand	Robinson
Chang	Geiss	Lane	Talabi
Chirkun	Greig	Liberati	Townsend
Cochran	Greimel	Moss	Wittenberg
Driskell	Guerra	Neeley	Yanez
Durhal	Hoadley	Pagan	Zemke

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5649, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7403 (MCL 333.7403), as amended by 2015 PA 220.

(The bill was received from the Senate on September 8, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1790.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 456

Yeas—105

Afendoulis	Garcia	Kosowski	Price
Banks	Garrett	LaFontaine	Pscholka
Barrett	Gay-Dagnogo	LaGrand	Rendon
Bizon	Geiss	Lane	Roberts, B.
Brinks	Gardon	Lauwers	Roberts, S.
Brunner	Glenn	LaVoy	Robinson

Bumstead	Goike	Leonard	Runestad
Byrd	Graves	Leutheuser	Rutledge
Callton	Greig	Liberati	Santana
Canfield	Greimel	Love	Schor
Chang	Guerra	Lucido	Sheppard
Chatfield	Heise	Lyons	Singh
Chirkun	Hoadley	Maturen	Smiley
Clemente	Hooker	McBroom	Somerville
Cochran	Hovey-Wright	McCready	Talabi
Cole	Howell	Miller, A.	Tedder
Cotter	Howrylak	Moss	Townsend
Cox	Hughes	Muxlow	Vaupel
Crawford	Iden	Neeley	VerHeulen
Darany	Irwin	Nesbitt	Victory
Dianda	Jacobsen	Outman	Webber
Driskell	Jenkins	Pagan	Whiteford
Durhal	Johnson	Pagel	Wittenberg
Faris	Kelly	Phelps	Yanez
Farrington	Kesto	Poleski	Yonker
Forlini	Kivela	Potvin	Zemke
Franz			

Nays—1

Thisis

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5650, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7404 (MCL 333.7404), as amended by 2015 PA 220.

(The bill was received from the Senate on September 8, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1790.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 457**Yeas—104**

Afendoulis	Franz	Kosowski	Price
Banks	Garcia	LaFontaine	Pscholka
Barrett	Garrett	LaGrand	Rendon
Bizon	Gay-Dagnogo	Lane	Roberts, B.
Brinks	Geiss	Lauwers	Roberts, S.
Brunner	Gardon	LaVoy	Robinson
Bumstead	Glenn	Leonard	Runestad
Byrd	Goike	Leutheuser	Rutledge
Callton	Graves	Liberati	Santana

Canfield	Greig	Love	Schor
Chang	Greimel	Lucido	Sheppard
Chatfield	Guerra	Lyons	Singh
Chirkun	Heise	Maturen	Smiley
Clemente	Hoadley	McBroom	Somerville
Cochran	Hovey-Wright	McCready	Talabi
Cole	Howell	Miller, A.	Tedder
Cotter	Howrylak	Moss	Townsend
Cox	Hughes	Muxlow	Vaupel
Crawford	Iden	Neeley	VerHeulen
Darany	Irwin	Nesbitt	Victory
Dianda	Jacobsen	Outman	Webber
Driskell	Jenkins	Pagan	Whiteford
Durhal	Johnson	Pagel	Wittenberg
Faris	Kelly	Phelps	Yanez
Farrington	Kesto	Poleski	Yonker
Forlini	Kivela	Potvin	Zemke

