



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON APPROPRIATIONS

REP. ANGELA WITWER

CHAIR

## COMMITTEE MEETING MINUTES

Wednesday, May 3, 2023                      9:00 AM                      Room 352, House Appropriations, State Capitol Building

The House Committee on Appropriations was called to order by Chair Witwer.

The Chair requested attendance be called:

Present: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Absent: None.

Excused: None.

Representative Brixie moved to adopt the meeting minutes from April 26, 2023. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4247 before the committee:

HB 4247 (Rep. O'Neal)

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2024; and to provide for the expenditure of the appropriations.

Representative O'Neal testified in support of HB 4247, as proposed substitute (H-1).

Representative Morse moved to adopt substitute (H-1) to HB 4247. The motion prevailed 26-3-0:

FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Schuette.

Nays: Reps. Fink, Kuhn, Steele.

Pass: None.

Representative Bollin offered the following amendment to HB 4247:

1. Amend page 14, following line 10, by striking out all of section 215 and inserting: **"Sec. 215. Funding appropriated in part 1 must not be used to require actions related to diversity, equity, and inclusion; to restrict or impede any community's access to government resources, programs, or facilities; or to diminish, interfere with, or restrict an individual's ability to exercise rights as outlined under the State Constitution."**

Representative Bollin moved to adopt the amendment to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4247:

1. Amend page 17, following line 16, by inserting: **"Sec. 226. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this article for the particular department, board, commission, officer, or institution.**

**Sec. 227. (1) Any department, agency, board, commission, or public officer that receives funding under part 1 shall not:**

**(a) Require as a condition of accessing any facility or receiving services that an individual provide proof that he or she has received a COVID-19 vaccine except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding.**

**(b) Produce, develop, issue, or require a COVID-19 vaccine passport.**

**(c) Develop a database or make any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity.**

**(d) Require as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. This subdivision does not apply to any hospital, congregate care facility, or other medical facility or any hospital, congregate care facility, or other medical facility operated by a local subdivision that receives federal Medicare or Medicaid funding.**

**(2) A department, agency, board, commission, or public officer may not subject any individual to any negative employment consequence, retaliation, or retribution because of that individual's COVID-19 vaccine status.**

**(3) Subsection (1) does not prohibit any person, department, agency, board, commission, or public officer from transmitting proof of an individual's COVID-19 vaccine status to any person, company, or governmental entity, so long as the individual provides affirmative consent.**

**(4) If a department, agency, board, commission, subdivision, or official or public officer is required to establish a vaccine policy due to a federal mandate, it must provide exemptions to any COVID-19 vaccine policy to the following individuals:**

**(a) An individual for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the individual's health or is not appropriate.**

**(b) An individual who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objection to immunization.**

**(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state."**

Representative Bollin moved to adopt the amendment to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4247:

1. Amend page 17, following line 16, by inserting:

**"Sec. 226. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are estimated at \$229,308,000.00. From this amount, total department appropriations for pension-related legacy costs are estimated at \$150,879,300.00. Total department appropriations for retiree health care legacy costs are estimated at \$78,428,700.00."**

Representative Bollin moved to adopt the amendment to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Slagh offered the following amendments to HB 4247:

1. Amend page 8, following line 15, by striking out all of line 16 and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 54, line 1, by striking out all of section 801.

Representative Slagh moved to adopt the amendments to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Slagh offered the following amendments to HB 4247:

1. Amend page 8, following line 19, by inserting:  
**"Gender reassignment legal defense 100"**  
and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 56, following line 7, by inserting:  
**"Sec. 804. Funds appropriated in part 1 for gender reassignment legal defense must be used by the department for legal defense related to the prohibition on using state funding for gender reassignment surgeries or therapies while individuals are under the jurisdiction of the department of corrections."**  
and renumbering the remaining sections.

Representative Slagh moved to adopt the amendments to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendment to HB 4247:

1. Amend page 3, line 19, after "**Script**", by striking out "**1,250,000**" and inserting "**1,000,000**"  
and adjusting the subtotals, totals, and section 201 accordingly.

Representative Lightner moved to adopt the amendment to HB 4247. The motion did not prevail 11-16-2:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Wilson.

Pass: Reps. Snyder, Cavitt.

Representative Slagh offered the following amendments to HB 4247:

1. Amend page 43, line 24, following "**injection of**" by inserting "**non-addictive**".
2. Amend page 44, line 4, following "**injectable**" by inserting "**non-addictive**".

Representative Slagh moved to adopt the amendments to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Slagh offered the following amendments to HB 4247:

1. Amend page 34, line 2, following "**forms of**" by inserting "**non-addictive**".
2. Amend page 34, line 6, following "**long-acting**" by inserting "**non-addictive**".

Representative Slagh moved to adopt the amendments to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendments to HB 4247:

1. Amend page 40, line 12, after "**issue**" by striking out "**quarterly**" and inserting "**biannual**".
2. Amend page 40, line 12, after "**reports**" by striking out "**for the previous 4 quarters**".

Representative Bollin moved to adopt the amendments to HB 4247. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Snyder moved to report out HB 4247 with recommendation, as substitute (H-1). The motion prevailed 17-3-9:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Fink, Kuhn, Steele.

Pass: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Schuette.

The Chair laid HB 4286 before the committee:

HB 4286 (Rep. Weiss)

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2022 PA 212 and section 17b as amended by 2007 PA 137.

Representative Weiss testified in support of HB 4286, as proposed substitute (H-1). Questions and discussion followed.

Representative Price moved to adopt substitute (H-1) to HB 4286. The motion prevailed 27-7-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

Nays: Reps. Fink, Steele.

Pass: None.

Representative Weiss offered the following amendments to HB 4286:

1. Amend page 6, line 14, after "**district**" by striking out the balance of the line through "**year.**" On line 26 and inserting "**the total that is greater using either of the equations described in subdivision (mm).**".

2. Amend page 25, following line 17, by inserting:  
"**(mm) Except as otherwise provided in this subsection, for a district, a public school academy, or an intermediate district, membership is the greater of either of the following totals:**  
**(i) The sum of the product of .50 times the district's, public school academy's, or intermediate district's membership for the immediately preceding fiscal year, as calculated**

under this section in the immediately preceding fiscal year, and the product of .50 times the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year, plus the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district for the immediately preceding school year.

(ii) The sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year, plus the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district for the immediately preceding school year."

3. Amend page 44, line 22, by striking "\$782,584,700.00" and inserting "\$714,184,700.00" and adjusting the totals in section 11 and enacting section 1 accordingly.

4. Amend page 247, line 1, after "exceed" by striking out "\$1,731,796,100.00" and inserting "\$1,800,196,100.00" and adjusting the totals in section 11 and enacting section 1 accordingly.

5. Amend page 248, line 8, after "(a)" by inserting "For 2022-2023, the department shall calculate the initial amount allocated to a district under this subsection toward fulfilling the specified percentages by multiplying the district's special education pupil membership, excluding pupils described in subsection (11), times 25% of the foundation allowance under section 20 of the pupil's district of residence, plus 25% of the amount of the district's per-pupil allocation under section 20m, not to exceed 25% of the target foundation allowance for the current fiscal year, or, for a special education pupil in membership in a district that is a public school academy, times an amount equal to 25% of the amount per membership pupil calculated under section 20(6). For an intermediate district, the amount allocated under this subdivision toward fulfilling the specified percentages is an amount per special education membership pupil, excluding pupils described in subsection (11), and is calculated in the same manner as for a district, using 25% of the foundation allowance under section 20 of the pupil's district of residence, not to exceed 25% of the target foundation allowance for the current fiscal year, and that district's per-pupil allocation under section 20m."

6. Amend page 248, line 27, by inserting "(b)" and relettering the remaining subdivision.

7. Amend page 248, line 27, after "For" by striking out "2022-2023," and inserting "2023-2024,".

8. Amend page 249, line 18, after "(a)" by inserting "or (b), as applicable".
9. Amend page 249, line 20, after "(a)" by inserting "or (b), as applicable".
10. Amend page 250, line 1, after "subsection" by striking out "(2)(b)" and inserting "(2)(c)".
11. Amend page 251, line 5, after "subsection" by striking out "(2)(a)" and inserting "(2)(b)".
12. Amend page 260, line 20, after "for" by inserting "2022-2023, 75%, and for 2023-2024,".
13. Amend page 260, line 25, after "times" by inserting a comma and "for 2022-2023, 75%, and for 2023-2024,".
14. Amend page 260, line 26, after "plus" by inserting a comma and "for 2022-2023, 75%, and for 2023-2024,".
15. Amend page 260, line 28, after "exceed" by inserting a comma and "for 2022-2023, 75%, and for 2023-2024,".
16. Amend page 261, line 2, after "to" by inserting a comma and "for 2022-2023, 75%, and for 2023-2024,".
17. Amend page 261, line 7, after "using" by inserting a comma and "for 2022-2023, 75%, and for 2023-2024,".
18. Amend page 261, line 8, after "exceed" by inserting a comma and "for 2022-2023, 75%, and for 2023-2024,".
19. Amend page 261, line 9, after "and" by inserting a comma and "for 2022-2023, 75%, and for 2023-2024,".
20. Amend page 268, following line 18, by inserting:

**"(7) From the allocation under section 51a(1), there is allocated an amount not to exceed \$34,200,000.00 for 2021-2022-2022-2023 and an amount not to exceed \$34,200,000.00 \$68,400,000.00 for 2022-2023, 2023-2024 only, to provide payments to intermediate districts levying millages for special education under part 30 of the revised school code, MCL 380.1711 to 380.1741. The funds allocated under this subsection for 2023-2024 are to be spent over 2 fiscal years. The purpose, use, and expenditure of the payments under this subsection are limited as if the funds were generated by these millages and governed by the intermediate district plan adopted under article 3 of the revised school code, MCL 380.1701 to 380.1761. The department shall provide a payment under this subsection to each intermediate district described in this subsection as follows:**

**(a) For 2021-2022, 2022-2023, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in**



the immediately preceding fiscal year that is less than \$251.00 and that is levying at least 46.2% but less than 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from \$251.00 the 3-year average special education millage revenue per pupil in the immediately preceding fiscal year and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(b) For ~~2021-2022~~, 2022-2023, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in the immediately preceding fiscal year that is less than ~~\$281.00~~ \$296.00 and that is levying at least 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from ~~\$281.00~~-\$296.00 the 3-year average special education millage revenue per pupil in the immediately preceding fiscal year, and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(c) For ~~2022-2023~~, 2023-2024, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in the immediately preceding fiscal year that is less than \$251.00 and that is levying at least 46.2% but less than 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from \$251.00 the 3-year average special education millage revenue per pupil in the immediately preceding fiscal year and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. If the calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(d) For ~~2022-2023~~, 2023-2024, except as otherwise provided in this subsection, for an intermediate district with a 3-year average special education millage revenue per pupil in the immediately preceding fiscal year that is less than \$296.00 and that is levying at least 60.0% of its maximum millage rate allowed under section 1724a of the revised school code, MCL 380.1724a, an amount computed by subtracting from \$296.00 the 3-year average special education millage revenue per pupil in the immediately preceding fiscal year, and, only if the millage levied by the intermediate district is less than 1, multiplying that amount by the number of mills levied divided by 1, and then multiplying that amount by the 3-year average membership in the immediately preceding fiscal year, and then subtracting from that amount the amount allocated under subsection (2) for the current fiscal year. If the

calculation under this subdivision results in an amount below zero, there is no payment under this subdivision.

(8) The funds allocated under subsection (7) for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to continue to provide a special education millage incentive. The estimated completion date of the work project is September 30, 2025.

(9) ~~(8)~~ As used in subsection (7):

(a) "3-year average membership" means the 3-year average pupil membership for each of the 3 most recent fiscal years.

(b) "3-year average special education millage revenue per pupil" means the 3-year average taxable value per mill levied behind each membership pupil for each of the 3 most recent fiscal years multiplied by the millage levied in the most recent fiscal year."

and renumbering the remaining subsection.

21. Amend page 271, line 17, after "**under**" by striking out "**subsection**" and inserting "**subsections**".

22. Amend page 271, line 17, after "(3)," by inserting "(4), and (7),".

23. Amend page 271, line 20, after "**under**" by striking out "**subsection**" and inserting "**subsections**".

24. Amend page 271, line 20, after "(3)" by inserting "**and (4)**".

Representative Weiss moved to adopt the amendments to HB 4286. The motion prevailed 17-5-7:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Green, Fink, Cavitt, Kuhn, Steele.

Pass: Reps. Lightner, Bollin, Slagh, Beson, Borton, DeBoer, Schuette.

