

No. 84
STATE OF MICHIGAN
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House of Representatives
98th Legislature
REGULAR SESSION OF 2015

House Chamber, Lansing, Thursday, October 15, 2015.

12:00 Noon.

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

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

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

e/d/s = entered during session

Dr. Richard J. Alberta, Senior Pastor of Cornerstone Evangelical Presbyterian Church in Brighton, offered the following invocation:

“Our Heavenly Father... You are the great God and there is none like You! In Your providence and out of Your storehouse of mercy, You have ordained governments among men and women. We rejoice in Your desire that we live as responsible citizens knowing that our work will be judged and that You desire peace in our midst. Hence, our plea this morning is that You both approve the efforts of this House of Representatives and that on this day You will give them an abundance of wisdom and skill for their work.

Cause them to be thoughtful and righteous in all that they do. Please remember them and their families and allow them the great certainty that when they serve this our state and its citizens that they are also serving You. With great humility I commit them to You for Your every blessing. And I do so in the name of the Risen Christ Jesus. Amen.”

The Speaker Pro Tempore assumed the Chair.

Rep. Singh moved that Rep. Rutledge be excused from today’s session.
The motion prevailed.

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

Second Reading of Bills

House Bill No. 4822, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1280f. Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Education,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Glenn moved to amend the bill as follows:

1. Amend page 7, following line 15, by inserting:

“(C) **IS SYSTEMATIC, EXPLICIT, MULTISENSORY, AND SEQUENTIAL.**” and relettering the remaining sub-subparagraph.

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

Rep. Schor moved to amend the bill as follows:

1. Amend page 11, line 17, by striking out “**PROMOTING THE PUPIL FROM GRADE 3 AND**”.

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

Rep. Pagan moved to amend the bill as follows:

1. Amend page 10, line 1, after “**APPLY**” by inserting “**TO A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY THAT RECEIVES FUNDS AS PROVIDED FOR UNDER SECTION 35A(6) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1635A**”.

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

Rep. Pagan moved to amend the bill as follows:

1. Amend page 14, following line 5, by inserting:

“(E) **THE PUPIL’S PARENTS, TEACHER, AND SCHOOL ADMINISTRATOR UNANIMOUSLY AGREE IN WRITING THAT THE POTENTIAL BENEFITS OF RETENTION ARE OUTWEIGHED BY THE POTENTIAL NEGATIVE CONSEQUENCES OF RETENTION.**”.

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

Rep. Pagan moved to amend the bill as follows:

1. Amend page 10, line 4, after “**GRADE 4**” by inserting “**READING**”.
2. Amend page 10, line 20, after “**TO**” by striking out “**ENROLL IN GRADE 4**” and inserting “**PARTICIPATE IN GRADE 4 READING**”.

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

Rep. Brinks moved to amend the bill as follows:

1. Amend page 9, line 27, after “**THE**” by striking out “**2017-2018**” and inserting “**2018-2019**”.

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

Rep. Zemke moved to amend the bill as follows:

1. Amend page 15, following line 19, by inserting:

“(10) A PERSON MAY BRING A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION, BASED ON A CLAIM OF FAILURE TO PROVIDE ADEQUATE EDUCATIONAL SERVICES, TO COMPEL COMPLIANCE WITH THIS SECTION. A COURT, IN RENDERING A JUDGMENT IN AN ACTION UNDER THIS SUBSECTION, MAY AWARD ALL OR A PORTION OF THE COST OF LITIGATION, INCLUDING REASONABLE ATTORNEY FEES AND WITNESS FEES, TO THE COMPLAINANT IN THE ACTION.” and renumbering the remaining subsections.

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

Rep. Zemke moved to amend the bill as follows:

1. Amend page 5, line 10, after “**CREATED**” by inserting “**AND UNANIMOUSLY AGREED TO IN WRITING**”.
2. Amend page 5, line 13, after “**DEFICIENCY.**” by inserting “**THE READING IMPROVEMENT PLAN SHALL INCLUDE THE READING INTERVENTION PROGRAMS DESCRIBED IN SUBSECTION (3)(A) AND (B) THAT ARE NEEDED BY THE PUPIL.**”.

3. Amend page 10, line 4, after “**PUPIL**” by inserting “**WHO HAS NOT RECEIVED AN INDIVIDUAL READING PLAN UNDER SUBSECTION (2)(B)**”.