Nays—2

Hooker

Theis

In The Chair: Franz

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5291, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 4, 6, 11, 11a, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25f, 25g, 26a, 26b, 26c, 31a, 31c, 31d, 31f, 32d, 32p, 35, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 55, 56, 61a, 61b, 62, 64b, 65, 67, 74, 81, 94, 94a, 98, 99h, 99s, 101, 102d, 104, 107, 147, 147a, 147c, 152a, 166, 201, 201a, 202a, 203, 206, 207a, 207b, 207c, 209, 210b, 210c, 217, 219, 220, 222, 223, 224, 225, 226, 229a, 230, 236, 236a, 236b, 236c, 237b, 238, 241, 246, 251, 252, 254, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 289, and 290 (MCL 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622g, 388.1623a, 388.1624, 388.1624a, 388.1624c, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631c, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1635, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1662, 388.1664b, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1698, 388.1699h, 388.1699s, 388.1701, 388.1702d, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1766, 388.1801, 388.1801a, 388.1802a, 388.1803, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1810c, 388.1817, 388.1819, 388.1820, 388.1822, 388.1823, 388.1824, 388.1825, 388.1826, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1837b, 388.1838, 388.1841, 388.1846, 388.1851, 388.1852, 388.1854, 388.1856, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1874c, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1889, and 388.1890), sections 4, 203, 219, 220, 223, 238, 251, and 254 as amended and section 237b as added by 2012 PA 201, section 6 as amended by 2016 PA 56, sections 11, 21f, 31a, 32d, and 107 as amended by 2015 PA 139, sections 11a, 11j, 11k, 11m, 15, 20, 20d, 20f, 20g, 22a, 22b, 22d, 22g, 23a, 24, 24a, 24c, 25f, 26a, 26b, 26c, 31d, 31f, 32p, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64b, 74, 81, 94, 94a, 98, 99h, 101, 104, 147, 147a, 147c, 152a, 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 222, 225, 226, 229a, 230, 236, 236a, 236b, 236c, 241, 246, 252, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 276, 277, 278, 279, 280, 281, 282, 283, and 284 as amended and sections 25g, 31c, 35, 35a, 55, 61b, 65, 67, 99s, 102d, 210c, and 274c as added by 2015 PA 85, section 18 as amended by 2015 PA 114, sections 19, 202a, 224, and 275 as amended by 2014 PA 196, section 166

as amended by 1996 PA 300, and sections 289 and 290 as amended by 2013 PA 60, and by adding sections 11o, 11s, 20j, 21, 21g, 31b, 54b, 61c, 95b, 99t, 152b, and 167a; and to repeal acts and parts of acts.

(The bill was received from the Senate on September 8, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 62, p. 1790.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Kelly moved to amend the Senate substitute (S-3) as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

(8) As used in this section:

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

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

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

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

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

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 458

Yeas—106

Afendoulis	Garcia	LaFontaine	Pscholka
Banks	Garrett	LaGrand	Rendon
Barrett	Gay-Dagnogo	Lane	Roberts, B.
Bizon	Geiss	Lauwers	Roberts, S.
Brinks	Glardon	LaVoy	Robinson
Brunner	Glenn	Leonard	Runestad
Bumstead	Goike	Leutheuser	Rutledge
Byrd	Graves	Liberati	Santana
Callton	Greig	Love	Schor
Canfield	Greimel	Lucido	Sheppard
Chang	Guerra	Lyons	Singh
Chatfield	Heise	Maturen	Smiley
Chirkun	Hoadley	McBroom	Somerville
Clemente	Hooker	McCready	Talabi
Cochran	Hovey-Wright	Miller, A.	Tedder
Cole	Howell	Moss	Theis
Cotter	Howrylak	Muxlow	Townsend
Cox	Hughes	Neeley	Vaupel
Crawford	Iden	Nesbitt	VerHeulen
Darany	Irwin	Outman	Victory
Dianda	Jacobsen	Pagan	Webber
Driskell	Jenkins	Pagel	Whiteford
Durhal	Johnson	Phelps	Wittenberg
Faris	Kelly	Poleski	Yanez

Farrington
Forlini
Franz

Kesto
Kivela
Kosowski

Potvin
Price

Yonker
Zemke

Nays—0

In The Chair: Franz

The House agreed to the title as amended.

Third Reading of Bills

Senate Bill No. 956, entitled

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

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

Roll Call No. 459

Yeas—103

Afendoulis
Banks
Barrett
Bizon
Brinks
Brunner
Bumstead
Byrd
Callton
Canfield
Chang
Chatfield
Chirkun
Clemente
Cochran
Cole
Cotter
Cox
Crawford
Darany
Dianda
Driskell
Durhal
Faris
Farrington
Forlini

Franz
Garcia
Garrett
Gay-Dagnogo
Geiss
Glardon
Glenn
Goike
Graves
Greig
Guerra
Heise
Hoadley
Hooker
Hovey-Wright
Howell
Howrylak
Hughes
Iden
Irwin
Jacobsen
Jenkins
Johnson
Kelly
Kesto
Kivela