Representative Green offered the following amendments to HB 4286:

1. Amend page 136, line 8, after "**2023-2024**" by inserting "**and, from the general fund money appropriated in section 11, there is allocated an amount not to exceed \$19,000,000.00 for 2023-2024,**"

and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 136, line 10, after the first "**to**" by striking out "**public school pupils**" and inserting "**students**".

3. Amend page 136, line 10, after "**12.**" by inserting "**Funding to a nonpublic school for purposes of this section must be paid from the funding allocated under this section from the general fund money appropriated in section 11.**".

4. Amend page 138, line 26, after "**district,**" by striking out "**or**".

5. Amend page 138, line 26, after "**Blind**" by inserting a comma and "**or, for 2023-2024, nonpublic school**".

Representative Green moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative DeBoer offered the following amendments to HB 4286:

1. Amend page 119, line 23, after "**school**" by inserting a comma and "**nonpublic school,**".
2. Amend page 119, line 28, after "**school**" by inserting a comma and "**nonpublic school,**".
3. Amend page 120, line 3, after "**school**" by inserting a comma and "**nonpublic school,**".
4. Amend page 120, line 7, after "**school**" by inserting a comma and "**nonpublic school,**".

Representative DeBoer moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative DeBoer offered the following amendments to HB 4286:

1. Amend page 305, following line 7, by inserting:  
" **Sec. 95b. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed \$2,000,000.00 for 2022-2023-2023-2024 only for the model value-added growth and projection analytics system. The department shall continue the model value-added growth and projection analytics system and incorporate that model into its reporting requirements under the every student succeeds act, Public Law 114-95. The model described in this subsection must do at least all of the following:**  
(a) **Utilize existing assessments and any future assessments that are suitable for measuring student growth.**  
(b) **Report student growth measures at the district, school, teacher, and subgroup levels.**

- (c) Recognize the growth of tested students, including those who may have missing assessment data.
  - (d) Include all available prior standardized assessment data that meet inclusion criteria across grades, subjects, and state and local assessments.
  - (e) Allow student growth results to be disaggregated.
  - (f) Provide individual student projections showing the probability of a student reaching specific performance levels on future assessments. Given school closures and extended cancellations related to COVID-19, the data under this subdivision may be used to inform decisions about student placement or students that could benefit from additional supports or interventions.
  - (g) Demonstrate any prior success with this state's assessments through the Michigan council of educator effectiveness teacher evaluation pilot.
  - (h) Demonstrate prior statewide implementation in at least 2 other states for at least 10 years.
  - (i) Have a native roster verification system built into the value-added reporting platform that has been implemented statewide in at least 2 other states.
  - (j) Have a "help/contact us" ticketing system built into the value-added reporting platform.
  - (k) Given school closures that have occurred pursuant to an executive order issued by the governor, the value-added reporting platform must provide continued hosting and delivery of reporting and offer the department additional supports in the areas of research, analysis, web reporting, and training.
  - (l) The department and the platform vendor shall provide statewide training for educators to understand the reporting that details the impact to student learning and growth.
  - (2) The department shall provide internet-based electronic student growth and projection reporting based on the model under subsection (1) to educators at the school, district, and state levels. The model must include role-based permissions that allow educators to access information about the performance of the students within their immediate responsibility in accordance with applicable privacy laws.
  - (3) The model under subsection (1) must not be a mandatory part of teacher evaluation or educator pay-for-performance systems.
  - (4) The model under subsection (1) must be a model that received funding under this section in 2018-2019.
  - (5) By March 31 of each fiscal year for which funding is allocated under this section, the department shall work with the center to make data publicly available on an external website that provides student growth metrics provided by the value-added reporting platform at the district and school level by grade and subject."
- and by adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 383, line 9, after "**67e**," by striking out "**95b**,".

3. Amend page 383, line 16, after "**388.1667e**," by striking out "**388.1695b**,".

Representative DeBoer moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

## UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4286:

1. Amend page 372, line 2, by removing section 147c from the bill and inserting:

**"Sec. 147c. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2022-2023 2023-2024 an amount not to exceed \$1,478,000,000.00, \$1,647,200,000.00 and from the MPSERS retirement obligation reform reserve fund money appropriated in section 11, there is allocated for 2022-2023 2023-2024 only an amount needed, estimated at \$140,400,000.00, \$202,000,000.00, for payments to districts and intermediate districts that are participating entities of the Michigan public school employees' retirement system. In addition, from the general fund money appropriated in section 11, there is allocated for 2022-2023 2023-2024 an amount not to exceed \$500,000.00 for payments to district libraries that are participating entities of the Michigan public school employees' retirement system. It is the intent of the legislature that money allocated from the MPSERS retirement obligation reform reserve fund under this subsection for 2022-2023 2023-2024 represents the amount necessary to reduce the payroll growth assumption to 1.75%. 0.75%. All of the following apply to funding under this subsection:**

**(a) Except as otherwise provided in this subdivision, for 2022-2023, 2023-2024, the amounts allocated under this subsection are estimated to provide an average MPSERS rate cap per pupil amount of \$1,042.00 \$1,157.00 and are estimated to provide a rate cap per pupil for districts ranging between \$5.00 \$4.00 and \$3,700.00. For 2022-2023, if the retirement system determines the average MPSERS rate cap per pupil amount and rate cap per pupil for districts estimated in the immediately preceding sentence need to be adjusted, the estimated average MPSERS rate cap per pupil amount and estimated rate cap per pupil for districts under this subdivision are the estimations determined by the retirement system. If the retirement system makes a determination as described in the immediately preceding sentence, it shall issue its estimations publicly and describe the need for the adjustment described in the immediately preceding sentence.\$5,020.00.**

**(b) Payments made under this subsection are equal to the difference between the unfunded actuarial accrued liability contribution rate as calculated under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, as calculated without taking into account the maximum employer rate of 20.96% included in section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum employer rate of 20.96% included in section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341.**

**(c) The amount allocated to each participating entity under this subsection is based on each participating entity's proportion of the total covered payroll for the immediately preceding fiscal year for the same type of participating entities. A participating entity that receives funds under this subsection shall use the funds solely for the purpose of retirement contributions as specified in subdivision (d).**

**(d) Each participating entity receiving funds under this subsection shall forward an amount equal to the amount allocated under subdivision (c) to the retirement system in a form, manner, and time frame determined by the retirement system.**

**(e) Funds allocated under this subsection should be considered when comparing a district's growth in total state aid funding from 1 fiscal year to the next.**

**(f) Not later than December 20 of each fiscal year for which funding is allocated under this subsection, the department shall publish and post on its website an estimated MPERS rate cap per pupil for each district.**

**(g) The office of retirement services shall first apply funds allocated under this subsection to pension contributions and, if any funds remain after that payment, shall apply those remaining funds to other postemployment benefit contributions.**

**(2) In addition to the funds allocated under subsection (1), from the state school aid fund money appropriated in section 11, there is allocated for 2022-20232023-2024 only \$1,000,000,000.00 \$500,000,000.00 for payments to participating entities of the Michigan public school employees' retirement system. The amount allocated to each participating entity under this subsection must be based on each participating entity's proportion of the total covered payroll for the immediately preceding fiscal year. A participating entity that receives funds under this subsection shall use the funds solely for purposes of this subsection. Each participating entity receiving funds under this subsection shall forward an amount equal to the amount allocated under this subsection to the retirement system in a form, manner, and time frame determined by the retirement system. The retirement system shall recognize funds received under this subsection as additional assets being contributed to the system and shall not categorize them as unfunded actuarial liability contributions or normal cost contributions.**

**(3) In addition to the funds allocated under subsection (1), from the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only \$97,000,000.00 for payments to districts and intermediate districts that are participating entities of the Michigan public school employees' retirement system. The amount allocated to each participating entity under this subsection must be based on each participating entity's proportion of the total covered payroll for the immediately preceding fiscal year.**

**(4)(3) As used in this section:**

**(a) "Community college" means a community college created under the community college act of 1966, 1966 PA 331, MCL 389.1 to 389.195.**

**(b) "District library" means a district library established under the district library establishment act, 1989 PA 24, MCL 397.171 to 397.196.**

**(c) "MPERS rate cap per pupil" means an amount equal to the quotient of the district's payment under this section divided by the district's pupils in membership.**

**(d) "Participating entity" means:**

**(i) As used in subsection (1) only, a district, intermediate district, or district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.**

**(ii) As used in subsection (2) only, a district, intermediate district, community college, or district library that is a reporting unit of the Michigan public school employees' retirement**

system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(e) "Retirement system" means the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437."

and adjusting the totals in section 11 and enacting section 1 accordingly.

Representative Bollin moved to adopt the amendment to HB 4286. The motion did not prevail 12-16-1:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: Rep. Mentzer.

Representative Green offered the following amendments to HB 4286:

1. Amend page 383, line 11, after "**166**" by striking out the comma and "**166a**".
2. Amend page 383, line 20, after "**388.1764h**," by inserting "**and**".
3. Amend page 383, line 20, after "**388.1766**," by striking out "**and 388.1766a**".

Representative Green moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Steele offered the following amendments to HB 4286:

1. Amend page 88, line 2, after "**(3)**" by striking out "**Subject to section 164j, in**" and inserting "**In**".
2. Amend page 382, line 3, by removing section 164j from the bill.

Representative Steele moved to adopt the amendments to HB 4286. The motion did not prevail 12-2-15:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Morgan, Price.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Skaggs, Snyder, Wilson.

Representative Steele offered the following amendments to HB 4286:

1. Amend page 318, following line 8, by inserting:

**"Sec. 98b. (1) In order to receive state aid under this article for ~~2022-2023~~, 2023-2024, a district must do all of the following:**

**(a) By not later than the first meeting of the board that occurs in February of the fiscal year referenced in subsection (1) and by not later than the last day of the school year that falls within the fiscal year referenced in subsection (1), the district superintendent or chief administrator of the district, as applicable, shall present both of the following at a public meeting of the board:**

**(i) Subject to state and federal privacy laws, the results from benchmark assessments and local benchmark assessments, as applicable, administered under section 104h or 104i, as applicable.**

**(ii) For each school operated by the district, each school's progress toward meeting the educational goals described in subdivision (d).**

**(b) The district shall ensure that the information presented under subdivision (a) is disaggregated by grade level, by student demographics, and by the mode of instruction received by the pupils to which the information applies.**

**(c) The information presented under subdivision (a) must also be compiled into a report that the district shall make available through the transparency reporting link located on the district's website.**

**(d) The district shall ensure that, by not later than September 15 of the fiscal year immediately preceding the fiscal year referenced in subsection (1), each school building leader of each school operated by the district, in conjunction with all teachers and school administrators of the school, establishes educational goals expected to be achieved for the school year that falls within the fiscal year referenced in subsection (1) for the school. The goals described in this subdivision must specify which educational goals are expected to be achieved by not later than the middle of the school year and which goals are expected to be achieved by not later than the last day of the school year. All the following apply to the educational goals described in this subdivision:**

**(i) The goals must include increased pupil achievement or, if growth can be validly and reliably measured using a benchmark assessment or benchmark assessments or a local benchmark assessment, growth on a benchmark assessment or benchmark assessments or a local benchmark assessment described in subparagraph (ii) in the aggregate and for all subgroups of pupils broken down by grade level, student demographics, and mode of instruction.**

**(ii) The goals must include an assurance that the district shall select a benchmark assessment or benchmark assessments or a local benchmark assessment that are aligned to state standards and an assurance that the district shall administer the benchmark assessment or benchmark assessments or local benchmark assessment to all pupils as prescribed under section 104h or 104i, as applicable, to determine whether pupils are making meaningful progress toward mastery of these standards.**



**(iii) The goals must be measurable through a benchmark assessment or benchmark assessments or a local benchmark assessment described in subparagraph (ii).**

**(e) In implementing a benchmark assessment system under section 104h or 104i, as applicable, the district ensures that it is in compliance with section 104h(1)(f) or 104i(1)(f), as applicable.**

**(2) The department shall create a statewide uniform template for districts to utilize in the development of educational goals under subsection (1)(d) and shall make this template available to all districts by not later than June 30 of the fiscal year referenced in subsection (1).**

**(3) By not later than June 15 of the fiscal year referenced in subsection (1), subject to state and federal privacy laws, the superintendent of public instruction shall submit a report to the house and senate appropriations subcommittees on school aid and the house and senate standing committees on education that includes the results of benchmark assessments administered under section 104h or 104i, as applicable, that the superintendent of public instruction has received from districts. All of the following apply to the data included in the report described in this subsection:**

**(a) It must be disaggregated by grade level, student demographics, and the modes of instruction received by pupils.**

**(b) It must be broken down so as to show a comparison of growth among pupils within a grade level, within certain student demographics, and based on the modes of instruction received by the pupils.**

**(4) If requested to do so by the chairs of the house and senate appropriations subcommittees on school aid and the chairs of the house and senate standing committees on education, the superintendent of public instruction shall present his or her report submitted under subsection (3) in person to the house and senate appropriations subcommittees on school aid and the house and senate standing committees on education."**

2. Amend page 383, line 10, after "**98a**," by striking out "**98b**,".

3. Amend page 383, line 18, by striking out "**388.1698b**,".

Representative Steele moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative DeBoer offered the following amendment to HB 4286:

1. Amend page 383, line 11, after "**164h**," by striking out "**166**,".

2. Amend page 383, line 20, after "**388.1764h**," by striking out "**388.1766**,".

Representative DeBoer moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Kuhn offered the following amendments to HB 4286:

1. Amend page 383, line 11, after "**152b**," by striking out "**164g**,".
2. Amend page 383, line 19, after "**388.1752b**," by striking out "**388.1764g**,".