4. Amend page 15, following line 19, by inserting:

“(10) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT IS REQUIRED TO RETAIN 1 OR MORE PUPILS UNDER SUBSECTION (5) SHALL PLACE ON ITS MAIN WEBSITE PAGE, AND ON ANY SCHOOL-SPECIFIC MAIN WEBPAGE, A STATEMENT THAT A SCHOOL IN THE SCHOOL DISTRICT OR THE PUBLIC SCHOOL ACADEMY HAS BEEN REQUIRED TO RETAIN PUPILS FOR THAT YEAR DUE TO FAILURE TO MEET LITERACY REQUIREMENTS. THE STATEMENT SHALL NAME THE SCHOOL SPECIFICALLY AND SHALL STATE THE SCHOOL YEAR IN WHICH THE RETENTION OCCURRED AND THE NUMBER OF STUDENTS RETAINED. THE STATEMENT SHALL REMAIN ON THE WEBSITE OR WEBSITES FOR 3 CALENDAR YEARS.” and renumbering the remaining subsections.

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

Rep. Irwin moved to amend the bill as follows:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:
“**TITLE**”

An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; **TO MAKE APPROPRIATIONS TO THE DEPARTMENT OF EDUCATION FOR ALLOCATION TO SCHOOL DISTRICTS AND INTERMEDIATE SCHOOL DISTRICTS;** and to repeal acts and parts of acts.”.

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

“(12) FOR THE STATE FISCAL YEAR ENDING SEPTEMBER 30, 2016, \$23,900,000.00 IS APPROPRIATED TO THE DEPARTMENT OF EDUCATION FROM THE GENERAL FUND, TO BE ALLOCATED AS FOLLOWS:
(A) TO SCHOOL DISTRICTS FOR PARENT EDUCATION PILOT PROGRAMS AS DESCRIBED IN SECTION 35A(2) OF THE STATE SCHOOL AID ACT, MCL 388.1635A, \$1,000,000.00.

(B) TO SCHOOL DISTRICTS FOR PROFESSIONAL DEVELOPMENT IN LITERACY STANDARDS FOR EDUCATORS OF PUPILS IN GRADES K TO 3 AS DESCRIBED IN SECTION 35A(3) OF THE STATE SCHOOL AID ACT, MCL 388.1635A, \$950,000.00.

(C) TO SCHOOL DISTRICTS FOR SCREENING AND DIAGNOSTIC TOOLS AND RELATED PROFESSIONAL DEVELOPMENT AS DESCRIBED IN SECTION 35A(4) OF THE STATE SCHOOL AID ACT, MCL 388.1635A, \$1,450,000.00.

(D) TO INTERMEDIATE SCHOOL DISTRICTS TO HIRE ADDITIONAL EARLY LITERACY COACHES AS DESCRIBED IN SECTION 35A(5) OF THE STATE SCHOOL AID ACT, MCL 388.1635A, \$3,000,000.00.

(E) TO SCHOOL DISTRICTS FOR ADDED INSTRUCTIONAL TIME AS DESCRIBED IN SECTION 35A(6) OF THE STATE SCHOOL AID ACT, MCL 388.1635A, \$17,500,000.00.” and renumbering the remaining subsection.

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

Rep. Crawford moved to amend the bill as follows:

1. Amend page 10, line 8, after “ASSESSMENT.” by inserting “**THE DEPARTMENT SHALL COMPLETE THE SCORING OF THE GRADE 3 STATE ENGLISH LANGUAGE ARTS ASSESSMENT, AND RELEASE THE RESULTS OF THE ASSESSMENT, BY JUNE 1 OF EACH YEAR.**”.

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

Rep. Garcia moved to amend the bill as follows:

1. Amend page 13, line 16, after “**TEAM**” by striking out the balance of the subdivision through all of subdivision **(B)** and inserting “**MAKES THE DECISION TO EXEMPT THE PUPIL FROM THE RETENTION REQUIREMENTS OF SUBSECTION (5)(A) BASED UPON THE TEAM’S KNOWLEDGE OF THE PUPIL. THIS SUBDIVISION MAY ALSO BE APPLIED TO A PUPIL WITH A SECTION 504 PLAN.**” and relettering the remaining subdivisions.