Kosowski
LaFontaine
LaGrand
Lane
LaVoy
Leonard
Leutheuser
Liberati
Love
Lucido
Lyons
Maturen
McBroom
McCready
Miller, A.
Moss
Muxlow
Neeley
Nesbitt
Outman
Pagan
Pagel
Phelps
Poleski
Potvin
Price

Pscholka
Rendon
Roberts, B.
Roberts, S.
Runestad
Rutledge
Santana
Schor
Sheppard
Singh
Smiley
Somerville
Talabi
Tedder
Theis
Townsend
Vaupel
VerHeulen
Victory
Webber
Whiteford
Wittenberg
Yanez
Yonker
Zemke

Nays—3

Greimel

Lauwers

Robinson

In The Chair: Franz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 1007, entitled

A bill to amend 2012 PA 101, entitled “Autism coverage reimbursement act,” by amending section 7 (MCL 550.1837).

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

Roll Call No. 460

Yeas—106

Afendoulis	Garcia	LaFontaine	Pscholka
Banks	Garrett	LaGrand	Rendon
Barrett	Gay-Dagnogo	Lane	Roberts, B.
Bizon	Geiss	Lauwers	Roberts, S.
Brinks	Gardon	LaVoy	Robinson
Brunner	Glenn	Leonard	Runestad
Bumstead	Goike	Leutheuser	Rutledge
Byrd	Graves	Liberati	Santana
Callton	Greig	Love	Schor
Canfield	Greimel	Lucido	Sheppard
Chang	Guerra	Lyons	Singh
Chatfield	Heise	Maturen	Smiley
Chirkun	Hoadley	McBroom	Somerville
Clemente	Hooker	McCready	Talabi
Cochran	Hovey-Wright	Miller, A.	Tedder
Cole	Howell	Moss	Theis
Cotter	Howrylak	Muxlow	Townsend
Cox	Hughes	Neeley	Vaupel
Crawford	Iden	Nesbitt	VerHeulen
Darany	Irwin	Outman	Victory
Dianda	Jacobsen	Pagan	Webber
Driskell	Jenkins	Pagel	Whiteford
Durhal	Johnson	Phelps	Wittenberg
Faris	Kelly	Poleski	Yanez
Farrington	Kesto	Potvin	Yonker
Forlini	Kivela	Price	Zemke
Franz	Kosowski		

Nays—0

In The Chair: Franz

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

“An act to create an autism coverage reimbursement program to encourage insurance and health coverage providers to provide autism coverage; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; and to provide for an appropriation.”

The House agreed to the full title.
Rep. Garcia 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. 5469, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding part 2.
Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Oversight and Ethics,
The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. McBroom moved to amend the bill as follows:

1. Amend page 2, line 20, after "**GOVERNMENT.**" by inserting "**PUBLIC BODY DOES NOT INCLUDE THE OFFICE OF THE AUDITOR GENERAL.**".

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

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

The motion prevailed.

House Bill No. 5470, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 54.
The bill was read a second time.

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

The motion prevailed.

House Bill No. 5471, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 55.
The bill was read a second time.

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

The motion prevailed.

House Bill No. 5472, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 56, 57, 58, and 59.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5473, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 59a and 59b.

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

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

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

The motion prevailed.

House Bill No. 5474, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 59e and 59f.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5475, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding sections 59c and 59d.

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

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

Rep. McBroom moved to amend the bill as follows:

1. Amend page 4, line 20, by striking out all of subdivision (P) and relettering the remaining subdivision.

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

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

The motion prevailed.

House Bill No. 5476, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 104a (MCL 4.1104a), as amended by 2013 PA 241.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5477, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

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

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

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

The motion prevailed.

House Bill No. 5478, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 1 and 2 (MCL 15.231 and 15.232), section 1 as amended by 1997 PA 6 and section 2 as amended by 1996 PA 553, and by designating sections 1 to 16 as part 1.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Oversight and Ethics, by Rep. McBroom, Chair, reported

House Bill No. 5826, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 5a.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. McBroom, Howrylak, Graves, Theis, Robinson and Pagan

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, September 15, 2016

Present: Reps. McBroom, Howrylak, Graves, Theis, Robinson and Pagan

Second Reading of Bills

House Bill No. 5826, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," (MCL 15.231 to 15.246) by adding section 5a. Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Oversight and Ethics,

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

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

The motion prevailed.