Representative Kuhn moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Schuette offered the following amendments to HB 4286:

1. Amend page 79, line 11, after "**year.**" By inserting "**For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.**".

2. Amend page 87, line 11, after "**year.**" By inserting "**For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.**".

3. Amend page 259, line 15, after "**year.**" By inserting "**For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.**".

Representative Schuette moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

## UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendments to HB 4286:

1. Amend page 378, following line 12, by inserting:

**"Sec. 152b. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed \$1,000,000.00 for ~~2022-2023~~-2023-2024 to reimburse actual costs incurred by nonpublic schools in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state.**

**(2) By January 1 of each applicable fiscal year, the department shall publish a form for reporting actual costs incurred by a nonpublic school in complying with a health, safety, or welfare requirement mandated under state law containing each health, safety, or welfare requirement mandated by a law or administrative rule of this state applicable to a nonpublic school and with a reference to each relevant provision of law or administrative rule for the requirement. The form must be posted on the department's website in electronic form.**

**(3) By June 30 of each applicable fiscal year, a nonpublic school seeking reimbursement for actual costs incurred in complying with a health, safety, or welfare requirement under a law or administrative rule of this state during each applicable school year must submit a completed form described in subsection (2) to the department. This section does not require a nonpublic school to submit a form described in subsection (2). A nonpublic school is not eligible for reimbursement under this section if the nonpublic school does not submit the form described in subsection (2) in a timely manner.**

**(4) By August 15 of each applicable fiscal year, the department shall distribute funds to each nonpublic school that submits a completed form described under subsection (2) in a timely manner. The superintendent shall determine the amount of funds to be paid to each nonpublic school in an amount that does not exceed the nonpublic school's actual costs in complying with a health, safety, or welfare requirement under a law or administrative rule of this state. The superintendent shall calculate a nonpublic school's actual cost in accordance with this section.**

**(5) If the funds allocated under this section are insufficient to fully fund payments as otherwise calculated under this section, the department shall distribute funds under this section on a prorated or other equitable basis as determined by the superintendent.**

**(6) The department may review the records of a nonpublic school submitting a form described in subsection (2) only for the limited purpose of verifying the nonpublic school's compliance with this section. If a nonpublic school does not allow the department to review records under this subsection, the nonpublic school is not eligible for reimbursement under this section.**

**(7) The funds appropriated under this section are for purposes that are incidental to teaching and the provision of educational services to nonpublic school students; that are noninstructional in nature; that do not constitute a primary function or element necessary**

for a nonpublic school's existence, operation, and survival; that do not involve or result in excessive religious entanglement; and that are intended for the public purpose of ensuring the health, safety, and welfare of the children in nonpublic schools and to reimburse nonpublic schools for costs described in this section.

(8) Funds allocated under this section are not intended to aid or maintain any nonpublic school, support the attendance of any student at a nonpublic school, employ any person at a nonpublic school, support the attendance of any student at any location where instruction is offered to a nonpublic school student, or support the employment of any person at any location where instruction is offered to a nonpublic school student.

(9) For purposes of this section, "actual cost" means the hourly wage for the employee or employees performing a task or tasks required to comply with a health, safety, or welfare requirement under a law or administrative rule of this state identified by the department under subsection (2) and is to be calculated in accordance with the form published by the department under subsection (2), which must include a detailed itemization of costs. The nonpublic school shall not charge more than the hourly wage of its lowest-paid employee capable of performing a specific task regardless of whether that individual is available and regardless of who actually performs a specific task. Labor costs under this subsection must be estimated and charged in increments of 15 minutes or more, with all partial time increments rounded down. When calculating costs under subsection (4), fee components must be itemized in a manner that expresses both the hourly wage and the number of hours charged. The nonpublic school may not charge any applicable labor charge amount to cover or partially cover the cost of health or fringe benefits. A nonpublic school shall not charge any overtime wages in the calculation of labor costs.

(10) Training fees, inspection fees, and criminal background check fees are considered actual costs in complying with a health, safety, or welfare requirement under a law or administrative rule of this state.

(11) The funds allocated under this section for 2021-2022 are a work project appropriation, and any unexpended funds for 2021-2022 are carried forward into 2022-2023. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, 2023.

(12) The funds allocated under this section for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, 2024.

(13) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, 2025.

**(14)(13) The department shall reimburse nonpublic schools for actual costs incurred in complying with health, safety, or welfare requirements under a law or administrative rule of this state from 2017-2018 through 2021-2022 using work project funds or, if those funds are insufficient to fund reimbursements under this subsection, from the allocation under subsection (1)."**

and adjusting the totals in section 11 and enacting section 1.

2. Amend page 383, line 11, by striking out "**152b**".

3. Amend page 383, line 19, after "**388.1704h**," by striking out "**388.1752b**".

Representative Bollin moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Cavitt offered the following amendments to HB 4286:

1. Amend page 320, line 8, after the second "**districts**" by inserting a comma and "**and from the general fund money appropriated in section 11, there is allocated \$600,000.00 for 2022-2023-2023-2024 for competitive grants to nonpublic schools,**"

and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 320, line 28, after "**districts**" by inserting a comma and "**nonpublic schools,**".

3. Amend page 321, line 22, after the first "**districts**" by inserting a comma and "**nonpublic schools,**".

4. Amend page 323, line 3, after the first "**district**" by inserting a comma and "**nonpublic school,**".

5. Amend page 323, line 6, after "**district**" by inserting a comma and "**nonpublic school,**".

6. Amend page 323, line 8, by inserting a comma and "**nonpublic school,**".

7. Amend page 323, line 16, after "**districts**" by inserting a comma and "**nonpublic schools,**".

8. Amend page 323, line 19, after "**districts**" by inserting a comma and "**nonpublic schools,**".

9. Amend page 323, line 24, after "**districts**" by inserting a comma and "**nonpublic schools,**".

10. Amend page 323, following line 27, by inserting:

**"(6) ~~(7)~~-A nonpublic school that receives a grant under this section may use the funds for either robotics or Science Olympiad programs.**

**(7) ~~(8)~~-To be eligible to receive funds under this section, a nonpublic school must be a nonpublic school registered with the department and must meet all applicable state reporting requirements for nonpublic schools."**

and renumbering the remaining subsections.

Representative Cavitt moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendments to HB 4286:

1. Amend page 60, line 16, after "**subsection**" by striking out "**(1), or, for a public school academy that was issued a contract under section 552 of the revised school code, MCL 380.552, to operate as a school of excellence that is a cyber school, \$9,150.00.**"

and inserting a period, and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 86, line 16, by striking out "**\$6,192,100,000.00**" and inserting "**\$6,184,000,000.00**"

and adjusting the totals in section 11 and enacting 1 accordingly.

Representative Lightner moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Schuette offered the following amendment to HB 4286:

1. Amend page 289, line 21, by removing section 67f from the bill.

Representative Schuette moved to adopt the amendment to HB 4286. The motion did not prevail

12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Slagh offered the following amendments to HB 4286:

1. Amend page 309, following line 10, by inserting:

**"Sec. 97e. (1) From the general fund money appropriated in section 11, there is allocated for 2022-20232023-2024 only an amount not to exceed \$2,000,000.00 for the commission.**

**(2) The school safety and mental health commission is created within the department.**

**(3) The commission must consist of all of the following members who must be appointed by the governor as follows:**

**(a) One member from a list of 3 or more names submitted by the minority leader of the house of representatives who has experience in school mental health.**

**(b) One member from a list of 3 or more names submitted by the speaker of the house of representatives who has a background in law enforcement.**

**(c) One member from a list of 3 or more names submitted by the speaker of the house of representatives who is a parent.**

**(d) One member from a list of 3 or more names submitted by the senate minority leader who is a school psychologist or psychiatrist.**

**(e) One member from a list of 3 or more names submitted by the senate majority leader who is a prosecutor.**

**(f) One member from a list of 3 or more names submitted by the senate majority leader who is a teacher.**

**(g) One member who has a background in school administration.**

**(h) One member who has experience in school-threat assessments.**

**(i) One member who has experience in the provision of inpatient treatment to children under age 18.**

**(4) The director of the department of health and human services or the director's designee may be a member of the commission. In addition, the following department heads or their designees that are from within their respective departments or agencies may be nonvoting, ex officio members of the commission:**

**(a) The director of the department of state police.**

**(b) The superintendent of public instruction.**

**(5) The governor shall appoint 5 of the first members to 2-year terms and 4 of the first members to 4-year terms. After the first appointments, the term of a member of the commission is 4 years or until a successor is appointed under subsection (3), whichever is later.**

**(6) If a vacancy occurs on the commission, an individual must be appointed in the same manner as prescribed under subsection (3) to fill the vacancy for the balance of the term.**

- (7) The governor may remove a member of the commission for incompetence, dereliction of duty, malfeasance, or nonfeasance in office, or any other good cause.
- (8) The commission shall meet at least monthly.
- (9) A majority of the members of the commission constitutes a quorum for transacting business. A vote of the majority of the members of the commission serving is required for any action of the commission.
- (10) The commission shall conduct its business in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.
- (11) A writing that is prepared, owned, used, possessed, or retained by the commission in performing an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.
- (12) A member of the commission is not entitled to compensation for service on the commission, but the commission may reimburse a member for actual and necessary expenses incurred in serving.
- (13) The commission shall do all of the following:
- (a) Collaborate to provide recommendations to reduce youth suicides and strengthen the mental health of school-aged children, adolescents, and their families through a comprehensive, statewide approach.
  - (b) Seek input from educational professionals, mental health professionals, and organizations from across this state to suggest approaches to identify and support students at risk of behavioral health issues.
  - (c) Collaborate with the Michigan suicide prevention commission on recommendations regarding youth suicide.
  - (d) Create and maintain an online community through which best practices and resources can be shared, host professional trainings, and engage in public awareness efforts regarding mental health issues and resources.
  - (e) Review possible uses of and make recommendations for the use of funds received by districts and nonpublic schools under section 97.
  - (f) Convey recommendations to the department of licensing and regulatory affairs and the bureau of construction codes within the department of licensing and regulatory affairs concerning building construction that is consistent with school safety needs.
- (14) The commission may hire an executive director and staff.
- (15) As used in this section, "commission" means the school safety and mental health commission created in subsection (2)."
- and adjusting the totals in section 11 and enacting section 1 accordingly.

2. Amend page 383, line 9, after "**97d**," by striking out "**97e**,".

3. Amend page 383, line 17, after "**388.1697d**," by striking out "**388.1697e**,".

Representative Slagh moved to adopt the amendments to HB 4286. The motion did not prevail  
13-0-16:

UNFAVORABLE ROLL CALL



Yeas: Reps. Mentzer, Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: None.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Morgan, Price, Skaggs, Snyder, Wilson.

Representative Fink offered the following amendments to HB 4286:

1. Amend page 124, line 24, after "**district**" by inserting "**or nonpublic school**".
2. Amend page 125, line 5, after "**district**" by inserting "**or nonpublic school**".
3. Amend page 125, line 12, after "**district**" by inserting "**or nonpublic school**".
4. Amend page 125, line 14, after "**district**" by inserting "**or nonpublic school**".
5. Amend page 125, line 17, after "**district**" by inserting "**or nonpublic school**".
6. Amend page 125, line 27, after "**district**" by inserting "or nonpublic school".
7. Amend page 126, line 4, after "**district**" by inserting "**or nonpublic school**".
8. Amend page 126, line 7, after "**district**" by inserting "**or nonpublic school**".
9. Amend page 126, line 8, after "**district**" by inserting "**or nonpublic school**".

Representative Fink moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Beson offered the following amendment to HB 4286:

- 1 Amend page 67, line 9, by removing section 21f from the bill.