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

Rep. Kesto moved to amend the bill as follows:

1. Amend page 10, line 13, after “**DEMONSTRATING**” by striking out “**MASTERY OF**” and inserting “**COMPETENCY IN**”.

2. Amend page 11, line 2, after “**DEMONSTRATING**” by striking out “**MASTERY OF**” and inserting “**COMPETENCY IN**”.

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

Rep. Pagel moved to amend the bill as follows:

1. Amend page 9, line 27, after “**THE**” by striking out “**2017-2018**” and inserting “**2019-2020**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4822, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Howrylak moved to amend the bill as follows:

1. Amend page 9, line 5, after “**CHINESE,**” by inserting “**HINDI, KOREAN,**”.

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

The question being on the passage of the bill,

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

Roll Call No. 355

Yeas—57

Afendoulis
Barrett
Bizon
Brinks

Garcia
Gardon
Glenn
Graves

Lauwers
Leonard
Leutheuser
Lucido

Pscholka
Rendon
Roberts, B.
Runestad

Bumstead	Howrylak	Lyons	Santana
Callton	Hughes	Maturen	Schor
Canfield	Iden	McCready	Sheppard
Chatfield	Inman	Miller, A.	Tedder
Cole	Jacobsen	Nesbitt	Theis
Cotter	Jenkins	Outman	Vaupel
Cox	Johnson	Pagel	VerHeulen
Crawford	Kelly	Pettalia	Victory
Farrington	Kesto	Poleski	Webber
Forlini	LaFontaine	Price	Yonker
Franz			

Nays—48

Banks	Garrett	Kivela	Plawecki
Brunner	Gay-Dagnogo	Kosowski	Potvin
Byrd	Geiss	Lane	Roberts, S.
Chang	Goike	LaVoy	Robinson
Chirkun	Greig	Liberati	Singh
Clemente	Greimel	Love	Smiley
Cochran	Guerra	McBroom	Somerville
Darany	Heise	Miller, D.	Talabi
Dianda	Hoadley	Moss	Townsend
Driskell	Hooker	Neeley	Wittenberg
Durhal	Hovey-Wright	Pagan	Yanez
Faris	Irwin	Phelps	Zemke

In The Chair: Leonard

The House agreed to the title of the bill.

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

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

Reps. Greimel and Zemke moved that their names be removed as co-sponsors of the bill.

The motion prevailed.

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

“Mr. Speaker and members of the House:

Education is by far one of the most important issues of our time and as public servants I am confident that every one of my colleagues believes that all children should receive a quality education that prepares them not only for professional success, but for health and happiness in society. I earned my undergraduate degree in secondary education, I worked in the US Senate on education policy, and I fought to make higher education more affordable to students at Wayne State University before becoming elected state representative. My community, as I’m sure many of our districts across Michigan, ask us leaders to make our education system the very best it can be and to work hard every day in making Michigan a top 10 education state in the country.

The urgency of improving literacy – including reading, writing, speaking and listening – to our children is clear. The most recent The National Assessment of Educational Progress data on 4th grade reading ranks Michigan 38th in the country. This is completely unacceptable. I believe some components of this bill, HB 4822, will help some students improve their literacy proficiency, and assist some schools in improving their literacy instruction.

However, like many of my colleagues, I have serious concerns with the mandatory retention piece of this legislation. My main concern is that research-based data has shown time and time again that retaining a student is not an effective

strategy to improve student achievement. In fact, research suggests that retention does NOT boost student achievement, and that retained students are more likely to drop out of school.

According to the National Center for Education Statistics, students who drop out are FIVE TIMES more likely to have been retained than those who graduate. This will be our children's future because of this bill.

Today, I introduced a series of amendments that aimed to give schools and parents more flexibility than a 'one-size-fits-all' retention policy and ensure the provisions in this bill are tied to adequate funding. Unfortunately, these amendments, and others that would have improved this bill, were defeated. I voted no on HB 4822 because I believe parents, teachers, administrators, and state officials should be deeply involved for increasing the literacy of Michigan's students, and third graders should be supported in their learning, not punished."

