

No. 40
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House of Representatives
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House Chamber, Lansing, Thursday, April 26, 2012.

12:00 Noon.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Paul E. Opsommer, from the 93rd District, offered the following invocation:

“Good and Holy Father, as we look to live our lives in a way that You would respect, we look to Your word for guidance. Romans 12:

Love must be sincere. Hate what is evil; cling to what is good. Be devoted to one another in love. Honor one another above yourselves. Never be lacking in zeal, but keep your spiritual fervor, serving the Lord. Be joyful in hope, patient in affliction, faithful in prayer. Share with the Lord’s people who are in need. Practice hospitality.

Be Humble. We ask for Your guidance and we attempt to work within Your word. We ask for Your help and guidance. Praise to You, O Lord. Thank You.”

Motions and Resolutions

Reps. Brown, Slavens, Switalski, Barnett, Byrum, Constan, Darany, Durhal, Howze, Knollenberg, LeBlanc, Liss, Segal and Tyler offered the following resolution:

House Resolution No. 240.

A resolution to declare April 2012 as Occupational Therapy Month in the state of Michigan.

Whereas, The American Occupational Therapy Association has declared the month of April 2012 to be known as Occupational Therapy Month; and

Whereas, The profession of occupational therapy makes valuable contributions in helping people “Live Life to Its Fullest” after an illness or injury; and

Whereas, The services of occupational therapy are available to citizens of Michigan through hospitals, home health agencies, schools, clinics, and nursing homes; and

Whereas, The health and productivity of our citizens depend upon the effective use of health care resources, including the important services of occupational therapists and occupational therapy assistants; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2012 as Occupational Therapy Month in the state of Michigan. We call upon all citizens to recognize the achievements and contributions of these valued health professionals.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brown, Bauer, Slavens, Switalski, Barnett, Byrum, Constan, Cotter, Darany, Durhal, Howze, Knollenberg, LeBlanc, Liss, Segal and Tyler offered the following resolution:

House Resolution No. 241.

A resolution to declare April 2012 as Parkinson’s Awareness Month in the state of Michigan.

Whereas, Parkinson’s disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer’s disease; and

Whereas, There is inadequate comprehensive data on the incidence and prevalence of Parkinson’s disease. As of 2011, it is estimated that the disease affects from 500,000 to 1,500,000 people in the United States; and

Whereas, Although research suggests the cause of Parkinson’s disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown; and

Whereas, There is no objective test for Parkinson’s disease and the rate of misdiagnosis can be high; and

Whereas, Symptoms of Parkinson’s disease vary from person to person and include tremors, slowness, poor balance, trouble swallowing or chewing, cognitive problems, dementia, mood disorders, sleep disruptions and more; and

Whereas, Medications can help ease the symptoms for a limited amount of time each day, but typically lose their effectiveness after 4 to 8 years, leaving the person unable to move, speak, or swallow; and

Whereas, There is no cure, therapy, or drug to slow or stop the progression of Parkinson’s disease; and

Whereas, Increased education and research are needed to help find more effective treatments with fewer side effects and, ultimately, an effective cure for Parkinson’s disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2012 as Parkinson’s Awareness Month in the state of Michigan. We support the search for a cure.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Bledsoe, Barnett, Bauer, Brown, Byrum, Constan, Darany, Durhal, Hooker, Howze, Knollenberg, Kowall, LeBlanc, Liss, Segal, Slavens and Tyler offered the following resolution:

House Resolution No. 242.

A resolution to declare May 2012 as Student Athlete Cardiac Awareness Month in the state of Michigan.

Whereas, The state of Michigan has lost at least 50 students to sudden cardiac arrest and related causes since December 1999. This includes Fennville High School star basketball player Wes Leonard, who collapsed shortly after scoring the winning basket in overtime on March 3, 2011; and

Whereas, Another student who was lost was 15-year-old Kimberly Anne Gillary, who suffered a sudden cardiac arrest in a high school water polo game on April 1, 2000; and

Whereas, The Gillary family founded the Kimberly Anne Gillary Foundation in April 2000 in Kimberly's memory to donate automated external defibrillators (AEDs) to Michigan high schools and to advocate cardiac screening and testing of all Michigan high school student athletes; and

Whereas, As of March 1, 2012, the Kimberly Anne Gillary Foundation has raised more than \$1.15 million and has donated more than 600 AEDs to Michigan high schools; and

Whereas, There have been at least two lives saved using AEDs donated by the Kimberly Anne Gillary Foundation. On October 24, 2007, the life of 17-year-old Ashley Palmer was saved at Davison High School due to the quick thinking and training of Davison High School staff members. On April 22, 2009, 67-year-old Larry Ratkowski, a spectator at a Hamilton High School baseball game, was saved due to the quick thinking and training of the principal, the athletic trainer, one of the students, and a deputy sheriff; and

Whereas, In large part, as a result of the efforts of the Kimberly Anne Gillary Foundation, approximately 75 percent of the high schools in Michigan now have at least one AED and staff members are trained in CPR and the use of an AED. There is an increased awareness of the importance of more effective pre-participation cardiac screening of our high school student athletes and having AEDs readily accessible in our Michigan high schools; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2012 as Student Athlete Cardiac Awareness Month in the state of Michigan; and be it further

Resolved, That the people of the state of Michigan are encouraged to become more aware of the importance of improved pre-participation screening of our student athletes and the preparedness of our citizenry and public employees to respond to the sudden cardiac arrest of our sons and daughters while entrusted to our public schools in the course of their education; and be it further

Resolved, That the State Board of Education be urged to include provisions in policies and regulations for AED training in student health education courses and for regular AED drills, so that students and staff will be better prepared to use AEDs to save lives in schools and other public places; and be it further

Resolved, That the State Board of Education should advise schools to facilitate the education of students and their families to identify situations where students may be at risk; and be it further

Resolved, That copies of this resolution be transmitted to the Kimberly Anne Gillary Foundation and the State Board of Education as a symbol of our support.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker called the Speaker Pro Tempore to the Chair.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 218.

A resolution to memorialize Congress to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University to its full scheduled appropriation level.

(For text of resolution, see House Journal No. 31, p. 456.)

The resolution was reported by the Committee on Energy and Technology on April 17.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 51.

A concurrent resolution to memorialize Congress to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University to its full scheduled appropriation level.

(For text of concurrent resolution, see House Journal No. 31, p. 457.)

(The concurrent resolution was reported by the Committee on Energy and Technology on April 17.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

House Resolution No. 227.

A resolution to memorialize Congress to reject the President's budget proposal to eliminate the search-and-rescue U.S. Coast Guard helicopter unit in Muskegon County and to restructure the Traverse City Air Station.

(For text of resolution, see House Journal No. 34, p. 523.)

(The resolution was reported by the Committee on Military and Veterans Affairs and Homeland Security on April 17.)

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 4025, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

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

Roll Call No. 199

Yeas—81

Agema	Graves	LeBlanc	Pettalia
Ananich	Greimel	Lindberg	Poleski
Bledsoe	Haines	Liss	Potvin
Bolger	Hammel	Lori	Price
Brunner	Haveman	Lund	Pscholka
Bumstead	Heise	Lyons	Rendon
Callton	Hobbs	MacGregor	Rogers
Cotter	Hooker	MacMaster	Schmidt, R.
Crawford	Horn	McBroom	Schmidt, W.
Daley	Hovey-Wright	McCann	Segal
Damrow	Howze	McMillin	Shaughnessy
Denby	Hughes	Moss	Shirkey
Dillon	Huuki	Muxlow	Smiley
Farrington	Jacobsen	Nesbitt	Somerville
Forlini	Jenkins	O'Brien	Stamas
Foster	Johnson	Oakes	Talabi
Franz	Knollenberg	Olson	Tyler
Genetski	Kowall	Opsommer	Walsh
Gilbert	Kurtz	Ouimet	Yonker
Glardon	LaFontaine	Outman	Zorn
Goike			

Nays—29

Barnett	Durhal	Lipton	Stallworth
Bauer	Geiss	Meadows	Stanley

Brown	Haugh	Nathan	Stapleton
Byrum	Irwin	Olumba	Switalski
Cavanagh	Jackson	Rutledge	Tlaib
Clemente	Kandrevas	Santana	Townsend
Constan	Lane	Slavens	Womack
Darany			

In The Chair: Walsh

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

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

HB 4025 will take revenue derived from my district and redistribute it to support airports in the rest of the State. While I hold the belief that we must support each other as citizens of Michigan, I am frustrated by the fact that \$6 million dollars is already being diverted from Detroit Metro Airport to support bonds for airports in other corners of the State. In contrast, only \$1.5 million goes to the City of Romulus to support the infrastructure surrounding Detroit Metro Airport.

This bill will take another \$15 million which currently goes to the State General Fund, and instead direct it to a State Aeronautics Fund. I am certain that this money, with nearly 90% being derived from Metro Airport, will be used to further improve and expand airports other than Detroit Metro Airport.

This continual raid on my district is unconscionable. As I showed on the House floor today, the roads and infrastructure around Metro Airport need to be fixed. Until my colleagues choose to work together on a complete solution to all our road funding issues, I cannot support and will vigorously oppose stealing the money that my district sorely needs to make it the true welcome mat of Pure Michigan.”

Rep. Segal moved that Rep. Olumba be excused temporarily from today’s session.
 The motion prevailed.

Senate Bill No. 393, entitled

A bill to amend 2006 PA 88, entitled “Inmate reimbursement to municipalities act,” by amending section 2 (MCL 801.312).

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

Roll Call No. 200

Yeas—108

Agema	Genetski	Lane	Price
Ananich	Gilbert	LeBlanc	Pscholka
Barnett	Glardon	Lindberg	Rendon
Bauer	Goike	Lipton	Rogers
Bledsoe	Graves	Liss	Rutledge
Bolger	Greimel	Lori	Santana
Brown	Haines	Lund	Schmidt, R.
Brunner	Hammel	Lyons	Schmidt, W.
Bumstead	Haugh	MacGregor	Segal

Byrum	Haveman	MacMaster	Shaughnessy
Callton	Heise	McBroom	Shirkey
Cavanagh	Hobbs	McCann	Slavens
Clemente	Hooker	McMillin	Smiley
Constan	Horn	Meadows	Somerville
Cotter	Hovey-Wright	Moss	Stallworth
Crawford	Howze	Muxlow	Stamas
Daley	Hughes	Nathan	Stanley
Damrow	Huuki	Nesbitt	Stapleton
Darany	Jackson	O'Brien	Switalski
Denby	Jacobsen	Oakes	Talabi
Dillon	Jenkins	Olson	Tlaib
Durhal	Johnson	Opsommer	Townsend
Farrington	Kandrevas	Ouimet	Tyler
Forlini	Knollenberg	Outman	Walsh
Foster	Kowall	Pettalia	Womack
Franz	Kurtz	Poleski	Yonker
Geiss	LaFontaine	Potvin	Zorn

Nays—1

Irwin

In The Chair: Walsh

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

“An act to allow reimbursement to municipalities for certain costs for inmates housed in municipal jails or county jails; and to provide certain powers and duties of municipal officials and county officials,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 619, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 552 (MCL 380.552), as added by 2009 PA 205.

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

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

Rep. Darany moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“(14) FOR A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, NOT LATER THAN OCTOBER 1 OF EACH YEAR, THE BOARD OF DIRECTORS OF THE SCHOOL OF EXCELLENCE SHALL MAKE AVAILABLE THROUGH A LINK ON ITS WEBSITE HOMEPAGE, IN THE FORM AND MANNER PRESCRIBED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION, A REPORT DETAILING THE PER PUPIL COSTS OF OPERATING THE SCHOOL OF EXCELLENCE FOR THE IMMEDIATELY PRECEDING SCHOOL FISCAL YEAR. THE REPORT SHALL INCLUDE, ON A PER PUPIL BASIS, AT LEAST ALL OF THE FOLLOWING COSTS:

(A) TEXTBOOKS, INSTRUCTIONAL MATERIAL, AND SUPPLIES, INCLUDING ELECTRONIC INSTRUCTIONAL MATERIAL.

(B) COMPUTER AND OTHER ELECTRONIC EQUIPMENT.**(C) INTERNET ACCESS.****(D) SALARIES AND BENEFITS FOR EMPLOYEES.”.**

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 3, line 3, after “state” by striking out the period and inserting “who were previously enrolled in a public school.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“(14) A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL SHALL NOT ENTER INTO AN AGREEMENT WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION TO PROVIDE EDUCATIONAL, ADMINISTRATIVE, MANAGEMENT, OR INSTRUCTIONAL SERVICES UNLESS THE EDUCATIONAL MANAGEMENT ORGANIZATION IS A NONPROFIT ENTITY.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“(14) AN AUTHORIZING BODY SHALL NOT ISSUE A CONTRACT FOR A NEW SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL IF ANY OF THE FOLLOWING APPLY:

(A) BEGINNING JULY 1, 2014, MORE THAN 2 PUBLIC SCHOOL ACADEMIES AUTHORIZED BY THE AUTHORIZING BODY THAT HAVE BEEN OPERATING FOR MORE THAN 3 SCHOOL YEARS HAVE BEEN RANKED BY THE DEPARTMENT IN THE LOWEST 5% OF PUBLIC SCHOOL ACADEMIES IN THIS STATE IN STUDENT ACHIEVEMENT FOR 3 CONSECUTIVE YEARS.