Representative Beson moved to adopt the amendment to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendments to HB 4286:

1. Amend page 381, line 18, after "**(a)**" by striking out "**The restriction of or interference with**" and inserting "**To require**".
2. Amend page 381, line 20, after "**of**" by striking out "**a marginalized**" and inserting "**any**".
3. Amend page 381, line 23, after "**exercise**" by striking out the balance of the section and inserting "**rights under the state constitution of 1963.**".

Representative Bollin moved to adopt the amendments to HB 4286. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Morgan moved to report HB 4286 as amended, as substitute (H-2). The motion prevailed 17-5-7:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Green, Slagh, Fink, Schuette, Steele.

Pass: Reps. Lightner, Bollin, Beson, Borton, Cavitt, DeBoer, Kuhn.

The following person submitted a card in support of HB 4286, but did not wish to speak:

Howard Dashney, representing the Pupil Transportation Operation and Management Institute.

The Chair laid HB 4287 before the committee:

HB 4287 (Rep. Weiss)

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2024; and to provide for the expenditure of the appropriations.

Representative Weiss testified in support of HB 4287, as proposed substitute (H-1).

Representative Steckloff moved to adopt substitute (H-1) to HB 4287. The motion prevailed 27-2-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

Nays: Reps. Fink, Steele.

Pass: None.

Representative Weiss offered the following amendments to HB 4287:

1. Amend page 9, line 25, after "**schools**" by striking out "--FTE".
2. Amend page 9, line 25, after "**schools--FTE**" by striking out "**1.0**" and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 33, line 3, after "**state.**" by striking out the balance of the bill.

Representative Weiss moved to adopt the amendments to HB 4287. The motion prevailed 17-2-10:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Fink, Steele.

Pass: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

Representative DeBoer offered the following amendment to HB 4287:

1. Amend page 15, line 20, after "**217.**" by striking out the balance of the line through "**period.**" on line 25 and inserting "**(1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:**

**(a) The number of FTEs in pay status by type of staff and civil service classification.**

**(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.**

**(2) By March 1 of the current fiscal year, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:**

**(a) Number of employees that were engaged in remote work in 2023.**

**(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.**

**(c) Estimated net cost savings achieved by remote work.**

**(d) Reduced use of office space associated with remote work."**

Representative DeBoer moved to adopt the amendment to HB 4287. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4287:

1. Amend page 13, line 12, after "**211.**" by striking out all of subsections (1) and (2) and inserting "**Money appropriated in part 1 must not be used to require actions related to diversity, equity, and inclusion (DEI); to restrict or impede any community's access to government resources, programs, or facilities; or to diminish, interfere with, or restrict an individual's ability to exercise rights as outlined under the State Constitution.**".

Representative Bollin moved to adopt the amendment to HB 4287. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Steele offered the following amendments to HB 4287:

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

**"Sec. 219. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution."**

2. Amend page 18, following line 8, by inserting:

**"Sec. 227. (1) Any department, agency, board, commission, or public officer that receives funding under part 1 shall not:**

**(a) Require as a condition of accessing any facility or receiving services that an individual provide proof that he or she has received a COVID-19 vaccine except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding.**

**(b) Produce, develop, issue, or require a COVID-19 vaccine passport.**

**(c) Develop a database or make any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity.**

**(d) Require as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. This subdivision does not apply to any hospital, congregate care facility, or other medical facility or any hospital, congregate care facility, or other medical facility operated by a local subdivision that receives federal Medicare or Medicaid funding.**

**(2) A department, agency, board, commission, or public officer may not subject any individual to any negative employment consequence, retaliation, or retribution because of that individual's COVID-19 vaccine status.**

**(3) Subsection (1) does not prohibit any person, department, agency, board, commission, or public officer from transmitting proof of an individual's COVID-19 vaccine status to any person, company, or governmental entity, so long as the individual provides affirmative consent.**

**(4) If a department, agency, board, commission, subdivision, or official or public officer is required to establish a vaccine policy due to a federal mandate, it must provide exemptions to any COVID-19 vaccine policy to the following individuals:**

**(a) An individual for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the individual's health or is not appropriate.**

**(b) An individual who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objection to immunization.**

**(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state."**

3. Amend page 18, following line 23, by inserting:

**"Sec. 229. As a condition of receiving funds appropriated in part 1, the department shall not submit federal accountability plans or request amendments to federal**

**accountability plans until after notification of the content to both the house and senate appropriations committees, house and senate fiscal agencies, and the state budget director.**

**Sec. 230. From the funds appropriated in part 1, the department shall compile a report that identifies any new mandates required of nonpublic schools or the lack of any new mandates**

**for nonpublic schools. In compiling the report, the department may consult with relevant statewide education associations in Michigan. The report compiled by the department shall**

**indicate the type of mandate, including, but not limited to, student health, student or building safety, accountability, and educational requirements, and shall indicate whether a**

**school has to report on the specified mandates. The report required under this section shall be completed by April 1, 2024 and transmitted to the state budget director, the house and**

**senate appropriations subcommittees responsible for the department, and the senate and house fiscal agencies not later than April 15, 2024.**

**Sec. 231. It is the intent of the legislature that departments maximize the efficiency of the state workforce and, where possible, prioritize in-person work. Each executive branch**

**department, agency, board, or commission that receives funding under part 1 must post its in-person, remote, or hybrid work policy on its website."**

4. Amend page 18, line 24, after "Sec." by striking out the balance of the sentence and inserting "232."

5. Amend page 18, following line 29, by inserting:

**"Sec. 235. (1) From the funds appropriated in part 1, the department shall administer a survey that allows teachers, paraprofessionals, and administrators to provide feedback on their interactions with the department.**

**(2) The department shall administer the survey required in subsection (1) with a focus on the following interactions:**

**(a) Any transaction that occurs through the Michigan Online Educator Certification System.**

**(b) Professional development that is offered or coordinated by the department.**

**(3) The survey required under subsection (1) must include, but is not limited to, the following:**

**(a) Information on a survey recipient's viewpoint of the department and rating of their interactions under subsection (2).**

**(b) The recipient's insight on the department's effectiveness in achieving goals within Michigan's Top 10 Strategic Education Plan.**

**(4) The department shall prepare a report of the survey required under subsection (1), including a summary of the survey results, and shall submit that report to the senate and house appropriations committees by June 1, 2024. It is the intent of the legislature that the usefulness of this report in decision making, and need to maintain reporting requirements, shall be assessed in the fiscal year 2025-2026."**

Representative Steele moved to adopt the amendments to HB 4287. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendment to HB 4287:

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

**"Sec. 219. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are estimated at \$12,622,000.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$8,305,000.00. Total agency appropriations for retiree health care legacy costs are estimated at \$4,317,000.00."**

Representative Green moved to adopt the amendment to HB 4287. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Skaggs moved to report out HB 4287 with recommendation, as amended, as substituted (H-2). The motion prevailed 17-4-8:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Green, Slagh, Fink, Steele.

Pass: Reps. Lightner, Bollin, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

At 10:51 AM, the Chair laid the committee at ease.

At 11:05 AM, the Chair called the committee back to order.

The Chair laid HB 4292 before the committee:

HB 4292 (Rep. Brabec)

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain other state purposes for the fiscal year ending September 30, 2024; 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.

Representative Brabec testified in support of HB 4292, as proposed substitute (H-1). Questions and discussion followed.

Representative Mentzer moved to adopt substitute (H-1) to HB 4292. The motion prevailed 27-1-1:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

Nays: Rep. Fink.

Pass: Rep. Steele.

Representative Steckloff offered the following amendment to HB 4292:

1. Amend page 32, following line 14, by inserting:

**Municipal pension system grants** **100**

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

Representative Steckloff moved to adopt the amendment to HB 4292. The motion prevailed 19-0-10:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Bollin, Steele.

Nays: None.

Pass: Reps. Lightner, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette. Representative Brabec offered the following amendments to HB 4292:

1. Amend page 2, line 17, after "**revenues**" by striking out "**734,800**" and inserting "**749,800**".

2. Amend page 2, line 18, after "**revenues**" by striking out "**2,633,421,600**" and inserting "**2,633,406,600**".

3. Amend page 10, line 16, after "commission" by striking out "**100**" and inserting "**1,000,000**".and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 17, line 26, after "**22-2**" by striking out "**5,000,000**" and inserting "**15,000,000**".and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 23, following line 13, by inserting:  
**Security scorecard** **100**  
and adjusting the subtotals, totals, and section 201 accordingly.

6. Amend page 33, line 5, after "is" by striking out "**\$3,806,570,400.00**" and inserting "**\$3,806,555,400.00**".

7. Amend page 52, line 23, after "**year**" by striking out the balance of the line through "**following**" on line 24.

8. Amend page 96, following line 2, by inserting:  
**"ONE-TIME APPROPRIATIONS**

**Sec. 890. (1) Funds appropriated in part 1 for security scorecard shall be used to improve the cybersecurity posture and expand the vulnerability monitoring of the executive departments and agencies and their vendor ecosystems to reduce the risk of cybersecurity breaches. Effective October 1, 2023, the MDTMB shall contract with a vendor to provide software that provides comprehensive cybersecurity vulnerability information about companies with which the executive departments and agencies do business. The selected vendor must be able to provide the MDTMB and the executive departments and agencies with all of the following:**

**(a) Data, on both individual vendors and vendor ecosystems, that are updated daily and available to the public.**

**(b) The ability to create cybersecurity questionnaires to send to this state's vendor ecosystems.**



- (c) The ability to track cyber threat actors within this state’s vendor ecosystems and analyze how these actors may affect the executive departments and agencies.
  - (d) The ability for this state and its executive agencies to make supply chain predictions, including identifying suppliers, vendors, and products that this state's vendor ecosystems will need in the future, to avoid supply chain disruptions.
  - (e) Documentation outlining that the selected software vendor has demonstrated the ability to achieve the “Ready” stage of the FedRamp certification process.
  - (f) Technology that is available for use by all state executive agencies.
- (2) The MDTMB must be able to gather all of the metrics described below from the software:
- (a) Number of vendors monitored in a vendor ecosystem.
  - (b) Most common cybersecurity vulnerabilities in a vendor ecosystem.
  - (c) Most critical vulnerabilities in a vendor ecosystem.
  - (d) Top and bottom vendors in a vendor ecosystem.
  - (e) Ransomware analytics surrounding a vendor ecosystem or specific vendors."

Representative Brabec moved to adopt the amendments to HB 4292. The motion prevailed 17-1-11:

**FAVORABLE ROLL CALL**

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Rep. Fink.

Pass: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Representative Slagh offered the following amendments to HB 4292:

1. Amend page 41, line 29, by striking out all of section 216 and inserting:  
“Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:
  - (a) The number of FTEs in pay status by type of staff and civil service classification.
  - (b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.
- (2) By March 1 of the current fiscal year and annually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:
  - (a) Number of employees that were engaged in remote work in 2023.
  - (b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.
  - (c) Estimated net cost savings achieved by remote work.
  - (d) Reduced use of office space associated with remote work.”