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

Any law is only as good as the ability to enforce it. Unfortunately, a recent Michigan Supreme Court decision has made clear that House Bill 4822, as written, is not enforceable. On September 23, 2015, after HB 4822 was introduced, the Michigan Supreme Court denied leave to appeal the Michigan Court of Appeals' decision in *SS Next Friend, et al v State of Michigan, et al*. The effect of the Supreme Court's decision is that no parent, student, or other citizen can bring a lawsuit to enforce the state's obligation to provide early intervention to help struggling students read unless a statute specifically provides that such a private cause of action may be brought. We pushed to include such a private cause of action in HB 4822. Unfortunately, the majority party refused to allow a vote on such an amendment. Without such a private right of action in HB 4822, it is unenforceable. I cannot in good conscience support the bill when it provides only an illusion of ensuring that kids receive the support they need to learn to read."

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

I fully agree that this bill provides very good interventions that may help students reach proficiency if it has deficiencies. One very great concern is that parents who know their child best have no say in retention of their child. Another concern is young people have a wide variety of maturation rates. This bill doesn't address undiagnosed Dyslexia, Fetal Alcohol effect or a large number of other things that could affect reading proficiency. I asked the sponsor to allow parents to ultimately decide for their child and have the legislature sunset the bill to force the legislature to restudy progress of this act in 7 years. It was refused. As a teacher for 37 years, I know the problems with a child not reading and wanted to support this bill but couldn't with parents taken out of the decision making process."

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

I voted in opposition to this bill because it mandated 3rd grade retention, gives parents no voice in the decision on their child's educational future, and does not guarantee funding past 2 years. This bill may be particularly harmful to schools that have Deficit Elimination Plans if full funding does not occur. Strong literacy skills are vitally important to our children but this bill allows the legislature to take the decisions out of the hands of those who know and teach our children."

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

"Mr. Speaker and members of the House:

Firstly, I want to be clear that I do not feel that retention is in and of itself a bad or harmful tool in the education process. Retention has gotten a bad rap in recent history as we begin to worry more about a student's feelings than their actual success. There are many very successful students and adults who surprise their peers and colleagues when informing them they were held back in elementary school. So the use of retention is not my reason for voting against this legislation. I do have some concerns that retention becomes the default, catch-all for students that this very prescriptive bill does not adequately help but that is tolerable and a relatively minor concern.

My opposition has been focused, since this bill originated last term, on the imposition of this highly detailed, legislatively over-prescriptive program on schools that not only already have a program, but are implementing one successfully. Why are we trying to fix schools that are not broken? Clearly there are schools with terrible problems and are perpetuating cycles of failure. But it is also clear that there are other schools that do not need another state program to jump through while scrapping their own success. I have offered several simple ideas of ways the state program could be triggered in schools when there is evidence of need. However, these ideas have not been acceptable. Unfortunately, they have also not been substantively or philosophically refuted or shown to be inadequate.

Therefore, I am pleased to see this moving forward for the thousands of students and hundreds of schools that are in desperate situations. I remain disappointed that we have rolled the good in with the bad at the expense of what they already have taken care of locally.

Thank you, Mr. Speaker."

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

“Mr. Speaker and members of the House:

This bill has many laudable aspects related to remedial efforts to help students to overcome reading deficiencies, I opposed HB4822 for several reasons.

1. It is inadequately funded.
2. It does not include parents in an Individual Reading Improvement Plan or give them a say in what happens to their son or daughters.

The bill needs more work.”

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

“Mr. Speaker and members of the House:

This is yet another governmental education mandate. I was advocating for parental participation and agreement in the process. While it is about the children, parents need to be involved in this process. Their awareness and approval would be necessary for me to support this legislation. Setting standards for our schools, our teachers and our children is the right thing to do, but those standards should be decided locally without mandates from Lansing. We need to get state government out of the classroom, and allow decisions to be made where they belong, with the parents and the local schools.”

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

“Mr. Speaker and members of the House:

I voted against House Bill 4822 today because I felt that the bill ultimately fails to fix the systemic challenges that students and educators face to address the problem. While there are some good aspects of the bill, the provision of mandatory retention punishes struggling students who are receiving reading support but have not been provided with enough time for this extra support to take effect. Without proper time to nurture growth and provisions to increase parental engagement at home, the same systemic barriers outside the classroom will prevent students from growing as readers. I strongly believe parents must fundamentally have a voice in their children’s education and in its current form, the bill fails to provide that. I stand committed to working with my legislative colleagues on a solution that equips 3rd grade students with the proper tools and resources necessary to read at grade level while managing to avoid retention if further work is required. Other states have implemented programs that integrate more traditional educational interventions with proven community and parental support with much success. Without addressing the reasons of why kids are having difficulty reading in the first place, and having a better understanding of non-educational environmental factors that could possibly impact reading achievement, we will continue to ask Michigan’s schools to pour money into programs that will not reduce the number of struggling readers in the future. House Bill 4822 fails to provide parental consent and local control and fails to provide enough resources to school districts to achieve the outcome the bill is seeking to create. Until these fundamental issue are addressed first, I cannot support this bill in its current form.”