(B) BEGINNING JULY 1, 2016, MORE THAN 2 PUBLIC SCHOOL ACADEMIES AUTHORIZED BY THE AUTHORIZING BODY THAT HAVE BEEN OPERATING FOR MORE THAN 3 SCHOOL YEARS HAVE BEEN RANKED BY THE DEPARTMENT IN THE LOWEST 7% OF PUBLIC SCHOOL ACADEMIES IN THIS STATE IN STUDENT ACHIEVEMENT FOR 3 CONSECUTIVE YEARS.

(C) BEGINNING JULY 1, 2019, MORE THAN 2 PUBLIC SCHOOL ACADEMIES AUTHORIZED BY THE AUTHORIZING BODY THAT HAVE BEEN OPERATING FOR MORE THAN 3 SCHOOL YEARS HAVE BEEN RANKED BY THE DEPARTMENT IN THE LOWEST 10% OF PUBLIC SCHOOL ACADEMIES IN THIS STATE IN STUDENT ACHIEVEMENT FOR 3 CONSECUTIVE YEARS.

(15) AN AUTHORIZING BODY FOR A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL SHALL SUBMIT TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND POST ON ITS WEBSITE A REPORT OF THE SCHOOL OF EXCELLENCE’S OVERALL PUPIL PERFORMANCE FOR THE MOST RECENT SCHOOL YEAR FOR WHICH THE RESULTS ARE AVAILABLE ON MICHIGAN EDUCATION ASSESSMENT PROGRAM (MEAP) TESTS OR THE MICHIGAN MERIT EXAMINATION UNDER SECTION 1279G, OR BOTH, AS APPLICABLE.

(16) IF A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL IS RANKED IN THE BOTTOM 15% OF ALL PUBLIC SCHOOLS IN THIS STATE IN STUDENT ACHIEVEMENT AS RANKED IN THE “TOP-TO-BOTTOM” LIST PREPARED BY THE DEPARTMENT, THE AUTHORIZING BODY FOR THE SCHOOL OF EXCELLENCE SHALL ISSUE A WRITTEN NOTIFICATION OF THIS RANKING TO THE PARENT OR LEGAL GUARDIAN OF EACH PUPIL ENROLLED IN THE SCHOOL OF EXCELLENCE AND PUBLISH A NOTICE OF THIS RANKING ON ITS INTERNET WEBSITE HOMEPAGE.

(17) AN AUTHORIZING BODY FOR A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL SHALL DO ALL OF THE FOLLOWING:

(A) ON AN ANNUAL BASIS, REVIEW THE PUPIL ACADEMIC PERFORMANCE PROGRESS TOWARD ACHIEVING ACADEMIC PERFORMANCE STANDARDS, COMPLIANCE WITH APPLICABLE LAW, DEMONSTRATED FISCAL STEWARDSHIP, AND COMPLIANCE WITH THE CONTRACT.

(B) RECOMMEND CORRECTIVE ACTION IF THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL IS NOT MEETING STANDARDS SET FORTH IN THE CONTRACT ON AN ANNUAL BASIS, INCLUDING, BUT NOT LIMITED TO, CANCELING AN AGREEMENT WITH AN EDUCATIONAL MANAGEMENT ORGANIZATION, WITHDRAWING APPROVAL OF AN AGREEMENT OR CONTRACT UNDER SECTION 560, OR APPOINTING A NEW BOARD OF DIRECTORS OR TRUSTEE TO TAKE OVER OPERATION OF THE SCHOOL OF EXCELLENCE.

(C) AFTER THE ANNUAL REVIEW UNDER SUBDIVISION (A), CREATE AND PUBLISH A REPORT THAT DOCUMENTS AREAS OF IMPROVEMENT, SPECIFICALLY SUMMARIZES THE PUPIL ACADEMIC PROGRESS MADE BY THE SCHOOL OF EXCELLENCE COMPARED TO THE ACADEMIC PERFORMANCE STANDARDS SET FORTH IN THE CONTRACT, AND SPECIFIES ANY RECOMMENDATIONS FOR CORRECTIVE ACTION MADE UNDER SUBDIVISION (B).

(D) SUBMIT THE REPORT UNDER SUBDIVISION (C) TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE BOARD.

(18) IF THE AUTHORIZING BODY FOR A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL DETERMINES AT ANY TIME THAT THE SCHOOL OF EXCELLENCE IS NOT IMPROVING THE ACHIEVEMENT OF ALL PUPILS, THE AUTHORIZING BODY MAY REVOKE THE CONTRACT EFFECTIVE AT THE END OF THE CURRENT SCHOOL YEAR.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 2, line 12, after “**SUBSECTION,**” by inserting “**AND SUBJECT TO SUBSECTION (14),**”.
2. Amend page 11, following line 15, by inserting:

“(14) THE COMBINED TOTAL NUMBER OF CONTRACTS THAT MAY BE ISSUED BY ALL AUTHORIZING BODIES UNDER SUBSECTION (2) FOR SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS SHALL NOT EXCEED 2 UNTIL ALL OF THE REPORTS REQUIRED BY SECTION 553A(5) ARE SUBMITTED TO AND REVIEWED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION PUBLISHES A PUBLIC NOTICE ON THE DEPARTMENT WEBSITE STATING THAT HE OR SHE IS SATISFIED WITH THE SYSTEM OF CYBER EDUCATION IN THIS STATE AND THAT ADDITIONAL CONTRACTS MAY BE ISSUED UNDER SUBSECTION (2) FOR ADDITIONAL SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 4, following line 10, by inserting:

“(E) THE CONTRACT AUTHORIZING THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL REQUIRES THAT AN EMPLOYEE OF THE CYBER SCHOOL MUST BE PHYSICALLY PRESENT WITH THE PUPIL WHENEVER A PUPIL TAKES AN EXAMINATION OR OTHER WRITTEN ASSESSMENT.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 3, line 7, after “in” by inserting “serving urban and at-risk student populations through an educational model involving a significant cyber component **AND IN**”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“(14) THE DEPARTMENT SHALL PREPARE AND SUBMIT TO THE LEGISLATURE A REPORT DETAILING THE COST PER PUPIL INCURRED BY A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL FOR PROVIDING A CYBER EDUCATION THAT MEETS THE REQUIREMENTS OF THIS ACT.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“Enacting section 1. This amendatory act takes effect March 30, 2013, which is 1 year after the date for submission of the recommendations of the bipartisan workgroup under section 1277b.”.

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

Reps. Lyons, McBroom and Haveman moved to amend the bill as follows:

1. Amend page 2, line 12, after “**SUBSECTION**” by inserting “**AND SUBSECTION (14)**”.
2. Amend page 2, line 14, after “**SCHOOLS.**” by striking out the balance of the line through “**30.**” on line 22 and inserting “**UNTIL DECEMBER 31, 2013, THE COMBINED TOTAL NUMBER OF CONTRACTS THAT MAY BE ISSUED BY ALL STATEWIDE AUTHORIZING BODIES UNDER THIS SUBSECTION FOR SCHOOLS OF**

EXCELLENCE THAT ARE CYBER SCHOOLS SHALL NOT EXCEED 5. UNTIL DECEMBER 31, 2014, THE COMBINED TOTAL NUMBER OF CONTRACTS THAT MAY BE ISSUED BY ALL STATEWIDE AUTHORIZING BODIES UNDER THIS SUBSECTION FOR SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS SHALL NOT EXCEED 10. AFTER DECEMBER 31, 2014, THE COMBINED TOTAL NUMBER OF CONTRACTS ISSUED BY ALL STATEWIDE AUTHORIZING BODIES UNDER THIS SUBSECTION FOR SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS SHALL NOT EXCEED 15.”.

3. Amend page 2, line 23, after **“BOARD,”** by inserting **“THE BOARD OF A COMMUNITY COLLEGE THAT IS NOT A STATEWIDE AUTHORIZING BODY,”**.

4. Amend page 4, line 4, by striking out all of subdivision **(D)** and inserting:

“(D) THE ENROLLMENT IN THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL IS LIMITED TO NOT MORE THAN 2,500 PUPILS IN MEMBERSHIP FOR THE FIRST SCHOOL YEAR OF OPERATION OF THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, NOT MORE THAN 5,000 PUPILS IN MEMBERSHIP FOR THE SECOND SCHOOL YEAR OF OPERATION OF THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, AND NOT MORE THAN 10,000 PUPILS IN MEMBERSHIP FOR THE THIRD AND SUBSEQUENT SCHOOL YEARS OF OPERATION OF THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL. AS USED IN THIS SUBDIVISION, “MEMBERSHIP” MEANS THAT TERM AS DEFINED IN SECTION 6 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1606.”.

5. Amend page 11, following line 15, by inserting:

“(14) IF THE DEPARTMENT DETERMINES THAT THE COMBINED TOTAL STATEWIDE FINAL AUDITED MEMBERSHIP FOR ALL PUPILS IN MEMBERSHIP IN SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS FOR THE 2012-2013 STATE FISCAL YEAR EXCEEDS A NUMBER EQUAL TO 1% OF THE COMBINED TOTAL STATEWIDE FINAL AUDITED MEMBERSHIP FOR ALL PUPILS IN MEMBERSHIP IN PUBLIC SCHOOLS FOR THE 2011-2012 STATE FISCAL YEAR, THEN ALL OF THE FOLLOWING APPLY:

(A) AN AUTHORIZING BODY MAY NOT ISSUE A NEW CONTRACT FOR A NEW SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL TO BEGIN OPERATIONS IN THE 2013-2014 SCHOOL YEAR.

(B) A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL MAY NOT ENROLL ANY NEW PUPILS IN THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL IN THE 2013-2014 SCHOOL YEAR.

(15) BEGINNING JULY 1, 2013, IF THE DEPARTMENT DETERMINES THAT THE COMBINED TOTAL STATEWIDE FINAL AUDITED MEMBERSHIP FOR ALL PUPILS IN MEMBERSHIP IN SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS FOR A STATE FISCAL YEAR EXCEEDS A NUMBER EQUAL TO 2% OF THE COMBINED TOTAL STATEWIDE FINAL AUDITED MEMBERSHIP FOR ALL PUPILS IN MEMBERSHIP IN PUBLIC SCHOOLS FOR THE 2011-2012 STATE FISCAL YEAR, THEN ALL OF THE FOLLOWING APPLY:

(A) SUBJECT TO SUBDIVISION (C), AN AUTHORIZING BODY MAY NOT ISSUE A NEW CONTRACT FOR A NEW SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL TO BEGIN OPERATIONS IN A SCHOOL YEAR THAT BEGINS AFTER THAT DETERMINATION IS MADE.

(B) SUBJECT TO SUBDIVISION (C), A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL MAY NOT ENROLL ANY NEW PUPILS IN THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL IN A SCHOOL YEAR THAT BEGINS AFTER THAT DETERMINATION IS MADE.

(C) IF THE DEPARTMENT DETERMINES THAT THE COMBINED TOTAL STATEWIDE FINAL AUDITED MEMBERSHIP FOR ALL PUPILS IN MEMBERSHIP IN SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS FOR A STATE FISCAL YEAR DOES NOT EXCEED A NUMBER EQUAL TO 2% OF THE COMBINED TOTAL STATEWIDE FINAL AUDITED MEMBERSHIP FOR ALL PUPILS IN MEMBERSHIP IN PUBLIC SCHOOLS FOR THE 2011-2012 STATE FISCAL YEAR, THEN SUBDIVISIONS (A) AND (B) DO NOT APPLY FOR A SCHOOL YEAR THAT BEGINS AFTER THAT DETERMINATION IS MADE UNLESS THE DEPARTMENT MAKES A NEW DETERMINATION THAT THE MEMBERSHIP LIMITS UNDER THIS SUBSECTION HAVE BEEN EXCEEDED.

(16) FOR THE PURPOSES OF SUBSECTIONS (14) AND (15), NOT LATER THAN JULY 1, 2012, AND BY NOT LATER THAN JULY 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL DETERMINE THE PERCENTAGE OF THE COMBINED TOTAL STATEWIDE FINAL AUDITED MEMBERSHIP FOR ALL PUPILS IN MEMBERSHIP IN PUBLIC SCHOOLS THAT ARE PUPILS IN MEMBERSHIP IN SCHOOLS OF EXCELLENCE THAT ARE CYBER SCHOOLS FOR THE STATE FISCAL YEAR THAT INCLUDES THAT JULY 1.

(17) AS USED IN THIS SECTION:

(A) “MEMBERSHIP” MEANS THAT TERM AS DEFINED IN SECTION 6 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1606.

(B) “STATEWIDE AUTHORIZING BODY” MEANS THE GOVERNING BOARD OF A STATE PUBLIC UNIVERSITY OR THE BOARD OF A FEDERAL TRIBALLY CONTROLLED COMMUNITY COLLEGE THAT IS RECOGNIZED UNDER THE TRIBALLY CONTROLLED COLLEGES AND UNIVERSITIES ASSISTANCE ACT OF 1978, 25 USC 1801 TO 1852, AND IS DETERMINED BY THE DEPARTMENT TO MEET THE REQUIREMENTS FOR ACCREDITATION BY A RECOGNIZED REGIONAL ACCREDITING BODY.”