2. Amend page 43, following line 8, by inserting:

**"(c) Maintain an internet site that posts any severance pay in excess of 6 weeks of wages, regardless of the position held by the former department employee receiving severance pay."**

3. Amend page 44, following line 4, by inserting:

**"Sec. 225. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this part and part 1, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this part and part 1 for the particular department, board, commission, officer, or institution.**

**Sec. 229. (1) If the office of the auditor general has identified an initiative or made a recommendation that is related to savings and efficiencies in an audit report for an executive branch department or agency, the department or agency shall report within 6 months of the release of the audit on their efforts and progress made toward achieving the savings and efficiencies identified in the audit report. The report shall be submitted to the chairs of the senate and house of representatives standing committees on appropriations, the chairs of the senate and house of representatives standing committees with jurisdiction over matters relating to the department that is audited, and the senate and house fiscal agencies.**

**(2) If the office of the auditor general does not receive the required report regarding initiatives related to savings and efficiencies within the 6-month time frame, the office of the auditor general may charge noncompliant executive branch departments and agencies for the cost of performing a subsequent audit to ensure that the initiatives related to savings and efficiencies have been implemented.**

**Sec. 235. By April 1, the state budget director shall submit a report to the senate and house appropriations committees, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies. The report shall recommend a contingency plan for each federal funding source included in the state budget of \$10,000,000.00 or more in the event that the federal government reduces funding to this state through that source by 10% or greater.**

**Sec. 240. (1) Concurrently with the submission of the fiscal year 2024-2025 executive budget recommendations, the state budget office shall provide the senate and house appropriations committees, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the policy offices a report that lists each new program or program enhancement for which funds in excess of \$500,000.00 are appropriated in part 1 of each departmental appropriation act.**

**(2) By July 1 of the current fiscal year, the state budget director and the chairs of the senate and house appropriations committees shall identify new programs or program enhancements identified under subsection (1) for measurement using program-specific metrics.**

**(3) By September 30 of the next fiscal year, the state budget office shall provide a report on the specific metrics and the progress in meeting the estimated performance for each program identified under subsection (2) to the senate and house appropriations committees, the senate and house appropriations subcommittees on each state department,**

**and the senate and house fiscal agencies and policy offices. It is the intent of the legislature that the governor consider the estimated performance of the new program or program enhancement as the basis for any increase in funds appropriated from the prior year.”.**

Representative Slagh moved to adopt the amendments to HB 4292. The motion did not prevail 12-17-0:

**UNFAVORABLE ROLL CALL**

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendments to HB 4292:

1. Amend page 41, line 29, by striking out all of section 216 and inserting:

**“Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:**

**(a) The number of FTEs in pay status by type of staff and civil service classification.**

**(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.**

**(2) By March 1 of the current fiscal year and annually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:**

**(a) Number of employees that were engaged in remote work in 2023.**

**(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.**

**(c) Estimated net cost savings achieved by remote work.**

**(d) Reduced use of office space associated with remote work.”.**

2. Amend page 43, following line 8, by inserting:

**“(c) Maintain an internet site that posts any severance pay in excess of 6 weeks of wages, regardless of the position held by the former department employee receiving severance pay.”.**

3. Amend page 44, following line 4, by inserting:

**“Sec. 225. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this part and part 1, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this part and part 1 for the particular department, board, commission, officer, or institution.**

**Sec. 229. (1) If the office of the auditor general has identified an initiative or made a recommendation that is related to savings and efficiencies in an audit report for an executive branch department or agency, the department or agency shall report within 6 months of the release of the audit on their efforts and progress made toward achieving the savings and efficiencies identified in the audit report. The report shall be submitted to the chairs of the senate and house of representatives standing committees on appropriations, the chairs of the senate and house of representatives standing committees with jurisdiction over matters relating to the department that is audited, and the senate and house fiscal agencies.**

**(2) If the office of the auditor general does not receive the required report regarding initiatives related to savings and efficiencies within the 6-month time frame, the office of the auditor general may charge noncompliant executive branch departments and agencies for the cost of performing a subsequent audit to ensure that the initiatives related to savings and efficiencies have been implemented.**

**Sec. 235. By April 1, the state budget director shall submit a report to the senate and house appropriations committees, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies. The report shall recommend a contingency plan for each federal funding source included in the state budget of \$10,000,000.00 or more in the event that the federal government reduces funding to this state through that source by 10% or greater.**

**Sec. 240. (1) Concurrently with the submission of the fiscal year 2024-2025 executive budget recommendations, the state budget office shall provide the senate and house appropriations committees, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the policy offices a report that lists each new program or program enhancement for which funds in excess of \$500,000.00 are appropriated in part 1 of each departmental appropriation act.**

**(2) By July 1 of the current fiscal year, the state budget director and the chairs of the senate and house appropriations committees shall identify new programs or program enhancements identified under subsection (1) for measurement using program-specific metrics.**

**(3) By September 30 of the next fiscal year, the state budget office shall provide a report on the specific metrics and the progress in meeting the estimated performance for each program identified under subsection (2) to the senate and house appropriations committees, the senate and house appropriations subcommittees on each state department, and the senate and house fiscal agencies and policy offices. It is the intent of the legislature that the governor consider the estimated performance of the new program or program enhancement as the basis for any increase in funds appropriated from the prior year.”.**

4. Amend page 54, line 18, after "exceed" by striking out "\$2,000,000.00" and inserting "\$1,000,000.00".

5. Amend page 54, line 24, after "exceed" by striking out "\$750,000.00" and inserting "\$375,000.00".

6. Amend page 65, line 16, after "**exceed**" by striking out "\$2,000,000.00" and inserting "\$500,000.00".

7. Amend page 65, line 22, after "**exceed**" by striking out "\$7,500,000.00" and inserting "\$500,000.00".

8. Amend page 65, line 28, after "**exceed**" by striking out "\$50,000.00" and inserting "\$25,000.00".

9. Amend page 66, line 5, after "**exceed**" by striking out "100,000.00" and inserting "\$50,000.00".

10. Amend page 74, line 16, after "**exceed**" by striking out "\$4,000,000.00" and inserting "\$2,000,000.00".

11. Amend page 74, line 22, after "**exceed**" by striking out "\$8,000,000.00" and inserting "\$4,000,000.00".

12. Amend page 74, line 28, after "**exceed**" by striking out "\$150,000.00" and inserting "\$75,000.00".

13. Amend page 75, line 5, after "**exceed**" by striking out "\$2,000,000.00" and inserting "\$50,000.00".

14. Amend page 96, line 7, after "**exceed**" by striking out "\$1,000,000.00" and inserting "\$500,000.00".

Representative Lightner moved to adopt the amendments to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendment to HB 4292:

1. Amend page 44, following line 4, by inserting:

**"Sec. 230. (1) Any department, agency, board, commission, or public officer that receives funding under part 1 shall not:**

**(a) Require as a condition of accessing any facility or receiving services that an individual provide proof that he or she has received a COVID-19 vaccine except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding.**

**(b) Produce, develop, issue, or require a COVID-19 vaccine passport.**

**(c) Develop a database or make any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity.**

(d) Require as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. This subdivision does not apply to any hospital, congregate care facility, or other medical facility or any hospital, congregate care facility, or other medical facility operated by a local unit of government that receives federal Medicare or Medicaid funding.

(2) A department, agency, board, commission, or public officer may not subject any individual to any negative employment consequence, retaliation, or retribution because of that individual's COVID-19 vaccine status.

(3) Subsection (1) does not prohibit any person, department, agency, board, commission, or public officer from transmitting proof of an individual's COVID-19 vaccine status to any person, company, or governmental entity, so long as the individual provides affirmative consent.

(4) If a department, agency, board, commission, subdivision, or official or public officer is required to establish a vaccine policy due to a federal mandate, it must provide exemptions to any COVID-19 vaccine policy to the following individuals:

(a) An individual for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the individual's health or is not appropriate.

(b) An individual who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objections to immunization.

(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state.”.

Representative Green moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendments to HB 4292:

1. Amend page 49, following line 28, by inserting:

**"Sec. 315. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are \$15,363,500.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$10,108,800.00. Total agency appropriations for retiree health care legacy costs are estimated at \$5,254,700.00."**

2. Amend page 57, following line 10, by inserting:

**"Sec. 410. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are \$1,906,200.00. From this amount,**

**total agency appropriations for pension-related legacy costs are estimated at \$1,254,200.00. Total agency appropriations for retiree health care legacy costs are estimated at \$652,000.00."**

3. Amend page 63, following line 5, by inserting:

**"Sec. 615. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are \$24,100,500.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$15,857,600.00. Total agency appropriations for retiree health care legacy costs are estimated at \$8,242,900.00."**

4. Amend page 73, following line 23, by inserting:

**"Sec. 725. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are estimated at \$24,888,700.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$16,376,200.00. Total agency appropriations for retiree health care legacy costs are estimated at \$8,512,500.00."**

5. Amend page 83, following line 27, by inserting:

**"Sec. 822e. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are estimated at \$68,102,400.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$44,809,800.00. Total agency appropriations for retiree health care legacy costs are estimated at \$23,292,600.00."**

6. Amend page 112, following line 8, by inserting:

**"Sec. 948. Total authorized appropriations from all department of treasury sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are \$34,683,000.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$22,820,600.00. Total agency appropriations for retiree health care legacy costs are estimated at \$11,862,400.00."**

Representative Green moved to adopt the amendments to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4292:

1. Amend page 43, line 18, by striking out all of section 222 and inserting:.

**“Sec. 222. Money appropriated in part 1 must not be used to require actions related to diversity, equity, and inclusion (DEI); to restrict or impede any community’s access to government resources, programs, or facilities; or to diminish, interfere with, or restrict an individual’s ability to exercise rights as outlined under the State Constitution.”.**

Representative Bollin moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Beson offered the following amendment to HB 4292:

1. Amend page 40, line 24, after "of" by striking out "\$0.00" and inserting "\$300,000,000.00".

Representative Beson moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendment to HB 4292:

1. Amend page 53, following line 26, by inserting:

**"Sec. 325. The department of attorney general shall submit a report by November 1 that includes, but is not limited to, the following information for the prior fiscal year about participants of the job court program:**

**(a) The number by county.**

**(b) The number who are first-time offenders and repeat offenders.**

**(c) The rate of program recidivism.**

**(d) The number who fall under the age groups of 26 and under, 27 to 45, 46 to 60, and over 60 years of age.**

**(e) The number by category of offense."**

Representative Lightner moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL



Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Fink offered the following amendment to HB 4292:

1. Amend page 53, following line 26, by inserting:

**"Sec. 326. The department of attorney general shall provide a report by April 1 to the senate and house appropriations committees and the senate and house standing committees on elections the number of election-related complaints received and the number of substantiated complaints addressed by the department of attorney general."**

Representative Fink moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4292:

1. Amend page 73, following line 23, by inserting:

**"Sec. 723. The department of state shall submit a report by September 30 on the activities and services of all mobile branch office vehicle units. The report must include, but is not limited to, the names of facilities and addresses visited by each mobile office, the date of visit, whether the type of facility visited was a public or private facility, and the number of transactions processed by type, including motor vehicle, voter, and licensing transactions, per location."**

Representative Bollin moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Cavitt offered the following amendment to HB 4292:

1. Amend page 66, line 14, after "**charge**" by striking out "**\$15.00**" and inserting "**\$11.00**".

Representative Cavitt moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Steele offered the following amendment to HB 4292:

1. Amend page 71, line 3, after "**appropriations**" by inserting a comma and "**the local unit of government in which the branch office is located,**".

Representative Steele moved to adopt the amendment to HB 4292. The motion did not prevail 12-16-1:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: Rep. Mentzer.

Representative Lightner offered the following amendment to HB 4292:

1. Amend page 72, line 14, by striking out all of section 717 and inserting:

**“Sec. 717. (1) The department of state may accept nonmonetary gifts, donations, or contributions of property, of a de minimus value, from any private or public source to support, in whole or in part, the operation of a departmental function relating to licensing, regulation, or safety, but may accept donations of motorcycles for use for motorcycle safety training and testing. The department may recognize a private or public contributor for making the contribution. The department may reject a gift, donation, or contribution.**

**(2) The department of state shall not accept a gift, donation, or contribution under subsection (1) if receipt of the gift, donation, or contribution is conditioned upon a commitment of future state funding.**

**(3) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the state budget director. The report shall list any gift, donation, or contribution received by the department under subsection (1) for the prior calendar year and the source of each gift, donation, or contribution.”.**

Representative Lightner moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendment to HB 4292:

1. Amend page 73, line 2, after "**law**" by striking out the balance of the line through "**elections**" on line 5.

Representative Lightner moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4292:

1. Amend page 73, following line 23, by inserting:

**"Sec. 725. The department of state shall submit a report to the senate and house standing committees on elections by April 1 on all requirements the department had to meet to participate in the Electronic Registration Information Center (ERIC) multi-state program. The report must include, but is not limited to, a description of all requests, including the date of the request and type of data requested, copies of agreements and any and all actions taken by the secretary of state and bureau of elections to meet requirements of the ERIC program."**

Representative Bollin moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4292:

1. Amend page 73, following line 23, by inserting:

**"Sec. 726. From funds appropriated in part 1, the department of state shall explore available options for meeting the requirements of subsection (5), section 509o of 1954 PA 116, MCL 168.509o(5) to serve as an alternative to the department's current form of**

**participation in the Electronic Registration Information Center (ERIC) multi-state program, including alternative forms of participation in the ERIC program."**

Representative Bollin moved to adopt the amendment to HB 4292. The motion did not prevail  
12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendments to HB 4292:

1. Amend page 16, following line 28, by inserting:

**Election challenger training**

**100**

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

2. Amend page 73, following line 23, by inserting:

**"Sec. 727. From the funds appropriated in part 1 for election challenger training, the department of state shall hire sufficient staffing to implement an election challenger training program."**

Representative Bollin moved to adopt the amendments to HB 4292. The motion did not prevail  
12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4292:

1. Amend page 74, line 5, after "22-2." by inserting "**Eligible expenditures are limited to purchases and costs related to the following:**

**(a) Ballot drop boxes.**

**(b) Security cameras for ballot drop boxes.**

**(c) Software and updates to the Qualified Voter File to accommodate early voting.**

**(d) A permanent absentee-voter list.**

**(d) Military postmark dates.**

**(e) Ballot tracking."**

Representative Bollin moved to adopt the amendment to HB 4292. The motion did not prevail  
12-17-0:



Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4292:

1. Amend page 73, following line 23, by inserting:

**"Sec. 724. The department of state shall submit a report 90 days after every election on the number of individuals who both registered to vote within 60 days of an election and who cancelled that registration or moved their registration to another location within 60 days after the same election."**

Representative Bollin moved to adopt the amendment to HB 4292. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4292:

1. Amend page 32, following line 14, by inserting:

<b>Local unit municipal pension principal payment grants</b>	<b>250,000,000</b>
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and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 129, following line 22, by inserting:

**"Sec. 979c. (1) From the funds appropriated in part 1 for local unit municipal pension principal payment grants, the department of treasury shall establish and operate a grant program that would provide grant awards to qualified units for deposit into a qualified unit's qualified retirement system or systems. The grant award payment into the qualified retirement system must be in addition to a qualified unit's actuarially determined contribution as reported under section 5 of the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2805, as of December 31, 2021 and must not be used by the qualified unit to meet its actuarially determined contribution for a qualified retirement system or systems.**

**(2) To qualify for a grant award under this section, a qualified unit must certify and attest via an affidavit that it shall implement all of the following practices upon the receipt of a grant award:**

**(a) The qualified unit shall make, in full, all actuarially determined contributions. If a qualified unit's actual contribution is less than the actuarially determined contribution, the qualified unit shall remit an amount equal to the difference to the qualified retirement system within 12 months. If the qualified unit fails to remit this payment within 12 months, the department of treasury may intercept the qualified unit's revenue sharing payment.**

For a qualified unit that is a road commission, the department of transportation, in cooperation with the department of treasury, may intercept an available state revenue distribution.