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

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4102, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2015 and September 30, 2016; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has concurred in the House substitute (H-2) to the Senate substitute (S-1).

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

Second Reading of Bills

Senate Bill No. 103, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1249 and 1249a (MCL 380.1249 and 380.1249a), section 1249 as amended by 2014 PA 257 and section 1249a as added by 2011 PA 102, and by adding sections 1249b and 1531j; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-8) previously recommended by the Committee on Education,

The substitute (H-8) was adopted, a majority of the members serving voting therefor.

Rep. Lyons moved to amend the bill as follows:

1. Amend page 28, following line 19, by inserting:

“SEC. 1531K. BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOT ISSUE AN INITIAL ADVANCED PROFESSIONAL EDUCATION CERTIFICATE TO AN INDIVIDUAL, OR RENEW AN INDIVIDUAL’S ADVANCED PROFESSIONAL EDUCATION CERTIFICATE, UNLESS THE INDIVIDUAL PRESENTS EVIDENCE SATISFACTORY TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION DEMONSTRATING THAT HE OR SHE MEETS ALL OF THE FOLLOWING:

(A) HAS BEEN RATED AS HIGHLY EFFECTIVE ON HIS OR HER ANNUAL YEAR-END EVALUATION UNDER SECTION 1249 FOR 3 OUT OF THE 5 MOST RECENT SCHOOL YEARS.

(B) HAS NOT BEEN RATED INEFFECTIVE ON HIS OR HER ANNUAL YEAR-END EVALUATION UNDER SECTION 1249 WITHIN THE 5 MOST RECENT SCHOOL YEARS.

(C) MEETS ADDITIONAL CRITERIA ESTABLISHED BY THE DEPARTMENT.”

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

Rep. Lyons moved to amend the bill as follows:

1. Amend page 19, following line 24, by inserting:

“(6) THE TRAINING REQUIRED UNDER SUBSECTION (2) SHALL BE PAID FOR FROM THE FUNDS AVAILABLE IN THE EDUCATOR EVALUATION RESERVE FUND CREATED UNDER SECTION 95A OF THE STATE SCHOOL AID ACT, MCL 388.1695A.” and renumbering the remaining subsection.

2. Amend page 27, following line 25, by inserting:

“(4) THE TRAINING REQUIRED UNDER SUBSECTION (1) SHALL BE PAID FOR FROM THE FUNDS AVAILABLE IN THE EDUCATOR EVALUATION RESERVE FUND CREATED UNDER SECTION 95A OF THE STATE SCHOOL AID ACT, MCL 388.1695A.”

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

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

The motion prevailed.

House Bill No. 4477, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 227 and 316 (MCL 600.227 and 600.316).

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Nesbitt moved that **Senate Bill No. 103** be placed on its immediate passage.

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

Senate Bill No. 103, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1249 and 1249a (MCL 380.1249 and 380.1249a), section 1249 as amended by 2014 PA 257 and section 1249a as added by 2011 PA 102, and by adding sections 1249b and 1531j; and to repeal acts and parts of acts.

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

Roll Call No. 356

Yeas—97

Afendoulis
Banks

Franz
Garcia

LaFontaine
Lane

Potvin
Price

Barrett	Garrett	Lauwers	Pscholka
Bizon	Gay-Dagnogo	LaVoy	Rendon
Brinks	Geiss	Leonard	Roberts, B.
Bumstead	Glardon	Leutheuser	Runestad
Byrd	Glenn	Liberati	Santana
Callton	Graves	Love	Schor
Canfield	Greig	Lucido	Sheppard
Chang	Greimel	Lyons	Singh
Chatfield	Guerra	Maturen	Smiley
Chirkun	Heise	McCready	Somerville
Clemente	Hoadley	Miller, A.	Talabi
Cochran	Hovey-Wright	Miller, D.	Tedder
Cole	Howrylak	Moss	Theis
Cotter	Hughes	Neeley	Townsend
Cox	Iden	Nesbitt	Vaupel
Crawford	Inman	Outman	VerHeulen
Darany	Jacobsen	Pagan	Victory
Dianda	Johnson	Pagel	Webber
Driskell	Kelly	Pettalia	Wittenberg
Durhal	Kesto	Phelps	Yanez
Faris	Kivela	Plawecki	Yonker
Farrington	Kosowski	Poleski	Zemke
Forlini			