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

Rep. Rogers moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“(14) NOT LATER THAN OCTOBER 1, 2012, IF A DISTRICT, AN INTERMEDIATE SCHOOL DISTRICT, A PUBLIC SCHOOL ACADEMY, OR THE EDUCATION ACHIEVEMENT SYSTEM OFFERS ONLINE LEARNING, THE BOARD OR BOARD OF DIRECTORS OF THE DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY, OR THE EDUCATION ACHIEVEMENT SYSTEM, SHALL SUBMIT TO THE DEPARTMENT A REPORT THAT DETAILS THE PER-PUPIL COSTS OF OPERATING THE ONLINE LEARNING. THE REPORT SHALL INCLUDE, ON A PER-PUPIL BASIS, AT LEAST ALL OF THE FOLLOWING COSTS:

(A) TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND SUPPLIES, INCLUDING ELECTRONIC INSTRUCTIONAL MATERIAL.

(B) COMPUTER AND OTHER ELECTRONIC EQUIPMENT, INCLUDING INTERNET AND TELEPHONE ACCESS.

(C) SALARIES AND BENEFITS FOR THE ONLINE LEARNING EMPLOYEES.

(D) PURCHASED COURSES AND CURRICULA.

(E) FEES ASSOCIATED WITH OVERSIGHT AND REGULATION.

(F) TRAVEL COSTS ASSOCIATED WITH SCHOOL ACTIVITIES AND TESTING.

(G) FACILITIES COSTS.

(H) COSTS ASSOCIATED WITH SPECIAL EDUCATION.

(15) NOT LATER THAN DECEMBER 31, 2012, THE DEPARTMENT SHALL ISSUE A REPORT TO THE LEGISLATURE INCLUDING THE FOLLOWING:

(A) A REVIEW OF THE DATA SUBMITTED UNDER SUBSECTION (14).

(B) A COMPARISON WITH COSTS OF SUBSTANTIALLY SIMILAR PROGRAMS IN OTHER STATES AND RELEVANT NATIONAL RESEARCH ON THE COSTS OF ONLINE LEARNING.

(C) ANY CONCLUSIONS CONCERNING FACTORS OR CHARACTERISTICS OF ONLINE LEARNING PROGRAMS THAT MAKE A DIFFERENCE IN THE COSTS OF OPERATING THE PROGRAMS.”

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

Rep. Callton moved to amend the bill as follows:

1. Amend page 4, following line 10, by inserting:

“(E) THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL OFFERS EACH PUPIL’S FAMILY A COMPUTER AND SUBSIDIZES THE COST OF INTERNET ACCESS.”

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

Rep. Tyler moved to amend the bill as follows:

1. Amend page 6, line 20, after “However,” by inserting **“EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION,”**

2. Amend page 6, line 24, after “boundaries.” by inserting **“IF THE BOARD OF A SCHOOL DISTRICT ISSUES A CONTRACT FOR A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, THE CONTRACT MAY AUTHORIZE THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL TO OPERATE OUTSIDE THAT SCHOOL DISTRICT’S BOUNDARIES.”**

3. Amend page 6, line 25, after “However,” by inserting **“EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION,”**

4. Amend page 7, line 3, after “boundaries.” by inserting **“IF THE BOARD OF AN INTERMEDIATE SCHOOL DISTRICT ISSUES A CONTRACT FOR A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, THE CONTRACT MAY AUTHORIZE THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL TO OPERATE OUTSIDE THAT INTERMEDIATE SCHOOL DISTRICT’S BOUNDARIES.”**

5. Amend page 7, line 4, after “college.” by striking out “The” and inserting **“EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, THE”**.

6. Amend page 7, line 9, after “district.” by inserting “**IF THE BOARD OF A COMMUNITY COLLEGE ISSUES A CONTRACT FOR A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, THE CONTRACT MAY AUTHORIZE THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL TO OPERATE OUTSIDE THE BOUNDARIES OF THE COMMUNITY COLLEGE DISTRICT.**”.

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

Rep. Hughes moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“(14) **THE BOARD OF DIRECTORS OF A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, OR THE BOARD OF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY THAT OPERATES AN ONLINE OR OTHER DISTANCE LEARNING PROGRAM, SHALL SUBMIT A MONTHLY REPORT TO THE DEPARTMENT, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, THAT REPORTS THE NUMBER OF PUPILS ENROLLED IN THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, OR IN THE ONLINE OR OTHER DISTANCE LEARNING PROGRAM, DURING THE IMMEDIATELY PRECEDING MONTH.**”.

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

Reps. Price and Jenkins moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

“(14) **THE BOARD OF DIRECTORS OF A SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL SHALL ENSURE THAT, WHEN A PUPIL ENROLLS IN THE SCHOOL OF EXCELLENCE THAT IS A CYBER SCHOOL, THE PUPIL AND HIS OR HER PARENT OR LEGAL GUARDIAN ARE PROVIDED WITH A PARENT-STUDENT ORIENTATION. IF THE PUPIL IS AT LEAST AGE 18 OR IS AN EMANCIPATED MINOR, THE ORIENTATION MAY BE PROVIDED TO JUST THE PUPIL.**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 619, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 552 (MCL 380.552), as added by 2009 PA 205.

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

Roll Call No. 201

Yeas—56

Agema	Haines	Lund	Potvin
Bolger	Haveman	Lyons	Price
Bumstead	Heise	MacGregor	Pscholka
Callton	Hooker	MacMaster	Rendon
Cotter	Hughes	McBroom	Rogers
Crawford	Huuki	McMillin	Schmidt, W.
Daley	Jackson	Moss	Shaughnessy
Damrow	Jacobsen	Nesbitt	Shirkey
Denby	Jenkins	O’Brien	Somerville
Foster	Knollenberg	Olson	Stamas
Franz	Kowall	Opsommer	Tyler
Genetski	Kurtz	Ouimet	Walsh
Gilbert	LaFontaine	Outman	Yonker
Graves	Lori	Poleski	Zorn

Nays—54

Ananich	Forlini	Lane	Santana
Barnett	Geiss	LeBlanc	Schmidt, R.
Bauer	Gardon	Lindberg	Segal
Bledsoe	Goike	Lipton	Slavens
Brown	Greimel	Liss	Smiley
Brunner	Hammel	McCann	Stallworth
Byrum	Haugh	Meadows	Stanley
Cavanagh	Hobbs	Muxlow	Stapleton
Clemente	Horn	Nathan	Switalski
Constan	Hovey-Wright	Oakes	Talabi
Darany	Howze	Olumba	Tlaib
Dillon	Irwin	Pettalia	Townsend
Durhal	Johnson	Rutledge	Womack
Farrington	Kandrevas		

In The Chair: Walsh

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

Rep. Stamas moved to amend the title 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 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,” by amending section 552 (MCL 380.552), as amended by 2011 PA 277.

The motion prevailed.

The House agreed to the title as amended.

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

The motion did not prevail, 2/3 of the members serving not voting therefor.

Reps. Lindberg, Byrum, Dillon, Irwin, Bledsoe, Darany, Segal, Santana, Smiley, Liss, Stapleton, Lipton, Cavanagh, Slavens, Stallworth, Tlaib, Rutledge, Barnett, Meadows, Brunner, McCann, Kandrevas and Talabi, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB 619 because the bill allows for the expansion of cyber schools without addressing the foundation allowance questions which could mean a huge added expense to the School Aid Fund and without any regard for the quality of education students in this program would receive. Reports from our two existing cyber schools are due in the beginning of June and would give us the information policy makers need to ensure any expansion of cyber education would result in high quality schools producing high quality graduates. Once again, the Majority party in the Legislature is passing a piece of legislation based on anecdotal evidence to the detriment of Michigan’s children.

In addition, I object to the act of the Speaker ignoring the request for a division vote on Immediate Effect and ignoring the written demand for a record roll call vote with more than 1/5 support for that demand on the question of Immediate Effect for SB 619. I did not and do not support Immediate Effect for SB 619.”

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

“Mr. Speaker and members of the House:

I voted no on SB 619 because the bill allows for the expansion of cyber schools without addressing the foundation allowance questions which could mean a huge added expense to the School Aid Fund and without any regard for the quality of education students in this program would receive. Reports from our two existing cyber schools are due in the beginning of June and would give us the information policy makers need to ensure any expansion of cyber education would result in high quality schools producing high quality graduates. Once again, the Majority party in the Legislature is passing a piece of legislation based on anecdotal evidence to the detriment of Michigan’s children.”

Reps. Hobbs, Townsend, Lane and Switalski, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB 619 because the bill allows for the expansion of cyber schools without addressing the foundation allowance questions which could mean a huge added expense to the School Aid Fund and without any regard for the quality of education students in this program would receive. Reports from our two existing cyber schools are due in the beginning of June and would give us the information policy makers need to ensure any expansion of cyber education would result in high quality schools producing high quality graduates. Once again, the Majority party in the Legislature is passing a piece of legislation based on anecdotal evidence to the detriment of Michigan’s children. In addition, I object to the act of the Speaker ignoring the request for a division vote on Immediate Effect and ignoring the written demand for a record roll call vote with more than 1/5 support for that demand on the question of Immediate Effect for SB 619. I did not and do not support Immediate Effect for SB 619.”

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

“Mr. Speaker and members of the House:

Today, the Michigan House of Representatives did a disservice to Michigan’s children. SB 619 will take a failed experiment and expand it to the detriment of our most important resource, our children. Cyber schools have proven that they are no better, and often worse, than our existing school choices. The problem with the expansion of cyber schools in our State is that it will take the limited resources we have to spend on education and further spread them to other endeavors. We have recently closed schools in Romulus and Taylor - schools that have performed BETTER than the cyber schools that are being advocated for in this bill. We are chasing the newest, shiny fad in Education with the hope that this will be the solution to educating children in our State. We know that it is not a solution, but instead, will lead to further problems.

Mr. Speaker, by a razor thin margin, this bill passed today. Let the record show that I spoke passionately against its passage, after months of hearings and great deliberation. It is truly a sad day and I fear for the children who will be harmed by our actions today.

In addition, I object to the act of the Speaker ignoring the request for a division vote on Immediate Effect and ignoring the written demand for a record roll call vote with more than 1/5 support for that demand on the question of Immediate Effect for SB 619. I did not and do not support Immediate Effect for SB 619.”

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

“Mr. Speaker and members of the House:

I voted against Senate Bill 619 because it allows for the expansion of cyber schools in Michigan without holding them to any rigorous standards to ensure that our students are getting a good education. These schools are an experiment that still lacks a conclusion. The data on the two cyber schools presently operating in Michigan has yet to be analyzed to determine if they are meeting educational goals. And yet, Senate Bill 619 wants to go ahead and open more of these schools to as many as 30,000 students over the next three years. The online standards these schools would be held to are those written by a ‘national association of charter school authorizers’ - in essence, these cyber schools would regulate themselves. A child’s education is too important to turn over to unproven schools that would take thousands of students and even more classroom funding out of our public schools. Because of this legislation, we are siphoning millions from local schools into this experiment gone horribly wrong. We need to focus on supporting our public schools and restoring the funding our classrooms have lost over the past year instead of putting all of this effort into these unproven schools.”

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

“Mr. Speaker and members of the House:

In 2009 the legislature voted to allow two cyber schools with a cap of 1,000 students per school to open. After two years, the charter authorizer of each cyber school was to submit a report to the state superintendent and the legislature detailing

the operation of the school, pupil participation, and academic performance data and recommendations for further legislation on cyber schools in the state.

I would like to state that I am not opposed to virtual or on-line learning and I support giving parents more options. However, the cyber school legislation was passed with the understanding that there would be two years of data to evaluate before considering new legislation. I would have preferred to wait until we received the two years of data before considering expanding cyber schools in Michigan.

In addition, there was an adopted amendment to SB 619 I supported that would require a per-pupil cost report not later than October 1, 2012. I would have preferred to wait until the legislature received this cost report so I knew how much cyber schools would receive per-pupil.

For these reasons, I cannot support this bill at this time.”

Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed **Senate Bill No. 619**.

Rep. Segal

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5392, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2010 PA 110.

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

Roll Call No. 202

Yeas—63

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

Nays—47

Ananich	Durhal	LeBlanc	Segal
Barnett	Farrington	Lindberg	Slavens
Bauer	Geiss	Lipton	Smiley
Bledsoe	Greimel	Liss	Stallworth
Brown	Hammel	McCann	Stanley

Brunner	Haugh	Meadows	Stapleton
Byrum	Hobbs	Nathan	Switalski
Cavanagh	Hovey-Wright	Oakes	Talabi
Clemente	Howze	Olumba	Tlaib
Constan	Irwin	Rutledge	Townsend
Darany	Kandrevas	Santana	Womack
Dillon	Lane	Schmidt, R.	

In The Chair: Walsh

The House agreed to the title of the bill.

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

The motion did not prevail, 2/3 of the members serving not voting therefor.

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

“Mr. Speaker and members of the House:
Tie-barred to SB 619”

Second Reading of Bills

Senate Bill No. 621, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 166b (MCL 388.1766b), as amended by 2010 PA 204.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Education,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 621, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 166b (MCL 388.1766b), as amended by 2010 PA 204.