House Bill No. 5838, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 459 (MCL 750.459), as amended by 2014 PA 331.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5839, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2014 PA 327.

The bill was read a second time.

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

The motion prevailed.

Rep. Garcia 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, September 15:

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

Reports of Standing Committees

The Committee on Health Policy, by Rep. Callton, Chair, reported

House Bill No. 5033, entitled

A bill to amend 1846 RS 1, entitled "Of the statutes," by repealing section 3g (MCL 8.3g).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati, Neeley and Wittenberg

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

House Bill No. 5400, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 5119, 16145, 16146, 16177, 16191, 16261, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, and 20201 (MCL 333.2701, 333.5119, 333.16145, 333.16146, 333.16177, 333.16191, 333.16261, 333.16327, 333.17201, 333.17210, 333.17211, 333.17212, 333.17221, 333.17607, 333.17708, 333.17745, 333.17820, 333.17822, and 333.20201), section 2701 as amended by 2014 PA 172, section 5119 as amended by 2000 PA 209, section 16145 as amended by 1993 PA 80, section 16146 as amended by 2006 PA 26, section 16177 as amended by 2006 PA 481, section 16191 as amended by 1986 PA 174, section 16261 as amended by 2002 PA 734, section 16327 as amended by 2009 PA 216, sections 17211 and 17221 as amended by 2006 PA 409, section 17212 as added by 1996 PA 355, section 17607 as added by 2008 PA 524, section 17708 as amended by 2012 PA 209, section 17745 as amended by 2014 PA 525, section 17820 as amended by 2014 PA 260, section 17822 as amended by 2005 PA 281, and section 20201 as amended by 2011 PA 210, and by adding sections 17210a, 17211a, and 17214.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati, Neeley and Wittenberg

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

House Bill No. 5533, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7303a, 9701, 17001, 17021, 17048, 17049, 17050, 17060, 17074, 17076, 17078, 17501, 17521, 17548, 17549, 17550, 17708, 17745, 17745a, 17745b, 18001, 18021, 18048, 18049, 18050, and 20201 (MCL 333.7303a, 333.9701, 333.17001, 333.17021, 333.17048, 333.17049, 333.17050, 333.17060, 333.17074, 333.17076, 333.17078, 333.17501, 333.17521, 333.17548, 333.17549, 333.17550, 333.17708, 333.17745, 333.17745a, 333.17745b, 333.18001, 333.18021, 333.18048, 333.18049, 333.18050, and 333.20201), section 7303a as added by 1993 PA 305, section 9701 as added by 2004 PA 250, sections 17001, 17074, 17501, and 18001 as amended and section 18050 as added by 2006 PA 161, section 17021 as amended by 1993 PA 79, sections 17048 and 17548 as amended by 2012 PA 618, sections 17049, 17076, 17078, 17549, 18048, 18049, and 20201 as amended by 2011 PA 210, sections 17050 and 17550 as amended by 1990 PA 247, section 17060 as amended by 2014 PA 343, section 17521 as amended by 2006 PA 582, section 17708 as amended by 2016 PA 49, section 17745 as amended by 2014 PA 525, section 17745a as amended by 1999 PA 190, section 17745b as added by 1993 PA 306, and section 18021 as amended by 2006 PA 391, and by adding sections 17047, 17547, 18047, 18051, and 20174; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati, Neeley and Wittenberg

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

House Bill No. 5782, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 748 (MCL 330.1748), as amended by 1998 PA 497.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati and Neeley

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

House Bill No. 5877, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 17760 and 17760a.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati, Neeley and Wittenberg

Nays: None

The Committee on Health Policy, by Rep. Callton, Chair, reported

Senate Bill No. 753, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16283, 16284, 16285, 16286, 16287, and 16288.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati, Neeley and Wittenberg

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 20, 2016

Present: Reps. Callton, Vaupel, Hooker, Yonker, Graves, Hughes, Kesto, VerHeulen, Bizon, Chatfield, Crawford, Garcia, Tedder, Darany, Brinks, Cochran, Geiss, Liberati, Neeley and Wittenberg