Nays—8

Brunner	Hooker	Jenkins	Roberts, S.
Goike	Irwin	McBroom	Robinson

In The Chair: Franz

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

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

A bill to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 1249 and 1249a (MCL 380.1249 and 380.1249a), section 1249 as amended by 2014 PA 257 and section 1249a as added by 2011 PA 102, and by adding sections 1249b, 1531j, and 1531k.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

I believe in proper teacher evaluation and believe that a good principal can get rid of a bad teacher. I think a good evaluation tool is important as well. This bill places too much emphasis on standardized tests in a teacher’s evaluation.

First, there is no valid tool today to fairly evaluate a teacher's ability to help students progress. The state's tests are in flux and poorly evaluate the yearly progress a student makes. Students know that these tests will not be figured into their personal grades and have little incentive to perform well. I am concerned that good teachers will be fearful to go into tough schools, where they are needed most, because test scores determine 40% of their evaluation. I attempted to reduce that test rate to 25% or 30% but the chair refused. I believe local administrators will know if their teachers are effective if those administrators do their job properly."

Second Reading of Bills

House Bill No. 4674, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 100c, 401, 404, 420, 422, 423, 425, 426, 427, 429, 431, 434, 435, 438, 447, 448, 449, 451, 452, 454, 455, 463, 468, 469a, 472a, 474, 474a, and 475 (MCL 330.1100a, 330.1100c, 330.1401, 330.1404, 330.1420, 330.1422, 330.1423, 330.1425, 330.1426, 330.1427, 330.1429, 330.1431, 330.1434, 330.1435, 330.1438, 330.1447, 330.1448, 330.1449, 330.1451, 330.1452, 330.1454, 330.1455, 330.1463, 330.1468, 330.1469a, 330.1472a, 330.1474, 330.1474a, and 330.1475), section 100a as amended by 2012 PA 500, section 100c as amended by 2014 PA 200, section 401 as amended by 2004 PA 496, sections 420, 423, 425, 426, 427, 429, 431, 434, 435, 438, 448, 449, 451, 452, 454, 455, 463, and 468 as amended by 1995 PA 290, section 422 as amended by 2004 PA 317, section 469a as amended by 2004 PA 497, sections 472a and 475 as amended by 2004 PA 498, and sections 474 and 474a as added by 1996 PA 588, and by adding section 400b; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

House Bill No. 4577, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312f (MCL 257.312f), as amended by 2015 PA 11.

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

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

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

The motion prevailed.

House Bill No. 4796, entitled

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending sections 2 and 3 (MCL 32.272 and 32.273), section 3 as amended by 2008 PA 106.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 336, entitled

A bill to prescribe the blue alert of Michigan as the official response to reports of serious injury or death of a law enforcement officer in certain circumstances; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

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

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

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

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

The motion prevailed.

Senate Bill No. 22, entitled

A bill to amend 1986 PA 182, entitled “State police retirement act of 1986,” (MCL 38.1601 to 38.1648) by amending the title and by adding section 40c.

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

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

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

The motion prevailed.

House Bill No. 4677, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2014 PA 310.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4476, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 1035.

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

Roll Call No. 357**Yeas—104**

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

Nays—1

Robinson

In The Chair: Franz

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

this interferes with the discretion of the trial court who is aware of the facts and circumstances of each case and can best determine whether mediation is appropriate.”

House Bill No. 4478, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950 (MCL 600.2950), as amended by 2001 PA 200.

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

Roll Call No. 358**Yeas—96**

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

Nays—9

Chatfield
Cole
Cox

Dianda
Franz

Goike
Hooker

Johnson
Robinson

In The Chair: Franz

The House agreed to the title of the bill.

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

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

House Bill No. 4479, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 81 (MCL 750.81), as amended by 2012 PA 366.