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

Roll Call No. 203

Yeas—60

Agema	Glardon	LaFontaine	Poleski
Bolger	Graves	Lori	Potvin
Bumstead	Haines	Lund	Price
Callton	Haveman	Lyons	Pscholka
Cotter	Heise	MacGregor	Rendon

Crawford	Hooker	MacMaster	Rogers
Daley	Horn	McBroom	Schmidt, W.
Damrow	Hughes	McMillin	Shaughnessy
Denby	Huuki	Moss	Shirkey
Farrington	Jacobsen	Nesbitt	Somerville
Forlini	Jenkins	O'Brien	Stamas
Foster	Johnson	Olson	Tyler
Franz	Knollenberg	Opsommer	Walsh
Genetski	Kowall	Ouimet	Yonker
Gilbert	Kurtz	Outman	Zorn

Nays—50

Ananich	Geiss	Lindberg	Schmidt, R.
Barnett	Goike	Lipton	Segal
Bauer	Greimel	Liss	Slavens
Bledsoe	Hammel	McCann	Smiley
Brown	Haugh	Meadows	Stallworth
Brunner	Hobbs	Muxlow	Stanley
Byrum	Hovey-Wright	Nathan	Stapleton
Cavanagh	Howze	Oakes	Switalski
Clemente	Irwin	Olumba	Talabi
Constan	Jackson	Pettalia	Tlaib
Darany	Kandrevas	Rutledge	Townsend
Dillon	Lane	Santana	Womack
Durhal	LeBlanc		

In The Chair: Walsh

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

“An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Point of Order

Rep. Segal stood under a Point of Order and stated: under House Rule 12 that a division may be ordered by request of just 10 members and also under House Rule 12 that the voting board shall be used and that the clerk shall announce the vote.

The Chair ruled that there is no question for the Chair to rule on.

Point of Order

Rep. Segal requested a ruling of the Chair on why House Rule 12 is being violated.

The Chair ruled that House Rule 12 is not being violated.

Second Reading of Bills**House Bill No. 5372, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2011 PA 299, section 17b as amended by 2007 PA 137, and sections 201 and 236 as added by 2011 PA 62.

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

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

Rep. Rogers moved to amend the bill as follows:

1. Amend page 84, line 22, after "exceed" by striking out "\$765,600.00" and inserting "**\$1,500,000.00**" and adjusting the totals in section 11 and in enacting section 1 accordingly.

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

Reps. Nesbitt and Pettalia moved to amend the bill as follows:

1. Amend page 54, line 25, by striking out "be made" and inserting "**EXCEED A TOTAL COST OF \$100.00**".

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

Rep. McMillin moved to amend the bill as follows:

1. Amend page 81, line 25, after "**ASSESSMENTS**" by striking out the balance of the subsection and inserting a period.

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

Rep. Shaughnessy moved to amend the bill as follows:

1. Amend page 80, following line 25, by inserting:

"(4) IF THE DEPARTMENT DETERMINES THAT FUNDS ALLOCATED UNDER THIS SECTION WILL REMAIN UNEXPENDED AFTER THE INITIAL ALLOCATION OF \$75.00 PER PUPIL TO ELIGIBLE DISTRICTS UNDER SUBSECTION (2), THE REMAINING UNEXPENDED AMOUNT IS ALLOCATED ON AN EQUAL PER PUPIL BASIS TO DISTRICTS THAT MEET THE REQUIREMENTS OF SUBSECTION (2) AND THAT HAVE A FOUNDATION ALLOWANCE, AS CALCULATED UNDER SECTION 20, IN AN AMOUNT THAT IS LESS THAN THE BASIC FOUNDATION ALLOWANCE UNDER THAT SECTION."

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

Rep. Rogers moved to amend the bill as follows:

1. Amend page 96, line 21, after "grades" by striking out "K-6," and inserting "**K-12**,".

2. Amend page 97, line 1, after the first "grades" by striking out "K-6," and inserting "**K-12**,".

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

Rep. Rogers moved to amend the bill as follows:

1. Amend page 77, line 8, after "**105C.**" by inserting "**A PUBLIC SCHOOL ACADEMY IS CONSIDERED TO HAVE MET THIS REQUIREMENT.**".

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

Rep. Hooker moved to amend the bill as follows:

1. Amend page 242, following line 16, by inserting:

"(F) THE UNIVERSITY CERTIFIES TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2012 THAT IT HAS POLICIES THAT ARE CONSISTENT WITH THE INTENT OF SECTION 25 OF ARTICLE I OF THE STATE CONSTITUTION OF 1963 AND DOES NOT HAVE POLICIES IN PLACE THAT CIRCUMVENT THE LETTER OR INTENT OF THE STATE CONSTITUTION OF 1963, INCLUDING, BUT NOT LIMITED TO, PROVIDING HEALTH INSURANCE OR OTHER FRINGE BENEFITS FOR ANY ADULT CORESIDENT OF AN EMPLOYEE OF THE UNIVERSITY."

2. Amend page 249, line 5, by striking out all of section 274a and inserting:

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

RECEIVES FUNDS IN SECTION 236 SHALL COMPLY WITH THE INTENT OF SECTION 25 OF ARTICLE I OF THE STATE CONSTITUTION OF 1963 AND SHALL NOT CIRCUMVENT THE LETTER OR INTENT OF THE STATE CONSTITUTION OF 1963, INCLUDING, BUT NOT LIMITED TO, PROVIDING HEALTH INSURANCE OR OTHER FRINGE BENEFITS FOR ANY ADULT CORESIDENT OF AN EMPLOYEE OF THE UNIVERSITY.

(2) ~~It is the intent of the legislature that each~~ A public university receiving ~~THAT RECEIVES~~ funds in section 236 submit a report by December 1, ~~2011~~ **2012** to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director containing the number of ~~individuals described in subsection (1)~~ **ADULT CORESIDENTS OF A UNIVERSITY EMPLOYEE WHO ARE NOT MARRIED TO THAT EMPLOYEE, A DEPENDENT OF THAT EMPLOYEE, OR A DEPENDENT OF THAT ADULT CORESIDENT, AND** who received health insurance or other fringe benefits provided by the university in fiscal year ~~2010-2011~~ **2011-2012**, and the cost to the university of providing those benefits.”.

The question being on the adoption of the amendments offered by Rep. Hooker,

Rep. Hooker demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendments offered by Rep. Hooker,

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

Rep. Lipton moved to amend the bill as follows:

1. Amend page 14, line 15, after “12.” by inserting **“HOWEVER, FOR A DISTRICT OR PUBLIC SCHOOL ACADEMY IN WHICH 50% OR MORE OF ITS TOTAL PUPILS IN MEMBERSHIP IN THE IMMEDIATELY PRECEDING SCHOOL YEAR MET THE INCOME ELIGIBILITY CRITERIA FOR FREE BREAKFAST, LUNCH, OR MILK IN THE IMMEDIATELY PRECEDING STATE FISCAL YEAR, AS DETERMINED UNDER THE RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769I, FULL-TIME EQUATED MEMBERSHIPS FOR PUPILS IN KINDERGARTEN SHALL BE DETERMINED BY DIVIDING THE NUMBER OF CLASS HOURS SCHEDULED AND PROVIDED PER YEAR PER KINDERGARTEN PUPIL BY A NUMBER EQUAL TO 1/2 THE NUMBER USED FOR DETERMINING FULL-TIME EQUATED MEMBERSHIPS FOR PUPILS IN GRADES 1 TO 12.”.**

2. Amend page 56, line 24, after “2010-2011.” by striking out the balance of the subsection.

3. Amend page 69, line 21, after **“EXCEED”** by striking out **“\$3,077,000,000.00”** and inserting **“\$3,090,000,000.00”**.

4. Amend page 89, following line 21, by inserting:

“SEC. 29. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$20,000,000.00 FOR 2012-2013 FOR ADDITIONAL PAYMENTS TO ELIGIBLE DISTRICTS FOR DECLINING ENROLLMENT ASSISTANCE.

(2) A DISTRICT IS ELIGIBLE FOR A PAYMENT UNDER THIS SECTION IF ALL OF THE FOLLOWING APPLY:

(A) THE DISTRICT’S PUPIL MEMBERSHIP FOR THE CURRENT FISCAL YEAR IS LESS THAN THE DISTRICT’S PUPIL MEMBERSHIP FOR THE IMMEDIATELY PRECEDING FISCAL YEAR AND THE DISTRICT’S PUPIL MEMBERSHIP FOR THE IMMEDIATELY PRECEDING FISCAL YEAR IS LESS THAN THE DISTRICT’S PUPIL MEMBERSHIP FOR THE PREVIOUSLY PRECEDING FISCAL YEAR AS CALCULATED UNDER SECTION 6 FOR THAT FISCAL YEAR.

(B) THE DISTRICT’S AVERAGE PUPIL MEMBERSHIP IS GREATER THAN THE DISTRICT’S PUPIL MEMBERSHIP FOR THE CURRENT FISCAL YEAR AS CALCULATED UNDER SECTION 6.

(C) THE DISTRICT IS NOT ELIGIBLE TO RECEIVE FUNDING UNDER SECTION 6(4)(Y) OR 22D(2).

(3) PAYMENTS TO EACH ELIGIBLE DISTRICT SHALL BE EQUAL TO THE DIFFERENCE BETWEEN THE DISTRICT’S AVERAGE PUPIL MEMBERSHIP AND THE DISTRICT’S PUPIL MEMBERSHIP AS CALCULATED UNDER SECTION 6 FOR THE CURRENT FISCAL YEAR MULTIPLIED BY THE DISTRICT’S FOUNDATION ALLOWANCE AS CALCULATED UNDER SECTION 20. IF THE TOTAL AMOUNT OF THE PAYMENTS CALCULATED UNDER THIS SUBSECTION EXCEEDS THE ALLOCATION FOR THIS SECTION, THE PAYMENT TO EACH DISTRICT SHALL BE PRORATED ON AN EQUAL PERCENTAGE BASIS.

(4) FOR THE PURPOSES OF THIS SECTION, “AVERAGE PUPIL MEMBERSHIP” MEANS THE AVERAGE OF THE DISTRICT’S MEMBERSHIP FOR THE 3-FISCAL-YEAR PERIOD ENDING WITH THE CURRENT FISCAL YEAR, CALCULATED BY ADDING THE DISTRICT’S ACTUAL MEMBERSHIP FOR EACH OF THOSE 3 FISCAL YEARS, AS OTHERWISE CALCULATED UNDER SECTION 6, AND DIVIDING THE SUM OF THOSE 3 MEMBERSHIP FIGURES BY 3.” and adjusting the totals in section 11 and in enacting section 1 accordingly.

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

Rep. Ananich moved to amend the bill as follows:

1. Amend page 42, line 27, after "is" by striking out "\$8,019.00" and inserting "\$8,489.00".
2. Amend page 44, line 22, after "YEAR" by inserting "PLUS \$470.00".
3. Amend page 45, line 13, after "YEAR" by inserting "PLUS \$470.00".
4. Amend page 46, line 10, after "YEAR" by inserting "PLUS \$470.00".
5. Amend page 59, line 22, after "2011-2012" by striking out "AND 2012-2013".
6. Amend page 59, line 23, after "\$7,110.00." by inserting "FOR 2012-2013, MAXIMUM PUBLIC SCHOOL ACADEMY ALLOCATION MEANS \$7,580.00."
7. Amend page 69, line 21, after "EXCEED" by striking out "\$3,077,000,000.00" and inserting "\$3,802,163,000.00" and adjusting the totals in section 11 and in enacting section 1 accordingly.

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

Rep. Dillon moved to amend the bill as follows:

1. Amend page 146, following line 12, by inserting:
"SEC. 65. (1) FROM THE AMOUNT APPROPRIATED IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$905,100.00 AND FOR 2012-2013 FOR GRANTS TO DISTRICTS OR INTERMEDIATE DISTRICTS, AS DETERMINED BY THE DEPARTMENT, FOR ELIGIBLE PRECOLLEGE PROGRAMS IN ENGINEERING AND THE SCIENCES.
(2) FROM THE FUNDS ALLOCATED UNDER SUBSECTION (1), THE DEPARTMENT SHALL AWARD \$680,100.00 FOR 2012-2013 TO THE 2 ELIGIBLE EXISTING PROGRAMS THAT RECEIVED FUNDS APPROPRIATED FOR THESE PURPOSES IN THE APPROPRIATIONS ACT CONTAINING THE DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH BUDGET FOR 2005-2006.
(3) FROM THE FUNDS ALLOCATED UNDER SUBSECTION (1), THE DEPARTMENT SHALL AWARD \$225,000.00 FOR 2012-2013 TO ELIGIBLE INTERMEDIATE DISTRICTS FOR PROGRAMS TO TRAIN PUPILS IN ALTERNATIVE ENERGY. THE DEPARTMENT SHALL AWARD \$75,000.00 TO EACH ELIGIBLE INTERMEDIATE DISTRICT. THE INTERMEDIATE DISTRICT SHALL USE THE FUNDS FOR ENGINEERING AND SCIENCES PROGRAMS WITH INDUSTRY LEVEL PARTNERSHIPS THAT ARE IN PROXIMITY TO RENEWABLE ENERGY FACILITIES. TO BE ELIGIBLE FOR FUNDS UNDER THIS SUBSECTION, AN INTERMEDIATE DISTRICT MUST MEET ALL OF THE FOLLOWING REQUIREMENTS:
(A) THE COMBINED TOTAL 2007-2008 PUPIL MEMBERSHIP FOR ALL OF ITS CONSTITUENT DISTRICTS WAS LESS THAN 20,000 PUPILS.
(B) LEVIED AT LEAST .11 BUT NOT MORE THAN .19 OPERATING MILLS IN 2007-2008.
(C) HAD A 2007 TAXABLE VALUE GREATER THAN \$1,500,000,000.00.
(D) AT LEAST 28% OF THE COMBINED TOTAL NUMBER OF PUPILS IN MEMBERSHIP FOR ALL OF ITS CONSTITUENT DISTRICTS WERE ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH FOR 2007-2008.
(E) IS CONTIGUOUS TO AT LEAST 1 OTHER INTERMEDIATE DISTRICT THAT MEETS THE REQUIREMENTS OF SUBDIVISIONS (A) TO (D).
(4) THE DEPARTMENT SHALL SUBMIT A REPORT TO THE APPROPRIATIONS SUBCOMMITTEES RESPONSIBLE FOR THIS ACT, TO THE STATE BUDGET DIRECTOR, AND TO THE HOUSE AND SENATE FISCAL AGENCIES BY FEBRUARY 1, 2013 REGARDING DROPOUT RATES, GRADE POINT AVERAGES, ENROLLMENT IN SCIENCE, ENGINEERING, AND MATHEMATICS-BASED CURRICULA, AND EMPLOYMENT IN SCIENCE, ENGINEERING, AND MATHEMATICS-BASED FIELDS FOR PUPILS WHO WERE ENROLLED IN THE PROGRAMS AWARDED FUNDS UNDER SUBSECTION (2) OR UNDER PRECEDING LEGISLATION. THE REPORT SHALL CONTINUE TO EVALUATE THE EFFECTIVENESS OF THE PRECOLLEGE PROGRAMS IN ENGINEERING AND SCIENCES FUNDED UNDER THIS SECTION.
(5) NOTWITHSTANDING SECTION 17B, PAYMENTS UNDER THIS SECTION SHALL BE PAID ON A SCHEDULE AND IN A MANNER DETERMINED BY THE DEPARTMENT." and adjusting the totals in section 11 and in enacting section 1 accordingly.