Absent: Rep. Phelps

Excused: Rep. Phelps

The Committee on Transportation and Infrastructure, by Rep. Glardon, Chair, reported

House Bill No. 5857, entitled

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending sections 2, 2a, 3, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 30, 32, 33, 34a, 36, and 39 (MCL 257.1302, 257.1302a, 257.1303, 257.1307, 257.1309, 257.1310, 257.1311, 257.1312, 257.1313, 257.1314, 257.1315, 257.1316, 257.1317, 257.1318, 257.1319, 257.1320, 257.1321, 257.1322, 257.1330, 257.1332, 257.1333, 257.1334a, 257.1336, and 257.1339), sections 2 and 10 as amended by 2016 PA 33, section 2a as added and sections 18, 22, and 30 as amended by 1988 PA 254, and section 17 as amended by 2002 PA 464, and by adding sections 7a, 7b, 7c, 7d, 7e, 7f, 10b, 13a, 13b, and 32a.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Glardon, Farrington, Jacobsen, Yonker, Lauwers, McCready, Maturen, Howell, Lane, Rutledge, Smiley, Dianda, Neeley and LaGrand

Nays: Reps. Goike and Cole

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 20, 2016

Present: Reps. Glardon, Farrington, Goike, Jacobsen, Yonker, Lauwers, McCready, Cole, Maturen, Howell, Lane, Rutledge, Smiley, Dianda, Neeley and LaGrand

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 5667, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766c (MCL 333.17766c), as amended by 2014 PA 216.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Lucido, Howell, Guerra, Hovey-Wright and Chang

Nays: None

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 5670, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 141b.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright and Chang

Nays: None

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 5808, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 462g (MCL 750.462g), as amended by 2014 PA 329.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright and Chang

Nays: None

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

House Bill No. 5815, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 83 (MCL 791.283).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright and Chang

Nays: None

The Committee on Criminal Justice, by Rep. Heise, Chair, reported

Senate Bill No. 291, entitled

A bill to provide compensation and other relief for individuals wrongfully imprisoned for crimes; to prescribe the powers and duties of certain state and local governmental officers and agencies; and to provide remedies.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright and Chang

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 20, 2016

Present: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright and Chang

The Committee on Commerce and Trade, by Rep. Graves, Chair, reported

House Bill No. 5651, entitled

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," by amending sections 2, 4, 5, 8, 9, 10, 12, 13, 14, 16, 21, 24, 25, and 26 (MCL 120.102, 120.104, 120.105, 120.108, 120.109, 120.110, 120.112, 120.113, 120.114, 120.116, 120.121, 120.124, 120.125, and 120.126), section 5 as amended by 2001 PA 244 and section 14 as amended by 2002 PA 412, and by adding section 24a; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Graves, Sheppard, Jenkins, Johnson, Rendon, Hughes, Garcia, Leutheuser, Schor, Townsend, Byrd, Geiss, Love and Moss

Nays: Reps. Barrett and Glenn

The Committee on Commerce and Trade, by Rep. Graves, Chair, reported

House Bill No. 5652, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 4 (MCL 125.2004), as amended by 2014 PA 507.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Graves, Sheppard, Jenkins, Johnson, Rendon, Hughes, Garcia, Leutheuser, Schor, Townsend, Byrd, Geiss, Love and Moss

Nays: Reps. Barrett and Glenn

The Committee on Commerce and Trade, by Rep. Graves, Chair, reported

Senate Bill No. 853, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Graves, Sheppard, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser

Nays: Reps. Schor, Townsend, Byrd, Geiss, Love and Moss

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Graves, Chair, of the Committee on Commerce and Trade, was received and read:

Meeting held on: Tuesday, September 20, 2016

Present: Reps. Graves, Sheppard, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn, Leutheuser, Schor, Townsend, Byrd, Geiss, Love and Moss

Absent: Reps. Callton and Garrett

Excused: Reps. Callton and Garrett

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

House Bill No. 5702, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2014 PA 407.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela and Smiley

Nays: None

The Committee on Natural Resources, by Rep. LaFontaine, Chair, reported

Senate Bill No. 717, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21303, 21304c, 21310a, 21323a, and 21325 (MCL 324.21303, 324.21304c, 324.21310a, 324.21323a, and 324.21325),

sections 21303, 21304c, 21310a, and 21323a as amended by 2012 PA 446 and section 21325 as added by 2012 PA 108, and by adding section 21325a.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford and Smiley
Nays: Rep. Kivela