(b) The qualified unit shall not provide contractual benefit enhancements unless the contractual benefit enhancement is 100% prefunded. Failure to meet the conditions of this subdivision requires repayment of the grant award that was received by the qualified unit. The qualified governmental unit shall notify the department of treasury in a form and manner prescribed of any contractual benefit enhancement under this subsection within 30 days.

(c) A qualified retirement system with a discount rate or assumed rate of return less than or equal to 7% must assume a discount rate or assumed rate of return of not more than the current rate. A qualified retirement system with a discount rate or assumed rate of return greater than 7% must lower its discount rate or assumed rate of a return to a rate at or below 7% within the immediately succeeding 5-year period.

(d) The qualified retirement system shall adopt, on the recommendation of the actuary and in accordance with all applicable actuarial standards of practice, the most current mortality tables that are most appropriate for the characteristics of the population, which may subsequently be adjusted based on an experience study of the qualified retirement system.

(e) A qualified unit, if that unit has, previous to the enactment of this bill, had an amortization schedule approved by an accredited actuary in accordance with all actuarial standards of practice, and if that amortization schedule has been reviewed and approved by the state treasurer, is not subject to the uniform actuarial assumptions of retirement systems' assumption on amortization and may maintain its current amortization schedule.

(f) Within 5 years, the qualified unit shall comply with the uniform actuarial assumptions of retirement systems, except for the discount rate and assumed rate of return assumptions, published as of December 31, 2021 by the state treasurer under the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2801 to 38.2812, for the qualified retirement system.

(3) The department of treasury shall distribute the funds appropriated in part 1 for local unit municipal pension principal payment grants according to the following:

(a) 60% to qualified units whose qualified retirement systems funded ratios are no less than 60% but less than 80%.

(b) 40% to qualified units whose qualified retirement systems are funded at ratios of at least 80%.

(c) For qualified units that are between 60% but less than 80% funded, grant awards under this section must not exceed \$2,000,000.00 or an amount that would increase the qualified retirement system's funded ratio to 80%, whichever is less.

(d) For qualified units whose funded ratio is 80% or greater, grant awards under this section must not exceed \$2,000,000.00 or an amount that would increase the qualified retirement system's funded ratio to 100%, whichever is less.

(e) A grant must not be awarded if it would increase a qualified unit's funded ratio to more than 100%.

(f) Any funds not awarded by September 30, 2024 must be used for additional rounds of applications until all funds are dispersed.

- (g) The \$2,000,000.00 grant cap applies to additional rounds of grant awards.
- (4) The department of treasury shall develop, and publish on the department website, program guidelines, an application process, and the associated application materials no later than April 15, 2024. The department of treasury must accept applications from qualified units beginning April 15, 2024 and ending on June 15, 2024. Grant awards to a qualified retirement system under this section must be disbursed no later than August 30, 2023.
- (5) From the funds appropriated in part 1 for local unit municipal pension principal payment grant, an amount not to exceed 500,000.00 may be used by the department of treasury for administrative costs related to this section, including, but not limited to, the use of a vendor to assist with processing applications.
- (6) If the amount appropriated is insufficient to meet all grant award requests, the department of treasury shall prorate payments under this section by reducing the amount of the allocation as otherwise calculated under this section by an equal percentage per qualified unit receiving funds under this section.
- (7) As used in this section:
- (a) “Contractual benefit enhancement” means any change to the current benefit policy for active members in a qualified retirement system that increases the actuarially determined contribution rate or decreases the funded ratio of the system. This does not include wage and salary increases.
- (b) “Qualified retirement system” means a retirement pension benefit within a retirement system, as defined in section 3 of the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2803, of a qualified unit, with a funded ratio of 60 or greater based on the last report filed as required by section 5 of the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2805, as of December 31, 2021.
- (c) “Qualified unit” means a city, county, township, village, or road commission that operates a qualified retirement system.”.

Representative Bollin moved to withdraw her amendment. There being no objection, the motion prevailed by unanimous consent.

Representative Hood moved to report HB 4292 as amended, as substitute (H-2). The motion prevailed 17-3-9:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Green, Fink, Steele.

Pass: Reps. Lightner, Bollin, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

The Chair laid HB 4309 before the committee:

HB 4309 (Rep. Puri)

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2024; and to provide for the expenditure of the appropriations.



Representative Puri testified in support of HB 4309, as proposed substitute (H-2). Questions and discussion followed.

Representative Steckloff moved to adopt substitute (H-2) to HB 4309. The motion prevailed 24-2-3:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Bollin, Green, Beson, Borton, Cavitt, DeBoer.

Nays: Reps. Fink, Schuette.

Pass: Reps. Slagh, Kuhn, Steele.

Representative Bollin offered the following amendment to HB 4309:

1. Amend page 20, line 19, by striking out all of section 225 and inserting:

**"Sec. 225. Money appropriated in part 1 must not be used to require actions related to diversity, equity, and inclusion to restrict or impede any community's access to government resources, programs, or facilities; or to diminish, interfere with, or restrict an individual's ability to exercise rights as outlined under the State Constitution."**

Representative Bollin moved to adopt the amendment to HB 4309.

Representative Bollin moved to clear the vote. Without objection, the motion prevailed by unanimous consent.

Representative Bollin moved to withdraw the motion to adopt the amendment to HB 4309. There being no objection, the motion prevailed by unanimous consent.

Representative Bollin offered the following amendment to HB 4309:

1. Amend page 18, following line 5, by inserting:

**"Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 is \$59,196,000.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$38,949,600.00. Total agency appropriations for retiree health care legacy costs are estimated at \$20,246,400.00."**

Representative Bollin moved to adopt the amendment to HB 4309. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4309:

1. Amend page 20, line 19, by striking out all of section 225 and inserting:

**"Sec. 225. Money appropriated in part 1 must not be used to require actions related to diversity, equity, and inclusion to restrict or impede any community's access to government resources, programs, or facilities; or to diminish, interfere with, or restrict an individual's ability to exercise rights as outlined under the State Constitution."**

Representative Bollin moved to adopt the amendment to HB 4309. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Borton offered the following amendment to HB 4309:

1. Amend page 18, following line 22, by inserting:

**"Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this act, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this act for the particular department, board, commission, officer, or institution."**

Representative Borton moved to adopt the amendment to HB 4309. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Steele offered the following amendment to HB 4309:

1. Amend page 21, following line 7, by inserting:

**"Sec. 302. Not later than February 1, 2024, the department shall report to the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget office on STF debt service. The report must include all of the following:**

**(a) An accounting of the prior fiscal year's STF debt service payments, including a calculation of STF debt service payments as a percentage of STF revenue secured by constitutionally restricted revenue.**

**(b) A projection of STF debt service obligations for the fiscal year ending September 30, 2024, including a calculation of STF debt service obligations as a percentage of estimated STF revenue secured by constitutionally restricted revenue.**

**(c) A description of all bond sales planned for the fiscal year ending September 30, 2024."**

Representative Steele moved to adopt the amendment to HB 4309. The motion did not prevail  
12-17-0:

**UNFAVORABLE ROLL CALL**

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendment to HB 4309:

1. Amend page 24, following line 25, by inserting:

**"Sec. 382. In administering a contract with a county road commission, city, or village that allocates costs of construction or reconstruction of highways, roads, and streets as provided in section 18d of 1951 PA 51, MCL 247.668d, the department shall submit the final cost-sharing bill to the county road commission, city, or village not later than 2 years after the date of the final contract payment to the construction contractor."**

Representative Lightner moved to adopt the amendment to HB 4309. The motion did not prevail  
12-17-0:

**UNFAVORABLE ROLL CALL**

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Borton offered the following amendment to HB 4309:

1. Amend page 26, following line 18, by inserting:

**"Sec. 386. On or before March 15 of each year, the department shall submit a report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on its toll credit program. The report shall include the following information:**

- (a) The amount of toll credits earned and certified by the DOT-FHWA in the prior fiscal year.**
- (b) The value of toll credits used by programs and projects in the previous fiscal year.**
- (c) The balance of available toll credits at the end of the prior fiscal year.**
- (d) A discussion of the department's strategy for using toll credits."**

Representative Borton moved to adopt the amendment to HB 4309. The motion did not prevail  
12-17-0:

**UNFAVORABLE ROLL CALL**

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Borton offered the following amendment to HB 4309:

1. Amend page 26, following line 28, by inserting:

**"Sec. 389. Within 30 days of entering into a long-term agreement with a private contractor, a public agency, or a partnership between 1 or more private contractors or public agencies, the department shall notify the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies of the agreement, including the subject of the agreement, the term of the agreement, and financial obligations under the agreement. As used in this section, "long-term agreement" means an agreement that obligates the department for a period of 5 years or more and that actually or contingently obligates the department to make payments over the contract period of \$5,000,000.00 or more."**

Representative Borton moved to adopt the amendment to HB 4309. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Cavitt offered the following amendment to HB 4309:

1. Amend page 30, following line 20, by inserting:

**"Sec. 603. The department shall report to the senate and house appropriations subcommittees on transportation by December 31, 2023 on the operational condition of the Mackinac Bridge, its long-term viability, the costs of preventative maintenance and potential upgrades, and the cost and feasibility of constructing a separate method of transporting commercial, emergency, and passenger vehicle traffic."**

Representative Cavitt moved to adopt the amendment to HB 4309. The motion did not prevail 12-2-15:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Weiss, Price.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Martus, McKinney, Mentzer, Morgan, Skaggs, Snyder, Wilson.

Representative Steele offered the following amendment to HB 4309:

1. Amend page 30, following line 25, by inserting:

**"Sec. 612. On or before March 15, the department shall submit a report to the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director on the department's incentive-disincentive program with respect to contracts for state trunkline capital construction. The report shall identify contract incentives and disincentives for state trunkline construction contracts completed in the preceding fiscal year. The report shall include a list, by project, of the contractors that received contract incentives and/or disincentives, the amount of the incentives and/or disincentives, the fund source of any incentives, and the number of days that each project was completed either ahead or past the contracted completion date."**

Representative Steele moved to adopt the amendment to HB 4309. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendment to HB 4309:

1. Amend page 32, following line 17, by inserting:

**"Sec. 703. After receiving notification from a railroad company pursuant to section 8 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.58, the department shall immediately notify the house and senate appropriations subcommittees on transportation and the state budget office that the railroad company has filed with the appropriate governmental agencies for abandonment of a line."**

Representative Lightner moved to adopt the amendment to HB 4309. The motion did not prevail 12-0-17:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: None.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Representative Cavitt offered the following amendment to HB 4309:

1 Amend page 34, following line 3, by inserting:

**"Sec. 736. No funds from the appropriations in part 1 may be used for a rail freight development project to support the cessation of energy pipeline operations across the Straits of Mackinac."**

Representative Cavitt moved to adopt the amendment to HB 4309. The motion did not prevail 12-7-10:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Puri, Weiss, McKinney, Mentzer, Morgan, Price, Skaggs.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Steckloff, Martus, Snyder, Wilson.