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

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 128, following line 7, by inserting:
"SEC. 41. FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$2,800,000.00 FOR 2012-2013 TO APPLICANT DISTRICTS AND INTERMEDIATE DISTRICTS OFFERING PROGRAMS OF INSTRUCTION FOR PUPILS OF LIMITED ENGLISH-SPEAKING ABILITY UNDER SECTION 1153 OF THE REVISED SCHOOL CODE, MCL 380.1153. REIMBURSEMENT

SHALL BE ON A PER-PUPIL BASIS AND SHALL BE BASED ON THE NUMBER OF PUPILS OF LIMITED ENGLISH-SPEAKING ABILITY IN MEMBERSHIP ON THE PUPIL MEMBERSHIP COUNT DAY. FUNDS ALLOCATED UNDER THIS SECTION SHALL BE USED SOLELY FOR INSTRUCTION IN SPEAKING, READING, WRITING, OR COMPREHENSION OF ENGLISH. A PUPIL SHALL NOT BE COUNTED UNDER THIS SECTION OR INSTRUCTED IN A PROGRAM UNDER THIS SECTION FOR MORE THAN 3 YEARS." and adjusting the totals in section 11 and in enacting section 1 accordingly.

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

Rep. Lipton moved to amend the bill as follows:

1. Amend page 27, line 1, by striking out "**\$10,781,973,400.00**" and inserting "**\$11,081,973,400.00**".
2. Amend page 27, line 2, by striking out "**\$333,000,000.00**" and inserting "**\$33,000,000.00**".
3. Amend page 197, line 22, by striking out "**\$197,614,100.00**" and inserting "**\$0.00**".
4. Amend page 197, line 24, by striking out "**\$96,516,400.00**" and inserting "**\$294,130,500.00**".
5. Amend page 199, line 3, after "from" by striking out the balance of the subsection and inserting "**STATE GENERAL FUND/GENERAL PURPOSE MONEY**".
6. Amend page 199, line 9, after "**FROM**" by striking out "**THE SCHOOL AID FUND**" and inserting "**STATE GENERAL FUND/GENERAL PURPOSE MONEY**".
7. Amend page 214, line 5, by striking out all of section 236 and inserting:

"Sec. 236. (1) Subject to the conditions set forth in this article, the amounts listed in subsections (2) to ~~(5)~~(6) are appropriated for higher education for the fiscal year ending September 30, ~~2012~~, **2013**, from the funds indicated in this section. The following is a summary of the appropriations in subsections (2) to ~~(5)~~(6):

 - (a) The gross appropriation is ~~\$1,362,278,400.00~~, **\$1,399,641,600.00**. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$1,362,278,400.00~~, **\$1,399,641,600.00**.
 - (b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:
 - (i) Total federal revenues, ~~\$98,326,400.00~~, **\$99,026,400.00**.
 - (ii) Total local revenues, \$0.00.
 - (iii) Total private revenues, \$0.00.
 - (iv) Total other state restricted revenues, ~~\$200,219,500.00~~, **\$100,000.00**.
 - (v) State general fund/general purpose money, ~~\$1,063,732,500.00~~, **\$1,300,515,200.00**.
 - (2) Amounts appropriated for public universities are as follows:
 - (a) The appropriation for Central Michigan University is ~~\$68,108,900.00~~, ~~\$61,431,100.00~~ **\$71,133,500.00**, **\$68,108,900.00** for operations and ~~\$6,677,800.00~~ ~~\$3,024,600.00~~ for tuition-restraint-incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:
 - (i) State school aid fund, ~~\$11,284,600.00~~.
 - (ii) State-STATE general fund/general purpose money, ~~\$56,824,300.00~~.
 - (b) The appropriation for Eastern Michigan University is ~~\$64,619,100.00~~, ~~\$61,319,900.00~~ **\$67,065,300.00**, **\$64,619,100.00** for operations and ~~\$3,299,200.00~~ ~~\$2,446,200.00~~ for tuition-restraint-incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:
 - (i) State school aid fund, ~~\$10,706,400.00~~.
 - (ii) State-STATE general fund/general purpose money, ~~\$53,912,700.00~~.
 - (c) The appropriation for Ferris State University is ~~\$41,324,300.00~~, ~~\$37,971,600.00~~ **\$44,003,300.00**, **\$41,324,300.00** for operations and ~~\$3,352,700.00~~ ~~\$2,679,000.00~~ for tuition-restraint-incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:
 - (i) State school aid fund, ~~\$6,846,800.00~~.
 - (ii) State-STATE general fund/general purpose money, ~~\$34,477,500.00~~.
 - (d) The appropriation for Grand Valley State University is ~~\$52,677,400.00~~, ~~\$48,431,500.00~~ **\$56,576,100.00**, **\$52,677,400.00** for operations and ~~\$4,245,900.00~~ ~~\$3,898,700.00~~ for tuition-restraint-incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:
 - (i) State school aid fund, ~~\$8,727,800.00~~.
 - (ii) State-STATE general fund/general purpose money, ~~\$43,949,600.00~~.
 - (e) The appropriation for Lake Superior State University is ~~\$10,789,500.00~~, ~~\$10,055,100.00~~ **\$11,241,200.00**, **\$10,789,500.00** for operations and ~~\$734,400.00~~ ~~\$451,700.00~~ for tuition-restraint-incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:
 - (i) State school aid fund, ~~\$1,787,600.00~~.
 - (ii) State-STATE general fund/general purpose money, ~~\$9,001,900.00~~.

(f) The appropriation for Michigan State University is ~~\$293,746,600.00, \$222,796,200.00~~ **\$300,538,000.00, \$241,120,800.00** for operations, ~~\$18,324,600.00~~ **\$6,791,400.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, and \$52,625,800.00 for agricultural experiment and cooperative ~~MSU AGBIORESEARCH AND MSU extension activities, appropriated from the following:~~

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

(ii) State-STATE general fund/general purpose money. , ~~\$253,796,700.00.~~

(g) The appropriation for Michigan Technological University is ~~\$40,733,600.00, \$37,409,700.00~~ **\$42,009,900.00, \$40,733,600.00** for operations and ~~\$3,323,900.00~~ **\$1,276,300.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$33,984,700.00.~~

(h) The appropriation for Northern Michigan University is ~~\$38,367,400.00, \$36,225,200.00~~ **\$39,514,100.00, \$38,367,400.00** for operations and ~~\$2,142,200.00~~ **\$1,146,700.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$32,010,500.00.~~

(i) The appropriation for Oakland University is ~~\$43,145,000.00, \$39,313,500.00~~ **\$45,568,500.00, \$43,145,000.00** for operations and ~~\$3,831,500.00~~ **\$2,423,500.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$35,996,600.00.~~

(j) The appropriation for Saginaw Valley State University is ~~\$23,561,500.00, \$21,969,300.00~~ **\$24,663,300.00, \$23,561,500.00** for operations and ~~\$1,592,200.00~~ **\$1,101,800.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$19,657,700.00.~~

(k) The appropriation for University of Michigan – Ann Arbor is ~~\$268,803,300.00, \$254,931,800.00~~ **\$273,590,700.00, \$268,803,300.00** for operations and ~~\$13,871,500.00~~ **\$4,787,400.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$224,267,000.00.~~

(l) The appropriation for University of Michigan – Dearborn is ~~\$21,016,300.00, \$19,627,400.00~~ **\$22,098,400.00, \$21,016,300.00** for operations and ~~\$1,388,900.00~~ **\$1,082,100.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$17,534,200.00.~~

(m) The appropriation for University of Michigan – Flint is ~~\$17,762,400.00, \$16,679,400.00~~ **\$18,693,900.00, \$17,762,400.00** for operations and ~~\$1,083,000.00~~ **\$931,500.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$14,819,500.00.~~

(n) The appropriation for Wayne State University is ~~\$182,036,900.00, \$169,209,400.00~~ **\$183,012,100.00, \$182,036,900.00** for operations and ~~\$12,827,500.00~~ **\$975,200.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$151,876,300.00.~~

(o) The appropriation for Western Michigan University is ~~\$93,168,300.00, \$86,866,700.00~~ **\$96,369,200.00, \$93,168,300.00** for operations and ~~\$6,301,600.00~~ **\$3,200,900.00** for tuition-restraint incentive, ~~PERFORMANCE FUNDING~~, appropriated from the following:

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

(ii) State-STATE general fund/general purpose money. , ~~\$77,731,800.00.~~

(3) THE AMOUNT APPROPRIATED FOR MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM REIMBURSEMENT IS \$446,200.00, APPROPRIATED FROM STATE GENERAL FUND/GENERAL PURPOSE MONEY.

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

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

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

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

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

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

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

(6) ~~(5)~~—Subject to subsection ~~(6)~~, ~~(7)~~, the amount appropriated for grants and financial aid is ~~\$99,526,400.00~~, **\$100,226,400.00**, allocated as follows:

(a) State competitive scholarships, ~~\$19,861,700.00~~: **\$20,361,700.00**.

(b) Tuition grants, ~~\$31,664,700.00~~: **\$32,664,700.00**.

(c) Tuition incentive program, ~~\$43,800,000.00~~: **\$42,800,000.00**.

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

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

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

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

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

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

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

~~(B) (d)~~—Federal revenues under the social security act, temporary assistance for needy families, ~~\$93,826,400.00~~: **\$95,826,400.00**.

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

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

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

Rep. Bledsoe moved to amend the bill as follows:

1. Amend page 76, line 3, after “least” by striking out “6” and inserting “5”.

2. Amend page 77, line 7, by striking out all of subdivision (C) and relettering the remaining subdivisions.

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

Rep. McCann moved to amend the bill as follows:

1. Amend page 89, line 24, after “exceed” by striking out “\$317,695,500.00” and inserting “**\$337,695,500.00**” and adjusting the totals in section 11 and in enacting section 1 accordingly.

2. Amend page 90, line 1, after “(6)” by striking out “or (7),” and inserting a comma and “(7), OR (18),”.

3. Amend page 90, line 24, after “(6)” by striking out “or (7),” and inserting a comma and “(7), OR (18),”.

4. Amend page 101, following line 17, by inserting:

“(18) FROM THE FUNDS ALLOCATED IN SUBSECTION (1), THERE IS ALLOCATED FOR 2012-2013 AN AMOUNT NOT TO EXCEED \$20,000,000.00 TO SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES THAT, IN THE 2011-2012 SCHOOL YEAR, PROVIDED EXTENDED FULL-DAY KINDERGARTEN PROGRAMS FUNDED WITH DED-OESE TITLE I, DISADVANTAGED CHILDREN FUNDS. THE AMOUNT AWARDED TO EACH DISTRICT OR PUBLIC SCHOOL ACADEMY IS AN AMOUNT EQUAL TO THE AMOUNT OF THOSE TITLE I FUNDS EXPENDED FOR EXTENDED FULL-DAY KINDERGARTEN PROGRAMS IN THE 2011-2012 SCHOOL YEAR. IF NECESSARY, AND BEFORE ANY PRORATION REQUIRED UNDER SECTION 11, THE DEPARTMENT SHALL PRORATE PAYMENTS UNDER THIS SUBSECTION BY REDUCING EACH DISTRICT’S ALLOCATION BY A PER-PUPIL AMOUNT CALCULATED BY DETERMINING THE AMOUNT BY WHICH THE AMOUNT NECESSARY TO FULLY FUND THE REQUIREMENTS OF THIS SUBSECTION EXCEEDS THE MAXIMUM AMOUNT ALLOCATED UNDER THIS SUBSECTION, AND THEN DIVIDING THAT AMOUNT BY THE TOTAL NUMBER OF KINDERGARTEN FTE MEMBERSHIPS OF THE DISTRICTS AND PUBLIC SCHOOL ACADEMIES ELIGIBLE TO RECEIVE FUNDING UNDER THIS SUBSECTION.”.

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

Rep. Lipton moved to amend the bill as follows:

1. Amend page 40, following line 12, by inserting:

“(11) THE RECORDS OF ALL CONTRACTS BETWEEN A DISTRICT OR INTERMEDIATE DISTRICT AND AN OUTSIDE VENDOR UNDER THIS ACT, INCLUDING FINANCIAL RECORDS AND INVOICES AND THE

RECORDS OF ANY SUBCONTRACTORS, ARE CONSIDERED PUBLIC RECORDS FOR THE PURPOSE OF INQUIRIES UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, AND MAY BE SUBJECT TO AUDIT BY PUBLIC AUDITING AUTHORITIES.”.