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaFontaine, Chair, of the Committee on Natural Resources, was received and read:
Meeting held on: Tuesday, September 20, 2016
Present: Reps. LaFontaine, Rendon, Forlini, Goike, McBroom, Whiteford, Kivela and Smiley

The Committee on Communications and Technology, by Rep. Jacobsen, Chair, reported

Senate Bill No. 995, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2b, 204a, 602b, 643, 643a, and 665 (MCL 257.2b, 257.204a, 257.602b, 257.643, 257.643a, and 257.665), sections 2b and 665 as added and section 602b as amended by 2013 PA 231, section 204a as amended by 2004 PA 362, and by adding sections 40c, 606b, and 665a; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Jacobsen, Iden, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Phelps, Driskell, Chirkun, Greig and Guerra
Nays: None

The Committee on Communications and Technology, by Rep. Jacobsen, Chair, reported

Senate Bill No. 996, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 665b.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Jacobsen, Iden, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Phelps, Driskell, Chirkun, Greig and Guerra
Nays: None

The Committee on Communications and Technology, by Rep. Jacobsen, Chair, reported

Senate Bill No. 997, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2b and 601a (MCL 257.2b and 257.601a), section 2b as added by 2013 PA 231 and section 601a as amended by 2011 PA 115, and by adding section 665a.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Jacobsen, Iden, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Phelps, Driskell, Chirkun, Greig and Guerra

Nays: None

The Committee on Communications and Technology, by Rep. Jacobsen, Chair, reported

Senate Bill No. 998, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2949b (MCL 600.2949b), as added by 2013 PA 251.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Jacobsen, Iden, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Phelps, Driskell, Chirkun, Greig and Guerra

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 20, 2016

Present: Reps. Jacobsen, Iden, Franz, Glardon, Outman, Price, Barrett, Leutheuser, Tedder, Phelps, Driskell, Chirkun, Greig and Guerra

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 20, 2016

Present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang and Guerra

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 20, 2016

Present: Reps. McBroom, Howrylak, Theis, Robinson and Pagan

Absent: Rep. Graves

Excused: Rep. Graves

Introduction of Bills

Rep. Jenkins introduced

House Bill No. 5891, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 185 (MCL 750.185).

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

Reps. Hughes, Barrett, Sheppard and Bizon introduced

House Bill No. 5892, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2015 PA 161.

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

Rep. Chang introduced

House Bill No. 5893, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 504, 524, and 556 (MCL 380.504, 380.524, and 380.556), as amended by 2011 PA 277.

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

Reps. Sarah Roberts, Wittenberg, Greig and Pagan introduced

House Bill No. 5894, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3g (MCL 445.903g), as added by 2008 PA 209.

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

Reps. Sarah Roberts, Wittenberg, Greig and Pagan introduced

House Bill No. 5895, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3e (MCL 445.903e), as added by 2008 PA 210.

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

Rep. Irwin introduced

House Bill No. 5896, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 275 and 675.

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

Rep. Irwin introduced

House Bill No. 5897, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2015 PA 85.

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

Rep. Howrylak introduced

House Bill No. 5898, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 42 (MCL 38.1342), as amended by 2012 PA 300.

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

Rep. McBroom introduced

House Bill No. 5899, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811f (MCL 257.811f), as amended by 2006 PA 562.

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

Rep. McBroom introduced

House Bill No. 5900, entitled

A bill to provide for standing committees on ethics in the senate and house of representatives; to provide for the adoption of a code of ethics in each legislative chamber; to create a procedure for handling and addressing ethical complaints against legislative members; to prescribe the powers and duties of certain state officers; and to address the funding of the ethics committees.

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

Rep. Darany introduced

House Bill No. 5901, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 37 (MCL 256.657), as amended by 2014 PA 317.

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

Rep. Price introduced

House Bill No. 5902, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2822 (MCL 333.2822), as amended by 2002 PA 691.

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

Rep. Lucido introduced

House Bill No. 5903, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 310 and 709 (MCL 257.310 and 257.709), section 310 as amended by 2016 PA 219 and section 709 as amended by 2010 PA 258.