Representative Borton offered the following amendment to HB 4309:

1. Amend page 11, following line 22, by striking out all of section 118 and inserting:

**"Sec. 118. ONE-TIME APPROPRIATIONS**

Michigan bridge bundling initiative	110,500,000
Local road preservation	400,000,000
Marine passenger capital grant	15,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 525,500,000"</b>

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

Representative Borton moved to adopt the amendment to HB 4309. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Steele offered the following amendment to HB 4309:

1. Amend page 11, following line 22, by striking out all of section 118 and inserting:

**"Sec. 118. ONE-TIME APPROPRIATIONS**

Local road preservation	510,500,000
Marine passenger capital grant	15,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 525,500,000"</b>

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

Representative Steele moved to adopt the amendment to HB 4309. The motion did not prevail 13-15-1:

UNFAVORABLE ROLL CALL

Yeas: Reps. Mentzer, Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Price, Skaggs, Snyder, Wilson.

Pass: Rep. Morgan.

Representative Steckloff moved to report out HB 4309 with recommendation, as substitute (H-2). The motion prevailed 17-2-10:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Fink, Steele.

Pass: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

The Chair laid HB 4310 before the committee:

HB 4310 (Rep. Morse)

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2024; and to provide for the expenditure of the appropriations.

Representative Morse testified in support of HB 4310, as proposed substitute (H-1). Questions and discussion followed.

Representative Hood moved to adopt substitute (H-1) to HB 4310. The motion prevailed 25-3-1:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer.

Nays: Reps. Fink, Schuette, Steele.

Pass: Rep. Kuhn.

Representative Morse offered the following amendments to HB 4310:

1. Amend page 8, line 28, after "FTEs" by striking out "**530.0 63,788,500**" and inserting "**542.0 65,409,200**".

2. Amend page 9, line 12, after "FTEs" by striking out "**4,442.5 486,778,700**" and inserting "**4,430.5 485,158,000**".

3. Amend page 189, line 4, after "**\$5,000,000.00**" by striking out "**in general fund/general purpose revenue**".

4. Amend page 200, line 5, by striking out "**renovate a health care facility to become a 6-bed crisis residential unit for individuals who require behavioral health supports**" and inserting "**a nonprofit hospital headquartered**".

5. Amend page 200, line 8, by striking out "**to support behavioral health needs for individuals of a lower acuity**" and inserting "**within a county with a population between 67,500 and 70,000 according to the most recent federal decennial census to renovate a health care facility to become a 6-bed crisis residential unit for individuals of a lower acuity who require behavioral health supports**".

Representative Morse moved to adopt the amendments to HB 4310. The motion prevailed 17-2-10:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Fink, Steele.

Pass: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

Representative Bollin offered the following amendments to HB 4310:

1. Amend page 44, line 17, after "**235.**" by striking out "**(1)**".
2. Amend page 44, line 18, by striking out "**restrict or interfere with**" and inserting "**require**".
3. Amend page 44, line 19, after "**impede**" by striking out "**a marginalized**" and inserting "**any**".
4. Amend page 44, line 22, after "**exercise**" by striking out "**the right to reproductive freedom**" and inserting "**rights as outlined under the State Constitution**".
5. Amend page 44, line 23, by striking out all of subsection (2).

Representative Bollin moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendments to HB 4310:

1. Amend page 36, following line 20, by inserting:  
"**Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the current fiscal year are estimated at \$270,305,800.00. From this amount, total department appropriations for pension-related legacy costs are estimated at \$177,854,900.00. Total department appropriations for retiree health care legacy costs are estimated at \$92,450,900.00.**".



2. Amend page 45, following line 16, by inserting:

**"Sec. 237. (1) Any department, agency, board, commission, or public officer that receives funding under part 1 shall not:**

**(a) Require as a condition of accessing any facility or receiving services that an individual provide proof that he or she has received a COVID-19 vaccine except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding.**

**(b) Produce, develop, issue, or require a COVID-19 vaccine passport.**

**(c) Develop a database or make any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity.**

**(d) Require as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. This subdivision does not apply to any hospital, congregate care facility, or other medical facility or any hospital, congregate care facility, or other medical facility operated by a local subdivision that receives federal Medicare or Medicaid funding.**

**(2) A department, agency, board, commission, or public officer may not subject any individual to any negative employment consequence, retaliation, or retribution because of that individual's COVID-19 vaccine status.**

**(3) Subsection (1) does not prohibit any person, department, agency, board, commission, or public officer from transmitting proof of an individual's COVID-19 vaccine status to any person, company, or governmental entity, so long as the individual provides affirmative consent.**

**(4) If a department, agency, board, commission, subdivision, or official or public officer is required to establish a vaccine policy due to a federal mandate, it must provide exemptions to any COVID-19 vaccine policy to the following individuals:**

**(a) An individual for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the individual's health or is not appropriate.**

**(b) An individual who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objection to immunization.**

**(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state."**

Representative Bollin moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Borton offered the following amendment to HB 4310:

1. Amend page 44 following line 11, by inserting:

**"Sec. 233. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this article for the particular department, board, commission, office, or institution."**

Representative Borton moved to adopt the amendment to HB 4310. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Steele offered the following amendment to HB 4310:

1. Amend page 50, following line 6, by inserting:

**"Sec. 280. By March 1 of the current fiscal year, the department shall provide a report to the report recipients required in section 246 of this part that provides all of the following for each line item in part 1 containing personnel-related costs, including the specific individual amounts for salaries and wages, payroll taxes, and fringe benefits.**

**(a) FTE authorization.**

**(b) Spending authorization for personnel-related costs, by fund source, under the spending plan.**

**(c) Actual year-to-date expenditures for personnel-related costs, by fund source, through the end of the prior month.**

**(d) The projected year-end balance or shortfall for personnel-related costs, by fund source, based on actual monthly spending levels through the end of the prior month.**

**(e) A specific plan for addressing any projected shortfall for personnel-related costs at either the gross or fund source level.**

**Sec. 289. By March 1 of the current fiscal year, the department shall provide to the report recipients required in section 246 of this part an annual report on the supervisor-to-staff ratio by department divisions and subdivisions."**

2. Amend page 50, line 19, by striking out all of section 297 and inserting:

**" Sec. 297. (1) On a quarterly basis, the department shall report to the report recipients required in section 246 of this part the following information:**

**(a) The number of FTE positions in pay status by civil service classification.**

**(b) A comparison by line item of the number of FTE positions authorized from funds appropriated in part 1 to the actual number of FTE positions employed by the department at the end of the reporting period.**

**(2) By March 1 of the current fiscal year, the department shall report to the report recipients required in section 246 of this part the following information:**

**(a) Number of employees that were engaged in remote work in 2022.**

**(b) Number of employees of the department authorized to work remotely and the actual number of those working remotely in the current reporting period.**

**(c) Estimated net cost savings achieved by the department by remote work.**

**(d) Reduced use of office space associated with remote work."**

Representative Steele moved to adopt the amendment to HB 4310. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendments to HB 4310:

1. Amend page 8, line 28, after "FTEs" by striking out "**530.0 63,788,500**" and inserting "**518.0 62,167,800**".

2. Amend page 9, line 23, after "**revenues**" by striking out "**275,065,300**" and inserting "**274,623,200**" and adjusting the subtotals, totals, and section 201 accordingly.

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Fink offered the following amendments to HB 4310:

1. Amend page 5, line 5, after "**10.0**" by striking out "**41,597,900**" and inserting "**43,597,900**" and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 67, following line 28, by inserting:

**"Sec. 532. From the funds appropriated in part 1 for adoption support services, the department shall allocate \$2,000,000.00 to fund a tax credit to adoptive parents. The department shall coordinate with the department of treasury to ensure timely processing and issuance of tax credits to adoptive parents."**

Representative Fink moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Kuhn offered the following amendments to HB 4310:

1. Amend page 22, following line 25, by inserting:

**Assisted outpatient treatment services** **15,000,000**

2. Amend page 23, following line 2, by inserting:

**Children and adolescents with serious emotional disturbance navigator program** **2,000,000**

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

3. Amend page 215, following line 1, by inserting:

**"Sec. 1971. (1) From the funds appropriated in part 1 for assisted outpatient treatment services, the department shall allocate \$15,000,000.00 to reimburse CMHSPs for the costs of providing assisted outpatient treatment as defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a to individuals who are not enrolled in Medicaid, who have health insurance but assisted outpatient treatment is not a covered service or is cost prohibitive, or who do not have health insurance.**

**(2) The department shall develop a quarterly request for reimbursement form for CMHSPs to use to request funds under this section.**

**(3) CMHSPs must fill out and submit the quarterly reimbursement request form within 90 days of the end of each calendar quarter.**

**Sec. 1972. From the funds appropriated in part 1 for children and adolescents with serious emotional disturbance navigator program, the department shall allocate \$2,000,000.00 to contract for a children with serious emotional disturbance navigator program to assist children with serious emotion disturbance and their families access necessary behavioral health supports and services. The department of health and human services shall require any contractor receiving funds under this section to comply with, including but not limited to, an approved plan, budget, and reporting requirements."**

Representative Kuhn moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4310:

1. Amend page 94, following line 29, by inserting:

**"Sec. 699. (1) The department must use the funds appropriated in part 1 to issue an eligibility determination for the child development and care program by no later than 15 work days after receiving an application for the child development and care program.**

**(2) The department must use the funds appropriated in part 1 to notify a recipient of the child development and care program and the child care provider by no later than 15 work days prior to the first work day of the month in which the subsidy will end or if the child care subsidies are reduced.**

**(3) If it is determined that a child development and care program child care subsidy recipient was wrongfully removed from the program, the department must issue restitution to the affected child care provider, or recipient, no later than 15 work days after the wrongful removal determination is issued.**

**(4) The department shall submit quarterly reports to the report recipients required in section 246 of this part on the implementation of this section. The report shall include, but not be limited to, all of the following:**

**(a) The number of applications received during the previous quarter.**

**(b) The number of determinations that were issued within 15 work days of application receipt during the previous quarter.**

**(c) The number of program removals that were determined to be wrongful removals during the previous quarter."**

Representative Bollin moved to adopt the amendment to HB 4310. The motion did not prevail 12-7-10:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Morse, Puri, Weiss, Martus, McKinney, Morgan, Price.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Steckloff, Mentzer, Skaggs, Snyder, Wilson.

Representative Green offered the following amendments to HB 4310:

1. Amend page 4, following line 12, by inserting:

**Diaper assistance payments** **4,404,400**

2. Amend page 23, line 20, by striking out all of line 20.

3. Amend page 25, line 9, by striking out all of lines 9 and 10 and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 55, following line 24, by inserting:

**"Sec. 464. From the funds appropriated in part 1 for diaper assistance payments, \$4,404,400.00 of state general fund/general purpose revenue must be allocated as grants to**

**diaper assistance programs, maternity homes, and other nonprofit agencies that distribute diapers free of charge and were established as of January 1, 2020. The funds must only be used to purchase diapering supplies "**.

5. Amend page 200, line 27, by striking all of section 1934.

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendments to HB 4310:

1. Amend page 25, following line 2, by inserting:

**Virtual behavioral health urgent care** **2,000,000**  
and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 215, following line 1, by inserting:

**"Sec. 1971. From the funds appropriated in part 1 for virtual behavioral health urgent care, the department shall allocate \$2,000,000.00 to a 24/7 crisis agency that has served the state for at least 50 years and is headquartered in a county with a population between 1,200,000 and 1,400,000 according to the most recent federal decennial census to provide virtual behavioral health urgent care including, but is not limited to the following:**  
**(a) Assisting a patient in returning to a non-urgent state of being and providing immediate relief from the symptoms associated with depression, anxiety, and other mental health disorders.**  
**(b) Filling in the gap between the patient's next appointment with their established medical provider and the possibility of running out of medication.**  
**(c) Assisting the patient experiencing symptoms associated with low acuity mental health disorders until they can make an appointment with a psychiatrist."**

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 11-6-12:

UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Skaggs, Snyder.

Pass: Reps. Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Wilson, Bollin.

Representative Green offered the following amendments to HB 4310:

1. Amend page 12, line 8, after "**revenues**" by striking out "**5,218,700**" and inserting "**246,900**" and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 113, line 20, by striking out all of subsection (1).
3. Amend page 113, line 27, by striking out "**(2)**".
4. Amend page 114, line 2, by striking out all of subsections (3) and (4).