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

Rep. McCann moved to amend the bill as follows:

1. Amend page 197, line 6, by striking out all of section 201 and inserting:

“Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in ~~subsection~~**SUBSECTIONS (2) AND (4)** are appropriated for community colleges for the fiscal year ending September 30, ~~2012,~~**2013**, from the funds indicated in this section. The following is a summary of the appropriations in ~~subsection~~**SUBSECTIONS (2) AND (4)**:

(a) The gross appropriation is ~~\$283,880,500.00.~~**\$306,130,200.00**. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$283,880,500.00.~~**\$306,130,200.00**.

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

(i) Total federal revenues, \$0.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, ~~\$195,880,500.00.~~**\$197,614,100.00**.

(v) State general fund/general purpose money, ~~\$88,000,000.00.~~**\$108,516,100.00**.

(2) Subject to subsection (3), the amount appropriated for community college operations is ~~\$283,880,500.00;~~**\$295,880,200.00**, allocated as follows:

(a) Alpena Community College, ~~\$4,984,300.00.~~**\$5,205,100.00**.

(b) Bay de Noc Community College, ~~\$5,040,200.00.~~**\$5,266,600.00**.

(c) Delta College, ~~\$13,336,200.00.~~**\$13,861,100.00**.

(d) Glen Oaks Community College, ~~\$2,320,900.00.~~**\$2,406,800.00**.

(e) Gogebic Community College, ~~\$4,140,500.00.~~**\$4,329,900.00**.

(f) Grand Rapids Community College, ~~\$16,649,700.00.~~**\$17,359,500.00**.

(g) Henry Ford Community College, ~~\$20,145,000.00.~~**\$21,076,100.00**.

(h) Jackson Community College, ~~\$11,219,700.00.~~**\$11,702,100.00**.

(i) Kalamazoo Valley Community College, ~~\$11,522,700.00.~~**\$11,977,600.00**.

(j) Kellogg Community College, ~~\$9,047,900.00.~~**\$9,442,600.00**.

(k) Kirtland Community College, ~~\$2,872,900.00.~~**\$2,969,000.00**.

(l) Lake Michigan College, ~~\$4,937,700.00.~~**\$5,159,100.00**.

(m) Lansing Community College, ~~\$28,651,900.00.~~**\$29,904,100.00**.

(n) Macomb Community College, ~~\$30,490,300.00.~~**\$31,855,200.00**.

(o) Mid Michigan Community College, ~~\$4,266,800.00.~~**\$4,412,900.00**.

(p) Monroe County Community College, ~~\$4,094,000.00.~~**\$4,243,700.00**.

(q) Montcalm Community College, ~~\$2,946,800.00.~~**\$3,048,300.00**.

(r) C.S. Mott Community College, ~~\$14,526,400.00.~~**\$15,159,200.00**.

(s) Muskegon Community College, ~~\$8,256,700.00.~~**\$8,615,200.00**.

(t) North Central Michigan College, ~~\$2,886,500.00.~~**\$2,994,100.00**.

(u) Northwestern Michigan College, ~~\$8,430,300.00.~~**\$8,812,200.00**.

(v) Oakland Community College, ~~\$19,455,900.00.~~**\$20,279,000.00**.

(w) St. Clair County Community College, ~~\$6,534,100.00.~~**\$6,821,000.00**.

(x) Schoolcraft College, ~~\$11,477,300.00.~~**\$11,885,000.00**.

(y) Southwestern Michigan College, ~~\$6,143,700.00.~~**\$6,433,500.00**.

(z) Washtenaw Community College, ~~\$11,827,300.00.~~**\$12,258,400.00**.

(aa) Wayne County Community College, ~~\$15,425,900.00.~~**\$16,068,100.00**.

(bb) West Shore Community College, ~~\$2,248,900.00.~~**\$2,334,800.00**.

(3) The amount appropriated in subsection (2) for community college operations is appropriated from the following:

(a) School aid fund, ~~\$195,880,500.00.~~**\$187,364,100.00**.

(b) State general fund/general purpose money, ~~\$88,000,000.00.~~**\$108,516,100.00**.

(4) FROM THE APPROPRIATIONS DESCRIBED IN SUBSECTION (1), THERE IS ALLOCATED FOR FISCAL YEAR 2012-2013 AN AMOUNT NOT TO EXCEED \$10,250,000.00 FOR PAYMENTS TO COMMUNITY COLLEGES FROM THE SCHOOL AID FUND. A COMMUNITY COLLEGE THAT RECEIVES MONEY UNDER THIS SUBSECTION SHALL USE THAT MONEY SOLELY FOR THE PURPOSE OF OFFSETTING A PORTION OF THE RETIREMENT CONTRIBUTIONS OWED BY THE COLLEGE FOR THE FISCAL YEAR ENDING

SEPTEMBER 30, 2013. THE AMOUNT ALLOCATED TO EACH COMMUNITY COLLEGE UNDER THIS SUBSECTION IS AS FOLLOWS:

- (A) ALPENA COMMUNITY COLLEGE, \$180,000.00.
- (B) BAY DE NOC COMMUNITY COLLEGE, \$182,000.00.
- (C) DELTA COLLEGE, \$481,500.00.
- (D) GLEN OAKS COMMUNITY COLLEGE, \$83,800.00.
- (E) GOGEBIC COMMUNITY COLLEGE, \$149,500.00.
- (F) GRAND RAPIDS COMMUNITY COLLEGE, \$601,200.00.
- (G) HENRY FORD COMMUNITY COLLEGE, \$727,400.00.
- (H) JACKSON COMMUNITY COLLEGE, \$405,100.00.
- (I) KALAMAZOO VALLEY COMMUNITY COLLEGE, \$416,100.00.
- (J) KELLOGG COMMUNITY COLLEGE, \$326,700.00.
- (K) KIRTLAND COMMUNITY COLLEGE, \$103,700.00.
- (L) LAKE MICHIGAN COLLEGE, \$178,300.00.
- (M) LANSING COMMUNITY COLLEGE, \$1,034,500.00.
- (N) MACOMB COMMUNITY COLLEGE, \$1,100,900.00.
- (O) MID MICHIGAN COMMUNITY COLLEGE, \$154,100.00.
- (P) MONROE COUNTY COMMUNITY COLLEGE, \$147,800.00.
- (Q) MONTCALM COMMUNITY COLLEGE, \$106,400.00.
- (R) C.S. MOTT COMMUNITY COLLEGE, \$524,500.00.
- (S) MUSKEGON COMMUNITY COLLEGE, \$298,100.00.
- (T) NORTH CENTRAL MICHIGAN COLLEGE, \$104,200.00.
- (U) NORTHWESTERN MICHIGAN COLLEGE, \$304,400.00.
- (V) OAKLAND COMMUNITY COLLEGE, \$702,500.00.
- (W) ST. CLAIR COUNTY COMMUNITY COLLEGE, \$235,900.00.
- (X) SCHOOLCRAFT COLLEGE, \$414,400.00.
- (Y) SOUTHWESTERN MICHIGAN COLLEGE, \$221,800.00.
- (Z) WASHTENAW COMMUNITY COLLEGE, \$427,000.00.
- (AA) WAYNE COUNTY COMMUNITY COLLEGE, \$557,000.00.
- (BB) WEST SHORE COMMUNITY COLLEGE, \$81,200.00.” and adjusting the subtotals, totals, and enacting section 1 accordingly.

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

Rep. Bauer moved to amend the bill as follows:

1. Amend page 214, line 25, by striking out all of subsection (2) and inserting:

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

- (a) The appropriation for Central Michigan University is ~~\$68,108,900.00, \$61,431,100.00 for operations and \$6,677,800.00 for tuition restraint incentive,~~ **\$73,750,600.00**, appropriated from the following:
 - (i) State school aid fund, ~~\$11,284,600.00:~~
 - (ii) State-STATE general fund/general purpose money. , ~~\$56,824,300.00:~~
- (b) The appropriation for Eastern Michigan University is ~~\$64,619,100.00, \$61,319,900.00 for operations and \$3,299,200.00 for tuition restraint incentive,~~ **\$69,971,800.00**, appropriated from the following:
 - (i) State school aid fund, ~~\$10,706,400.00:~~
 - (ii) State-STATE general fund/general purpose money. , ~~\$53,912,700.00:~~
- (c) The appropriation for Ferris State University is ~~\$41,324,300.00, \$37,971,600.00 for operations and \$3,352,700.00 for tuition restraint incentive,~~ **\$44,747,400.00**, appropriated from the following:
 - (i) State school aid fund, ~~\$6,846,800.00:~~
 - (ii) State-STATE general fund/general purpose money. , ~~\$34,477,500.00:~~
- (d) The appropriation for Grand Valley State University is ~~\$52,677,400.00, \$48,431,500.00 for operations and \$4,245,900.00 for tuition restraint incentive,~~ **\$57,040,900.00**, appropriated from the following:
 - (i) State school aid fund, ~~\$8,727,800.00:~~
 - (ii) State-STATE general fund/general purpose money. , ~~\$43,949,600.00:~~
- (e) The appropriation for Lake Superior State University is ~~\$10,789,500.00, \$10,055,100.00 for operations and \$734,400.00 for tuition restraint incentive,~~ **\$11,683,200.00**, appropriated from the following:
 - (i) State school aid fund, ~~\$1,787,600.00:~~
 - (ii) State-STATE general fund/general purpose money. , ~~\$9,001,900.00:~~
- (f) The appropriation for Michigan State University is ~~\$293,746,600.00, \$222,796,200.00 \$315,298,400.00, \$261,093,800.00 for operations , \$18,324,600.00 for tuition restraint incentive,~~ and ~~\$52,625,800.00~~ **\$54,204,600.00** for

~~agricultural experiment—MSU AGBIORESEARCH and cooperative—MSU extension activities, appropriated from the following:~~

- ~~(i) State school aid fund, \$39,949,900.00.~~
- ~~(ii) State—STATE general fund/general purpose money. , \$253,796,700.00.~~
- ~~(g) The appropriation for Michigan Technological University is \$40,733,600.00, \$37,409,700.00 for operations and \$3,323,900.00 for tuition restraint incentive, **\$44,107,700.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$6,748,900.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$33,984,700.00.~~
- ~~(h) The appropriation for Northern Michigan University is \$38,367,400.00, \$36,225,200.00 for operations and \$2,142,200.00 for tuition restraint incentive, **\$41,545,500.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$6,356,900.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$32,010,500.00.~~
- ~~(i) The appropriation for Oakland University is \$43,145,000.00, \$39,313,500.00 for operations and \$3,831,500.00 for tuition restraint incentive, **\$46,718,900.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$7,148,400.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$35,996,600.00.~~
- ~~(j) The appropriation for Saginaw Valley State University is \$23,561,500.00, \$21,969,300.00 for operations and \$1,592,200.00 for tuition restraint incentive, **\$25,513,200.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$3,903,800.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$19,657,700.00.~~
- ~~(k) The appropriation for University of Michigan – Ann Arbor is \$268,803,300.00, \$254,931,800.00 for operations and \$13,871,500.00 for tuition restraint incentive, **\$291,069,300.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$44,536,300.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$224,267,000.00.~~
- ~~(l) The appropriation for University of Michigan – Dearborn is \$21,016,300.00, \$19,627,400.00 for operations and \$1,388,900.00 for tuition restraint incentive, **\$22,757,200.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$3,482,100.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$17,534,200.00.~~
- ~~(m) The appropriation for University of Michigan – Flint is \$17,762,400.00, \$16,679,400.00 for operations and \$1,083,000.00 for tuition restraint incentive, **\$19,233,700.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$2,942,900.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$14,819,500.00.~~
- ~~(n) The appropriation for Wayne State University is \$182,036,900.00, \$169,209,400.00 for operations and \$12,827,500.00 for tuition restraint incentive, **\$197,115,700.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$30,160,600.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$151,876,300.00.~~
- ~~(o) The appropriation for Western Michigan University is \$93,168,300.00, \$86,866,700.00 for operations and \$6,301,600.00 for tuition restraint incentive, **\$100,885,800.00**, appropriated from the following:~~
 - ~~(i) State school aid fund, \$15,436,500.00.~~
 - ~~(ii) State—STATE general fund/general purpose money. , \$77,731,800.00.” and adjusting the subtotals, totals, and enacting section 1 accordingly.~~

2. Amend page 221, line 1, by striking out all of line 1 through “**265A(2).**” on line 8.
3. Amend page 238, line 19, by striking out all of sections 265 and **265A**.
4. Amend page 247, line 26, by striking out all of section 274.
5. Amend page 265, line 6, after “262,” by inserting “265, 265a.”.
6. Amend page 265, line 6, after “272,” by inserting “274.”.
7. Amend page 265, line 9, after “388.1862,” by inserting “388.1865, 388.1865a.”.
8. Amend page 265, line 9, after “388.1872,” by inserting “388.1874.”.
9. Amend page 265, line 13, after “252,” by striking out “265, 265a, 267, and 274” and inserting “and 267”.
10. Amend page 265, line 15, by striking out “388.1865, 388.1865a, 388.1867, and 388.1874” and inserting “and 388.1867”.