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

Announcements by the Clerk

September 15, 2016

Received from the Auditor General a copy of the report on internal control, compliance, and other matters for the fiscal years ended September 30, 2015 and September 30, 2014:

- Michigan Justice Training Fund, Michigan Commission on Law Enforcement Standards, Michigan Department of State Police

Gary L. Randall
Clerk of the House

By unanimous consent the House returned to the order of

Reports of Select Committees

First Conference Report

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

House Bill No. 4822, entitled

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

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

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

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

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

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

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

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

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

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

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

(B) ADMINISTERING AND ANALYZING INSTRUCTIONAL ASSESSMENTS.

(C) PROVIDING DIFFERENTIATED INSTRUCTION AND INTENSIVE INTERVENTION.

(D) USING PROGRESS MONITORING.

(E) IDENTIFYING AND ADDRESSING READING DEFICIENCY.

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

(A) MODEL EFFECTIVE INSTRUCTIONAL STRATEGIES FOR TEACHERS.

(B) FACILITATE STUDY GROUPS.

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

(D) COACH AND MENTOR COLLEAGUES.

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

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

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

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

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

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

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

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

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

(A) HAVE EXPERIENCE AS A SUCCESSFUL CLASSROOM TEACHER.

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

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

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

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

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

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

THESE ASSESSMENTS FOR A SCHOOL YEAR SHALL BE CONDUCTED WITHIN THE FIRST 30 SCHOOL DAYS OF THE SCHOOL YEAR.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) INSTRUCTION IN ACADEMIC VOCABULARY.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) A READING SPECIALIST.

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

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

(D) DAILY TARGETED SMALL GROUP OR 1-TO-1 READING INTERVENTION THAT IS BASED ON PUPIL NEEDS, DETERMINED BY ASSESSMENT DATA, AND ON IDENTIFIED READING DEFICIENCIES AND THAT INCLUDES EXPLICIT AND SYSTEMATIC INSTRUCTION WITH MORE DETAILED AND VARIED EXPLANATIONS, MORE EXTENSIVE OPPORTUNITIES FOR GUIDED PRACTICE, AND MORE OPPORTUNITIES FOR ERROR CORRECTION AND FEEDBACK.

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

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

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

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

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

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

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

(D) THE PUPIL HAS BEEN CONTINUOUSLY ENROLLED IN HIS OR HER CURRENT SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY FOR LESS THAN 2 YEARS AND THERE IS EVIDENCE THAT THE PUPIL

WAS NOT PROVIDED WITH AN APPROPRIATE INDIVIDUAL READING IMPROVEMENT PLAN UNDER SUBSECTION (2)(B) BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN WHICH THE PUPIL WAS PREVIOUSLY ENROLLED.

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

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

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

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

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

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

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

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

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

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

(13) BEGINNING JUNE 4, 2019, IF A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY CANNOT FURNISH THE NUMBER OF TEACHERS NEEDED TO SATISFY 1 OR MORE OF THE CRITERIA SET FORTH IN THIS SECTION FOR A SCHOOL YEAR, THEN BY THE AUGUST 15 BEFORE THE BEGINNING OF THAT

SCHOOL YEAR THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL DEVELOP A STAFFING PLAN FOR PROVIDING SERVICES UNDER THIS SECTION. THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL POST THE STAFFING PLAN ON ITS WEBSITE FOR THE APPLICABLE SCHOOL YEAR. THE STAFFING PLAN SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

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

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

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

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

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

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

(B) OPPORTUNITIES FOR SPEECH PRODUCTION.

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

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

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

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

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

(17) AS USED IN THIS SECTION:

(A) "EVIDENCE-BASED" MEANS BASED IN RESEARCH AND WITH PROVEN EFFICACY.

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

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

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

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

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

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

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to make appropriations for certain purposes; to provide for and prescribe the powers and duties of certain state departments, the

state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1280f.

Kevin Cotter
Amanda Price
Conferees for the House

Phil Pavlov
Goeff Hansen
David Knezek
Conferees for the Senate

Rep. Kivela moved that the House adjourn.
The motion prevailed, the time being 6:40 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Wednesday, September 21, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