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendment to HB 4310:

1. Amend page 47, following line 17, by inserting:  
**"Sec. 258. (1) In collaboration with the department of education and the department of state police, the department shall promote and support initiatives in schools and other educational organizations that include, but are not limited to, training for educators, teachers, and other personnel in school settings for all of the following:**
  - (a) The utilization of trauma-informed practices.**
  - (b) Age-appropriate education and information on human trafficking.**
  - (c) Age-appropriate education and information on sexual abuse prevention.**
  - (2) The collaboration shall include the child welfare institute within the department, which provides training and education for public and private employees who work within the child protective services, foster care, adoption, and juvenile justice systems.**
  - (3) The department shall report by March 1 of the current fiscal year on the activities and status of implementation of the requirements described in subsections (1) and (2) to the report recipients required in section 246 of this part."**

Representative Green moved to adopt the amendment to HB 4310. The motion did not prevail 12-2-15:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Morse, Puri.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Representative Green offered the following amendments to HB 4310:

1. Amend page 24, following line 2, by inserting:

**Health care recruitment, retention, and training** **19,000,000**

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

2. Amend page 215, following line 1, by inserting:

**"Sec. 1971. (1) From the funds appropriated in part 1 for health care recruitment, retention, and training, the department shall allocate \$19,000,000.00 for health care recruitment, retention, and training programming to health care employers that can demonstrate an eligible qualifying need. Health care employers must not request funds under this section for any investments related to recruitment or retention announced before December 1, 2021.**

**(2) The department must allocate the funds appropriated pursuant to this section to the Michigan Health and Hospital Association for administration to acute care and behavioral health care providers, of which not less than 10% appropriated pursuant to this subsection must be allocated to critical access hospitals and small and rural providers that are awarded rural access payments under section 1802(2) of article 6 of 2021 PA 87.**

**(3) Health care recruitment, retention, and training programming may include, but is not limited to, cash recruitment bonuses, student loan payment assistance, cash retention bonuses, tuition assistance, and other forms of training programming. The maximum amount any health care employer, except for critical access hospitals and small and rural providers that are awarded rural access payments under section 1802(2) of article 6 of 2021 PA 87, can use for cash recruitment bonuses is 25%, and the maximum amount any health care employer, except for critical access hospitals and small and rural providers that are awarded rural access payments under section 1802(2) of article 6 of 2021 PA 87, can use for cash retention bonuses is 20%.**

**(4) By September 30, 2024, the department must provide a report to the report recipients required in section 246 of this part on the overall efficacy of the funds appropriated in this section, including, but not limited to, the statewide outcomes of recruitment efforts, retention efforts, and training efforts to reduce statewide health care staffing vacancies. The Michigan Health and Hospital Association and other recipients shall provide data and metrics, in a manner approved by the department, to fulfill the reporting requirements of this section."**

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 12-16-1:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: Rep. Mentzer.

Representative Green offered the following amendments to HB 4310:



1. Amend page 24, line 10, after "**services**" by striking out "**20,920,000**" and inserting "**25,920,000**" and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 207, line 6, after "**allocate**" by striking out "**\$5,000,000.00**" and inserting "**\$10,000,000.00**".

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendments to HB 4310:

1. Amend page 20, line 15, after "**services**" by striking out "**6,052,043,500**" and inserting "**6,058,626,900**".

2. Amend page 20, line 16, after "**plan**" by striking out "**5,731,542,200**" and inserting "**5,735,759,200**".

3. Amend page 20, line 20 after "**therapy**" by striking out "**788,221,800**" and inserting "**789,221,800**".

4. Amend page 21, line 1, after "**services**" by striking out "**255,498,400**" and inserting "**256,398,000**".

5. Amend page 21, line 11, after "**revenues**" by striking out "**14,071,555,300**" and inserting "**14,080,859,500**" and adjusting the subtotals, totals, and section 201 accordingly.

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendments to HB 4310:

1. Amend page 11, line 22, after "**services**" by striking out "**3,145,163,500**" and inserting "**3,146,663,500**".

2. Amend page 12, line 6, after "**revenues**" by striking out "**3,008,268,900**" and inserting "**3,009,248,700**".

3. Amend page 20, line 17, after "**services**" by striking out "**4,880,300**" and inserting "**6,380,300**".

4. Amend page 21, line 11, after "**revenues**" by striking out "**14,071,555,300**" and inserting "**14,072,535,100**" and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 170, line 8, after "**shall**" by striking out "**maintain the rates in place as of September 30, 2023 for private duty nursing services for Medicaid beneficiaries under the age of 21**" and inserting "**increase the rates for private duty nursing services for all Medicaid beneficiaries**".

Representative Green moved to adopt the amendments to HB 4310. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Kuhn offered the following amendments to HB 4310:

1. Amend page 24, line 17, after "**program**" by striking out "**5,000,000**" and inserting "**7,000,000**" and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 209, line 3, by striking out "**\$5,000,000.00**" and inserting "**\$7,000,000.00**".

3. Amend page 209, line 28, after "**is**" by striking out "**\$5,000,000.00**" and inserting "**\$7,000,000.00**".

Representative Kuhn moved to adopt the amendments to HB 4310. The motion did not prevail 12-2-15:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Morse, Puri.

Pass: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Representative Price moved to report HB 4310 as amended, as substitute (H-2). The motion prevailed 17-5-7:

## FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Slagh, Fink, Kuhn, Schuette, Steele.

Pass: Reps. Lightner, Bollin, Green, Beson, Borton, Cavitt, DeBoer.

The following person submitted a card in support of HB 4310, but did not wish to speak:

Paul Tarr, representing Team Wellness.

Ben Frederick, representing Memorial Owosso Hospital.

Elizabeth Kutter, representation the Michigan Health and Hospital Association.

The Chair laid HB 4246 before the committee:

HB 4246 (Rep. Snyder)

A bill to make appropriations for the department of labor and economic opportunity for the fiscal year ending September 30, 2024; and to provide for the expenditure of the appropriations.

Representative Snyder testified in support of HB 4246, as proposed substitute (H-2). Questions and discussion followed.

Representative McKinney moved to adopt substitute (H-2) to HB 4246. The motion prevailed 19-4-6:

## FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson, Lightner, Slagh.

Nays: Reps. Bollin, Green, Fink, Steele.

Pass: Reps. Beson, Borton, Cavitt, DeBoer, Kuhn, Schuette.

Representative Snyder offered the following amendments to HB 4246:

1. Amend page 12, line 20, after "**grants**" by striking out "**38,144,100**" and inserting "**35,144,100**"

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

2. Amend page 66, line 14, by striking out all of subsection (4) and renumbering remaining subdivisions accordingly.

Representative Snyder moved to adopt the amendment to HB 4246. The motion prevailed 17-9-3:

## FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Lightner, Bollin, Green, Beson, Borton, Fink, DeBoer, Kuhn, Steele.

Pass: Reps. Slagh, Cavitt, Schuette.

Representative Slagh offered the following amendment to HB 4246:

1. Amend page 22, following line 23 by inserting:

**"Sec. 227. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this part and part 1, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this part and part 1 for the particular department, board, commission, officer, or institution."**

Representative Slagh moved to adopt the amendment to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4246:

1. Amend page 22, line 15, by striking out all of section 226 and inserting:

**"Sec. 226. Money appropriated in part 1 must not be used to require actions related to diversity, equity, and inclusion (DEI); to restrict or impede any community's access to government resources, programs, or facilities; or to diminish, interfere with, or restrict an individual's ability to exercise rights as outlined under the State Constitution."**

Representative Bollin moved to adopt the amendment to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Steele offered the following amendments to HB 4246:

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

**"(2) By March 1 of the current fiscal year, the departments and agencies shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on general government, and the senate and house fiscal agencies the following information:**

**(a) Number of employees who were engaged in remote work in 2022.**

**(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.**

**(c) Estimated net cost savings achieved by remote work.**

**(d) Reduced use of office space associated with remote work."** and renumbering subdivisions accordingly.

2. Amend page 22, following line 6, by inserting:

**"(c) Maintain an internet site that posts any severance pay in excess of 6 weeks of wages, regardless of the position held by the former department employee receiving severance pay."**

3. Amend page 23, following line 12, by inserting:

**" Sec. 235. By April 1, the state budget director shall submit a report to the senate and house appropriations committees and the report recipients required in section 205 of this part. The report shall recommend a contingency plan for each federal funding source included in the state budget of \$10,000,000.00 or more in the event that the federal government reduces funding to this state through that source by 10% or greater."**

Representative Steele moved to adopt the amendments to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Fink offered the following amendments to HB 4246:

1. Amend page 18, line 27, following "**exceed**" by striking out "**\$30,000,000.00**" and inserting "**\$15,000,000.00**".

2. Amend page 19, line 10, following "**exceed**" by striking out "**\$2,000,000.00**" and inserting "**\$1,000,000.00**".

3. Amend page 19, line 16, following "**exceed**" by striking out "**\$2,000,000.00**" and inserting "**\$1,000,000.00**".

Representative Fink moved to adopt the amendments to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Green offered the following amendment to HB 4246:

1. Amend page 22, following line 23, by inserting:

**“Sec. 227. (1) Any department, agency, board, commission, or public officer that receives funding under part 1 shall not:**

**(a) Require as a condition of accessing any facility or receiving services that an individual provide proof that he or she has received a COVID-19 vaccine except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding.**

**(b) Produce, develop, issue, or require a COVID-19 vaccine passport.**

**(c) Develop a database or make any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity.**

**(d) Require as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. This subdivision does not apply to any hospital, congregate care facility, or other medical facility or any hospital, congregate care facility, or other medical facility operated by a local unit of government that receives federal Medicare or Medicaid funding.**

**(2) A department, agency, board, commission, or public officer may not subject any individual to any negative employment consequence, retaliation, or retribution because of that individual's COVID-19 vaccine status.**

**(3) Subsection (1) does not prohibit any person, department, agency, board, commission, or public officer from transmitting proof of an individual's COVID-19 vaccine status to any person, company, or governmental entity, so long as the individual provides affirmative consent.**

**(4) If a department, agency, board, commission, subdivision, or official or public officer is required to establish a vaccine policy due to a federal mandate, it must provide exemptions to any COVID-19 vaccine policy to the following individuals:**

**(a) An individual for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the individual's health or is not appropriate.**

**(b) An individual who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objections to immunization.**

**(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state.”.**

Representative Green moved to adopt the amendment to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Bollin offered the following amendment to HB 4246:

1. Amend page 21, following line 6, by inserting:

**"Sec. 219. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2024 are \$54,175,800.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$35,646,400.00. Total agency appropriations for retiree health care legacy costs are estimated at \$18,529,400.00."**

Representative Bollin moved to adopt the amendment to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Beson offered the following amendments to HB 4246:

1. Amend page 5, line 19, after "FTEs" by striking out "201.0" and inserting "197.0".

2. Amend page 5, line 19, after "201.0" by striking out "36,018,500" and inserting "31,240,700" and adjusting the subtotals, totals, and section 201 accordingly.

Representative Beson moved to adopt the amendments to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Schuette offered the following amendment to HB 4246:

1. Amend page 33, following line 9, by inserting:

**"Sec. 1014. As a condition of receiving funds in part 1, for any project being considered for strategic outreach and attraction reserve fund funding, the fund shall provide a foreign entity report from the committee on foreign investment in the United States that provides a review of any foreign persons or entities that may provide foreign investments in a project."**

Representative Schuette moved to adopt the amendment to HB 4246. The motion did not prevail 12-12-5:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Hood, Brabec, Morse, Puri, Steckloff, Weiss, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: Reps. Witwer, O'Neal, Brixie, Martus, McKinney.

Representative Cavitt offered the following amendment to HB 4246:

1. Amend page 25, following line 15, by inserting:

**"Sec. 989c. It is the intent of the legislature that all of the broadband-focused FTE positions located within various state departments be consolidated into the department of labor and economic opportunity as referenced by the reporting requirements of section 359(20) of 2022 PA 53."**

Representative Cavitt moved to adopt the amendment to HB 4246. The motion did not prevail 12-17-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: None.

Representative Lightner offered the following amendment to HB 4246:

1. Amend page 56, line 18, by striking out all of section 1080.

Representative Lightner moved to adopt the amendment to HB 4246. The motion did not prevail 12-16-1:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Lightner, Bollin, Green, Slagh, Beson, Borton, Fink, Cavitt, DeBoer, Kuhn, Schuette, Steele.

Nays: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Pass: Rep. McKinney.

Representative Martus moved to report HB 4246 as amended, as substitute (H-3). The motion prevailed 17-6-6:

#### FAVORABLE ROLL CALL

Yeas: Reps. Witwer, O'Neal, Brixie, Hood, Brabec, Morse, Puri, Steckloff, Weiss, Martus, McKinney, Mentzer, Morgan, Price, Skaggs, Snyder, Wilson.

Nays: Reps. Green, Slagh, Fink, Kuhn, Schuette, Steele.

Pass: Reps. Lightner, Bollin, Beson, Borton, Cavitt, DeBoer.

There being no further business before the committee, Chair Witwer adjourned the meeting at 1:14 PM.



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Representative Angela Witwer, Chair

Dakota Soda  
Committee Clerk  
dsoda@house.mi.gov