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

Rep. Bauer moved to amend the bill as follows:

1. Amend page 216, line 11, after “and” by striking out “\$52,625,800.00” and inserting “**\$54,204,600.00**” and adjusting the subtotals, totals, and enacting section 1 accordingly.

2. Amend page 216, line 16, by striking out “\$260,588,100.00” and inserting “\$262,166,900.00” and adjusting the subtotals, totals, and enacting section 1 accordingly.

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

Rep. Bauer moved to amend the bill as follows:

1. Amend page 219, line 22, by striking out “\$20,361,700.00” and inserting “\$35,530,500.00” and adjusting the subtotals, totals, and enacting section 1 accordingly.

2. Amend page 220, line 15, by striking out “\$95,826,400.00” and inserting “\$110,995,200.00” and adjusting the subtotals, totals, and enacting section 1 accordingly.

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

Rep. Tlaib moved to amend the bill as follows:

1. Amend page 247, line 21, by striking out all of section 273A.

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

Rep. Greimel moved to amend the bill as follows:

1. Amend page 42, line 27, after “is” by striking out “\$8,019.00” and inserting “\$8,254.00”.

2. Amend page 44, line 13, after “\$470.00.” by striking out the balance of the line through “YEAR.” on line 22.

3. Amend page 45, line 6, after “\$470.00.” by striking out the balance of the subdivision.

4. Amend page 46, line 5, after “\$470.00.” by striking out the balance of the subdivision.

5. Amend page 53, line 25, after “factor.” by striking out the balance of the line through “1.00.” on line 27.

6. Amend page 59, line 22, after “2011-2012” by striking out “AND 2012-2013”.

7. Amend page 59, line 23, after “\$7,110.00.” by inserting “FOR 2012-2013, MAXIMUM PUBLIC SCHOOL ACADEMY ALLOCATION MEANS \$7,540.00.”.

8. Amend page 69, line 21, after “EXCEED” by striking out “\$3,077,000,000.00” and inserting “\$3,694,000,000.00” and adjusting the totals in section 11 and in enacting section 1 accordingly.

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

Rep. Somerville moved to amend the bill as follows:

1. Amend page 55, line 12, by striking out all of line 12.

2. Amend page 57, line 23, after “2010-2011.” by striking out the balance of the subsection.

3. Amend page 69, line 21, after “EXCEED” by striking out “\$3,077,000,000.00” and inserting “\$3,077,650,000.00” and adjusting the totals in section 11 and in enacting section 1 accordingly.

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

Rep. Lyons moved to amend the bill as follows:

1. Amend page 14, line 6, by striking out all of subdivision (r) and inserting:

“(r) Full-time equated memberships for pupils in kindergarten shall be determined by dividing the number of class hours scheduled and provided per year per kindergarten pupil by a number equal to 1/2 the number used for determining full-time equated memberships for pupils in grades 1 to 12. ~~However, beginning in 2012-2013, full-time equated memberships for pupils in kindergarten shall be determined by dividing the number of class hours scheduled and provided per year per kindergarten pupil by the same number used for determining full-time equated memberships for pupils in grades 1 to 12.~~”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5372, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2011 PA 299, section 17b as amended by 2007 PA 137, and sections 201 and 236 as added by 2011 PA 62.

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

Roll Call No. 204**Yeas—56**

Agema	Glardon	LaFontaine	Poleski
Bolger	Goike	Lori	Potvin
Bumstead	Graves	Lund	Price
Cotter	Haines	Lyons	Pscholka
Crawford	Haveman	MacMaster	Rendon
Daley	Heise	McBroom	Rogers
Damrow	Horn	McMillin	Schmidt, W.
Denby	Huuki	Moss	Shaughnessy
Farrington	Jacobsen	Nesbitt	Shirkey
Forlini	Jenkins	Olson	Somerville
Foster	Johnson	Opsommer	Stamas
Franz	Knollenberg	Ouimet	Tyler
Genetski	Kowall	Outman	Walsh
Gilbert	Kurtz	Pettalia	Zorn

Nays—54

Ananich	Geiss	Lindberg	Schmidt, R.
Barnett	Greimel	Lipton	Segal
Bauer	Hammel	Liss	Slavens
Bledsoe	Haug	MacGregor	Smiley
Brown	Hobbs	McCann	Stallworth
Brunner	Hooker	Meadows	Stanley
Byrum	Hovey-Wright	Muxlow	Stapleton
Callton	Howze	Nathan	Switalski
Cavanagh	Hughes	O'Brien	Talabi
Clemente	Irwin	Oakes	Tlaib
Constan	Jackson	Olumba	Townsend
Darany	Kandrevas	Rutledge	Womack
Dillon	Lane	Santana	Yonker
Durhal	LeBlanc		

In The Chair: Walsh

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

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

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18c, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 25, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 101, 104, 107, 147, 147a, 152a, 201, 201a, 202, 203, 204, 206, 207, 208, 209, 210a, 211, 212, 213, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 270a, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, and 291 (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618c, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1624, 388.1624a, 388.1624c, 388.1625, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1752a, 388.1801, 388.1801a, 388.1802, 388.1803, 388.1804, 388.1806, 388.1807, 388.1808, 388.1809, 388.1810a, 388.1811, 388.1812, 388.1813, 388.1816, 388.1817, 388.1818, 388.1819, 388.1820, 388.1821, 388.1822, 388.1823, 388.1824, 388.1825, 388.1826, 388.1827, 388.1828, 388.1829, 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853,

388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1870a, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1890, and 388.1891), sections 3, 19, and 101 as amended by 2010 PA 110, section 4 as amended by 2008 PA 268, sections 6, 11, 11a, 11m, 22a, 22b, 24a, 24c, 26b, 51a, 51c, 74, and 104 as amended by 2012 PA 29, sections 11g, 11k, 15, 18, 20, 20d, 22d, 24, 31a, 32b, 32d, 32j, 39, 39a, 51d, 54, 56, 61a, 81, 93, 94a, 98, 99, 107, 147, and 152a as amended and sections 12, 22f, 147a, 201, 201a, 202, 203, 204, 206, 207, 208, 209, 210a, 211, 212, 213, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 270a, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, and 291 as added by 2011 PA 62, sections 11j, 26a, 31d, 31f, 53a, and 62 as amended by 2011 PA 299, section 18c as added by 2000 PA 297, and section 25 as amended by 2011 PA 322, and by adding sections 22g, 22i, 95, 229a, 236b, 237b, 246, 260, 265a, 273a, and 293a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

“Mr. Speaker and members of the House:

Mr. Speaker,

I rise today in opposition to HB 5372

Mr. Speaker, last year the Governor and my colleagues from the other side of the aisle went to great pains to assure all of us as well as the general public that it was necessary to push the “RESET” button on the state budget.

And by resetting the budget this legislature made the largest single year cut to education in the history of the state while raising taxes on seniors and the middle class; all to hand out \$2 billion in tax cuts to corporations.

But we were told that this massive cut to education would be a one-time occurrence and that this year and in years forward we would begin to reinvest in our children’s future.

But sadly, Mr. Speaker, the budget before us here today not only does not make any overall increase in state funding to k-12, it actually makes further cuts in districts that have the highest needs like Grand Rapids which will lose another \$5.2 million dollars if this budget is signed into law.

And other districts across the state are going to continue to struggle because this Legislature has made a CHOICE, A CHOICE to give corporations a no strings attached, no performance based, no best practice tax giveaway and take money from kids and seniors to pay for it.

Even sadder Mr. Speaker is that it doesn’t have to be this way. Both last year and this year the School Aid fund has produced enough revenue to give all districts substantial increases in per pupil funding.

In Committee we heard testimony that if the money currently in the School Aid fund wasn’t being raided and we wouldn’t have given away another \$700 million in school funds through the no strings attached corporate tax cut, schools this year would have received a \$650 per pupil INCREASE. You heard that right a \$650 per pupil increase.

And we could have done that without jacking up taxes even further on seniors, the middle class and the working poor.

One of my colleague from the other side of the aisle yesterday said he has seen many trees in Michigan but not one that grew money.

Technically he is correct.

But let’s for a second imagine that the school aid fund was a redwood or a Michigan maple flourishing and growing every year.

It is even more fitting then that my Republican friend used the metaphor he did because after the last two years of Republican clear cutting these once mighty plants look more like Charlie Browns Christmas tree.”

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

“Mr. Speaker and members of the House:

I opposed HB 5372 because it did not adequately fund our K-12 education system. The \$1.1 billion dollar cut to education in FY 12 budget is not restored in this budget. This budget further cripples our education system. The bill also maintains the elimination of bilingual education grants that deny meaningful opportunity for our limited English proficiency (LEP) students to receive a public education. Therefore, I voted NO on House Bill 5372.”

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

“Mr. Speaker and members of the House:

My no vote on the school aid budget was for two reasons. While there were many good things in paying down legacy costs (‘Credit Card Debt’), I tried to amend the higher education budget with a good practice requirement for additional funding that required Universities to stop the unconstitutional practice of using taxpayer funds for domestic partner health benefits. I also do not favor forcing schools who select 1/2 day or part time kindergarten to go to full time kindergarten to receive full funding. This will negatively affect many of my local school districts.”

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

“Mr. Speaker and members of the House:

I believe this budget forces a change of how we found our per pupil funding in an irresponsible way by not taking into consideration the extra costs to educate a high school student.

When proposal A was passed, it was agreed to cover the high school costs by the full day funding of half day kindergarten students.

Many parents do not want their kids in a full time kindergarten and this will force public schools to move to full day to recover the lost revenue, and parents will feel obligated to send their kids because the school is operating full day kindergarten. This will also further the financial stress on schools that needed that funding to offset the high school higher costs.

This could have been addressed in a more responsible way.

When appropriations forces policy like this one does, the view is only focused on fiscal out comes, and the effects on how it effects policy is ignored, Along with many of my constituents, I believe this is a bill that is not in the best interest of our children, and many of the parents in my district.”

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

“Mr. Speaker and members of the House:

I voted against House Bill 5372, the education budget for the coming fiscal year, because it includes a financial disincentive for schools in my district to keep their current half-day kindergarten programs. State government should not tie critical school funding to the adoption of policies that show no savings to the state.

Additionally, I feel the state should limit mandates on our local school districts and allow some local control and discretion on what is best for their Kindergartners in determining whether they are too young to participate in a full-day academic program. Kindergartners are only just beginning to transition from home life to a full-time academic program with all new experiences, authority figures and demands. Adding a nap time, recess and other time-filling activities is not worth the strain on our state’s youngest students.

I support the vast majority of the reforms and programs in the education budget, but this bill does not assume any savings to the state and will cost the schools in my district more of their limited funding. The timing is not right for implementing full day kindergarten. Because of that, I cannot vote in favor of this legislation as it is currently written.”

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

The question being on the motion made by Rep. Stamas,

Rep. Stamas demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Stamas,

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 205

Yeas—100

Agema	Franz	Kowall	Potvin
Ananich	Genetski	Kurtz	Price
Barnett	Gilbert	LaFontaine	Pscholka
Bauer	Gardon	Lane	Rendon
Bledsoe	Goike	LeBlanc	Rogers
Bolger	Graves	Lori	Santana
Brown	Greimel	Lund	Schmidt, R.

Brunner	Haines	Lyons	Schmidt, W.
Bumstead	Hammel	MacGregor	Segal
Byrum	Haugh	MacMaster	Shaughnessy
Callton	Haveman	McBroom	Shirkey
Cavanagh	Heise	McCann	Slavens
Clemente	Hobbs	McMillin	Smiley
Constan	Hooker	Moss	Somerville
Cotter	Horn	Muxlow	Stamas
Crawford	Hovey-Wright	Nathan	Stanley
Daley	Hughes	Nesbitt	Stapleton
Damrow	Huuki	O'Brien	Talabi
Darany	Irwin	Oakes	Tlaib
Denby	Jackson	Olson	Townsend
Dillon	Jacobsen	Opsommer	Tyler
Durhal	Jenkins	Ouimet	Walsh
Farrington	Johnson	Outman	Womack
Forlini	Kandrevas	Pettalia	Yonker
Foster	Knollenberg	Poleski	Zorn

Nays—10

Geiss	Lipton	Olumba	Stallworth
Howze	Liss	Rutledge	Switalski
Lindberg	Meadows		

In The Chair: Walsh

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

Second Reading of Bills

Senate Bill No. 622, entitled

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513), as amended by 2005 PA 180.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Education,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 622, entitled

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513), as amended by 2005 PA 180.

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

Roll Call No. 206**Yeas—67**

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

Nays—43

Ananich	Dillon	Lane	Segal
Barnett	Durhal	Lindberg	Slavens
Bauer	Geiss	Lipton	Smiley
Bledsoe	Greimel	Liss	Stanley
Brown	Hammel	McCann	Stapleton
Brunner	Haugh	Meadows	Switalski
Byrum	Hobbs	Nathan	Talabi
Cavanagh	Hovey-Wright	Oakes	Tlaib
Clemente	Irwin	Olumba	Townsend
Constan	Jackson	Santana	Womack
Darany	Kandreas	Schmidt, R.	

In The Chair: Opsommer

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

“An act to establish a postsecondary enrollment options program for certain students enrolled in Michigan schools; to prescribe certain duties of public schools; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 623, entitled**

A bill to amend 2000 PA 258, entitled “Career and technical preparation act,” by amending section 3 (MCL 388.1903), as amended by 2005 PA 181.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Education,

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

Rep. Lyons moved to amend the bill as follows:

1. Amend page 3, line 7, after “**STUDENT,**” by inserting “**UNLESS THERE IS A WRITTEN AGREEMENT BETWEEN THE ELIGIBLE STUDENT’S SCHOOL DISTRICT AND THE CAREER AND TECHNICAL PREPARATION PROGRAM TO WAIVE THESE LIMITS,**”.

2. Amend page 3, line 20, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.

3. Amend page 3, line 23, by striking out “**EDUCATION**” and inserting “**PREPARATION**”.

4. Amend page 4, line 1, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.

5. Amend page 4, line 3, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.

6. Amend page 4, line 6, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.

7. Amend page 4, line 11, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 623, entitled

A bill to amend 2000 PA 258, entitled “Career and technical preparation act,” by amending section 3 (MCL 388.1903), as amended by 2005 PA 181.

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

Roll Call No. 207

Yeas—67

Agema	Graves	Lori	Potvin
Bolger	Haines	Lund	Price
Bumstead	Haveman	Lyons	Pscholka
Callton	Heise	MacGregor	Rendon
Cotter	Hooker	MacMaster	Rogers
Crawford	Horn	McBroom	Rutledge
Daley	Howze	McMillin	Schmidt, W.
Damrow	Hughes	Moss	Shaughnessy
Denby	Huuki	Muxlow	Shirkey
Farrington	Jacobsen	Nesbitt	Somerville
Forlini	Jenkins	O’Brien	Stallworth
Foster	Johnson	Olson	Stamas
Franz	Knollenberg	Opsommer	Tyler
Genetski	Kowall	Ouimet	Walsh
Gilbert	Kurtz	Outman	Yonker
Glardon	LaFontaine	Pettalia	Zorn
Goike	LeBlanc	Poleski	

Nays—43

Ananich	Dillon	Lane	Segal
Barnett	Durhal	Lindberg	Slavens
Bauer	Geiss	Lipton	Smiley
Bledsoe	Greimel	Liss	Stanley
Brown	Hammel	McCann	Stapleton
Brunner	Haugh	Meadows	Switalski
Byrum	Hobbs	Nathan	Talabi

Cavanagh	Hovey-Wright	Oakes	Tlaib
Clemente	Irwin	Olumba	Townsend
Constan	Jackson	Santana	Womack
Darany	Kandrevas	Schmidt, R.	

In The Chair: Opsommer

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

“An act to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 709, entitled

A bill to amend 2000 PA 258, entitled “Career and technical preparation act,” by amending the title and sections 3a, 4, 7, 9, 10, and 11 (MCL 388.1903a, 388.1904, 388.1907, 388.1909, 388.1910, and 388.1911), section 3a as added and section 9 as amended by 2004 PA 592.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Education,

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

Rep. Lyons moved to amend the bill as follows:

1. Amend page 5, line 4, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.
2. Amend page 5, line 6, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.
3. Amend page 6, line 11, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.
4. Amend page 6, line 13, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.
5. Amend page 12, line 14, after “**TECHNICAL**” by striking out “**EDUCATION**” and inserting “**PREPARATION**”.
6. Amend page 14, line 22, after “**TECHNICAL**” by striking out “education” and inserting “**PREPARATION**”.

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

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

The motion prevailed.

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

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

Rep. Stamas moved that Rep. Knollenberg be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 709, entitled

A bill to amend 2000 PA 258, entitled “Career and technical preparation act,” by amending the title and sections 3a, 4, 7, 9, 10, and 11 (MCL 388.1903a, 388.1904, 388.1907, 388.1909, 388.1910, and 388.1911), section 3a as added and section 9 as amended by 2004 PA 592.

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

Roll Call No. 208**Yeas—65**

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

Nays—43

Ananich	Dillon	Lane	Segal
Barnett	Durhal	LeBlanc	Slavens
Bauer	Geiss	Lindberg	Smiley
Bledsoe	Greimel	Lipton	Stanley
Brown	Hammel	Liss	Stapleton
Brunner	Haugh	McCann	Switalski
Byrum	Hobbs	Meadows	Talabi
Cavanagh	Hovey-Wright	Nathan	Tlaib
Clemente	Irwin	Oakes	Townsend
Constan	Jackson	Santana	Womack
Darany	Kandrevas	Schmidt, R.	

In The Chair: Opsommer

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

“An act to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 710, entitled**

A bill to amend 1996 PA 160, entitled “Postsecondary enrollment options act,” by amending the title and sections 3a, 4, 7, 9, 10, and 11 (MCL 388.513a, 388.514, 388.517, 388.519, 388.520, and 388.521), section 3a as added and section 9 as amended by 2004 PA 594.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Education,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 710, entitled

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending the title and sections 3a, 4, 7, 9, 10, and 11 (MCL 388.513a, 388.514, 388.517, 388.519, 388.520, and 388.521), section 3a as added and section 9 as amended by 2004 PA 594.

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

Roll Call No. 209

Yeas—65

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

Nays—44

Ananich	Dillon	Lane	Schmidt, R.
Barnett	Durhal	LeBlanc	Segal
Bauer	Geiss	Lindberg	Slavens
Bledsoe	Greimel	Lipton	Smiley
Brown	Hammel	Liss	Stanley
Brunner	Haugh	McCann	Stapleton
Byrum	Hobbs	Meadows	Switalski
Cavanagh	Hovey-Wright	Nathan	Talabi
Clemente	Irwin	Oakes	Tlaib
Constan	Jackson	Olumba	Townsend
Darany	Kandrevas	Santana	Womack

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

“An act to establish a postsecondary enrollment options program for certain students enrolled in Michigan schools; to prescribe certain duties of public schools; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 92, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5501 (MCL 700.5501).

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

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

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

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

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

The motion prevailed.

House Bill No. 4928, entitled

A bill to amend 1915 PA 123, entitled “An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits,” (MCL 565.451a to 565.453) by adding section 1d.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 269, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

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

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

Rep. Stamas 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

Messages from the Senate

House Bill No. 5189, entitled

A bill to make, supplement, and adjust appropriations for the department of human services for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, April 26, for his approval of the following bills:

Enrolled House Bill No. 4346 at 1:40 p.m.

Enrolled House Bill No. 4393 at 1:42 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, April 26:

House Bill No. 5571

Senate Bill Nos. 1091 1092 1093 1094 1095

The Clerk announced that the following Senate bills had been received on Thursday, April 26:

Senate Bill Nos. 954 955

Reports of Standing Committees

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

House Bill No. 4718, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16626.

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. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Shirkey, Hooker, Huuki, Muxlow, Yonker, Graves, Liss, Darany, Hovey-Wright and Greimel

Nays: None

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

Senate Bill No. 723, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 10301.

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. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Shirkey, Hooker, Huuki, Muxlow, Yonker, Graves, Liss, Darany, Hovey-Wright and Greimel

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 26, 2012

Present: Reps. Haines, Callton, Opsommer, Kurtz, Wayne Schmidt, Shirkey, Hooker, Huuki, Muxlow, Yonker, Graves, Liss, Stallworth, Darany, Segal, Womack, Hovey-Wright and Greimel

Absent: Rep. Hughes

Excused: Rep. Hughes

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

House Bill No. 5145, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2006 PA 415.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5431, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 2004 PA 104.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 5, following line 3, by inserting:

"(7) A VIOLATION OR ATTEMPTED VIOLATION OF THIS SECTION OCCURS IF THE COMMUNICATION OF THE FALSE REPORT ORIGINATES IN THIS STATE, IS INTENDED TO TERMINATE IN THIS STATE, OR IS INTENDED TO TERMINATE WITH A PERSON WHO IS IN THIS STATE.

(8) A VIOLATION OR ATTEMPTED VIOLATION OF THIS SECTION MAY BE PROSECUTED IN ANY JURISDICTION IN WHICH THE COMMUNICATION ORIGINATED OR TERMINATED." and renumbering the remaining subsection.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Meadows and Constan

Nays: None

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

House Bill No. 5432, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2008 PA 466.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5433, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2010 PA 278.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Meadows and Constan
Nays: None

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

Senate Bill No. 320, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 10, 13a, and 14 of chapter XIA (MCL 712A.10, 712A.13a, and 712A.14), section 10 as amended by 1988 PA 92, section 13a as amended by 2004 PA 475, and section 14 as amended by 2001 PA 211, and by adding sections 14a and 14b to chapter XIA.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Walsh, Heise, Horn, Damrow, Muxlow, Jacobsen, Pettalia, Somerville, Cotter, Graves, Meadows, Constan, Oakes, Brown, Irwin and Cavanagh
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 26, 2012

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

Absent: Rep. Olumba

Excused: Rep. Olumba

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ouimet, Chair, of the Committee on Local, Intergovernmental, and Regional Affairs, was received and read:

Meeting held on: Thursday, April 26, 2012

Present: Reps. Ouimet, Pettalia, Crawford, Daley, Hughes, LaFontaine, Price, Shaughnessy, Rendon, Stanley, Constan, Townsend and Stapleton

Absent: Reps. Rutledge and Lane

Excused: Reps. Rutledge and Lane

Messages from the Senate**House Bill No. 5364, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects and for certain state departments and agencies for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Senate Bill No. 954, entitled

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights,

and certain state purposes related thereto for the fiscal year ending September 30, 2013; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

The Senate has passed the bill.

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

Senate Bill No. 955, entitled

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

The Senate has passed the bill.

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

Notices

April 26, 2012

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

Pursuant to MCL 388.1301a, I am appointing Rep. Lisa Lyons to the **Education Commission of the States** effective immediately for the remainder of term from January 1, 2011 to December 31, 2012.

Sincerely,
Jase Bolger, Speaker
Michigan House of Representatives

Introduction of Bills

Reps. Lyons, Haveman, Townsend, Ananich, Liss, Price, Hobbs, MacGregor, Shaughnessy, Jacobsen, Wayne Schmidt, Roy Schmidt, Kandrevas, Tlaib, Lane, Forlini and Walsh introduced

House Bill No. 5572, entitled

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

The bill was read a first time by its title and referred to the Committee on Families, Children, and Seniors.

Rep. Forlini introduced

House Bill No. 5573, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as added by 2006 PA 596.

The bill was read a first time by its title and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

Reps. Nathan and Townsend introduced

House Bill No. 5574, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 51 of chapter 2 (MCL 141.651), as amended by 1982 PA 124, and by adding section 51a to chapter 2.

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

Rep. Lipton introduced

House Bill No. 5575, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2010 PA 353.

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

Reps. Howze, Geiss, Stallworth, Stanley, Liss, Townsend, Talabi, Rutledge, Durhal, Santana, Hobbs, Tlaib, Stapleton and Jackson introduced

House Bill No. 5576, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending sections 51 and 54 of chapter 2 (MCL 141.651 and 141.654), section 51 as amended by 1982 PA 124 and section 54 as amended by 1996 PA 442.

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

Rep. Nesbitt introduced

House Bill No. 5577, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 30 and 32 (MCL 567.250 and 567.252), section 30 as amended by 2008 PA 208.

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

Rep. Jackson introduced

House Bill No. 5578, entitled

A bill to establish duties of owners or operators of property and their attorneys and agents in evicting a tenant from the property; to provide for the disposal of a tenant's personal property lawfully removed from property; to provide civil sanctions for the improper removal and disposal of property; and to provide remedies.

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

Announcements by the Clerk

The Clerk received the following dissents from Reps. Switalski, Barnett, Irwin, Ananich, Slavens, Segal, Santana, Byrum, Bledsoe, Lindberg, Darany, Rutledge, Brunner, Lane, Brown, Geiss, Meadows, Smiley, Hammel, Cavanagh, Hobbs, Lipton, Durhal and Stallworth:

Article IV, Section 18 of the Michigan Constitution states that "[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal." Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to SB1005, SB349, and HB5365. I did not, have not, and do not support the gaveling on of immediate effect to SB1005, SB349, and HB5365.

The Clerk received the following dissent from Rep. Lane:

Article IV, Section 18 of the Michigan Constitution states that "[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal." Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to SB528, SB529, SB530, SB531, and SB532. I did not, have not, and do not support the gaveling on of immediate effect to SB528, SB529, SB530, SB531, and SB532.

The Clerk received the following dissent from Rep. Cavanagh:

Article IV, Section 18 of the Michigan Constitution states that "[a]ny member of either house may dissent from and protest against any act, proceeding or resolution which he deems injurious to any person or the public, and have the reason for his dissent entered in the journal." Under this constitutional provision, I demand this be printed in the House Journal because I object to the act of gaveling on Immediate Effect to SB29, SB30, SB93, and SB428. I did not, have not, and do not support the gaveling on of immediate effect to SB29, SB30, SB93, and SB428.

Rep. Segal moved that Reps. Dillon, Lipton and Townsend be excused temporarily from today's session. The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5189, entitled

A bill to make, supplement, and adjust appropriations for the department of human services for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

(The bill was received from the Senate on April 26, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 1, see today's Journal, p. 698.)

Rep. Stamas moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

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

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

Roll Call No. 210

Yeas—96

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

Nays—9

Agema	Byrum	McMillin	Olson
Barnett	Hobbs	Meadows	Yonker
Brown			

In The Chair: Opsommer

The House agreed to the title as amended.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. McMillin, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

To amend the terms of the incentive money almost a year after we initially passed it, makes me wonder how serious we are about trying to get government to follow best practices when spending taxpayer money. I am particularly concerned with changing the healthcare expense portion of the best practices.”

Rep. Ouimet moved that the House adjourn.
The motion prevailed, the time being 5:35 p.m.

Associate Speaker Pro Tempore Opsommer declared the House adjourned until Tuesday, May 1, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