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

Roll Call No. 359**Yeas—103**

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

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

Kivela
Kosowski
LaFontaine
Lane
Lauwers
LaVoy
Leonard
Leutheuser
Liberati
Lucido
Lyons
Maturen
McBroom
McCready
Miller, A.
Miller, D.
Moss
Neeley
Nesbitt
Outman
Pagan
Pagel
Pettalia
Phelps
Plawecki
Poleski

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

Nays—2

Love

Robinson

In The Chair: Franz

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

Rep. Robinson, having reserved the right to explain her protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:
 there are numerous statutes for assault. The statute is unnecessary.”

Rep. Garcia moved that **House Bill No. 4477** be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4477, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 227 and 316 (MCL 600.227 and 600.316).

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

Roll Call No. 360

Yeas—104

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

Nays—1

Robinson

In The Chair: Franz

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

Rep. Robinson, having reserved the right to explain her protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:
The procedure for service is governed by court rule. The statute is not necessary.”

House Bill No. 4481, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending sections 5 and 7a (MCL 722.25 and 722.27a), section 5 as amended by 1993 PA 259 and section 7a as amended by 2012 PA 600.

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

Roll Call No. 361

Yeas—101

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

Nays—4

Garrett	Hovey-Wright	Liberati	Robinson
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The question being on agreeing to the title of the bill,

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

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 5 and 7a (MCL 722.25 and 722.27a), section 5 as amended by 1993 PA 259 and section 7a as amended by 2015 PA 50.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

The Circuit Court Judge is the best position to determine custody issues based on the individual facts of the case."

House Bill No. 4788, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2012 PA 365.

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

Roll Call No. 362

Yeas—103

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

Nays—2

Love

Robinson

In The Chair: Franz

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

Senate Bill No. 309, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 66 (MCL 559.166), as amended by 1983 PA 113.

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

Roll Call No. 363

Yeas—104

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

Nays—1

Robinson

In The Chair: Franz

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

"An act relative to condominiums and condominium projects; to prescribe powers and duties of the administrator; to provide certain protections for certain tenants, senior citizens, and persons with disabilities relating to conversion condominium projects; to provide for escrow arrangements; to provide an exemption from certain property tax increases; to impose duties on certain state departments; to prescribe remedies and penalties; and to repeal acts and parts of acts,"

The House agreed to the full title.

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

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

Rep. Garcia moved that House Committees be given leave to meet during the balance of today's session. The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, October 15, for his approval of the following bills:

Enrolled House Bill No. 4521 at 12:03 p.m.

Enrolled House Bill No. 4527 at 12:05 p.m.

Enrolled House Bill No. 4102 at 4:09 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, October 15:

House Bill Nos. 4986 4987 4988 4989

Senate Bill Nos. 562 563

The Clerk announced that the following Senate bills had been received on Thursday, October 15:

Senate Bill Nos. 334 446 531 532 533

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Workforce and Talent Development, was received and read:

Meeting held on: Thursday, October 15, 2015

Present: Reps. Johnson, Tedder, Farrington, Price, Lauwers, Crawford, Iden, Brett Roberts, Brinks, Townsend, Geiss, Greig and Liberati

Absent: Rep. Love

Excused: Rep. Love

Messages from the Senate

House Bill No. 4263, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16336, 17901, 17905, and 17906 (MCL 333.16336, 333.17901, 333.17905, and 333.17906), as added by 2006 PA 54.

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

The House agreed to the full title.

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

Notices

October 14, 2015

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

Dear Mr. Clerk:

Pursuant to MCL 388.1830a, I am appointing Representative John Bizon to the task force established under Section 230a.

Sincerely,
Kevin Cotter
Speaker of the House
99th District

Messages from the Governor

Date: October 15, 2015

Time: 4:13 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4102 (Public Act No. 143, I.E.), being

An act to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2015 and September 30, 2016; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State October 15, 2015, at 4:34 p.m.)

Introduction of Bills

Rep. Pscholka introduced

House Bill No. 4990, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 5f (MCL 117.5f), as amended by 2002 PA 201.

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

Rep. Pscholka introduced

House Bill No. 4991, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 36 (MCL 68.36), as amended by 2002 PA 276.

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

Rep. Pscholka introduced

House Bill No. 4992, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending section 24b (MCL 78.24b), as amended by 2002 PA 277.

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

Rep. Pscholka introduced

House Bill No. 4993, entitled

A bill to amend 1846 RS 16, entitled “Of the powers and duties of townships, the election and duties of township officers, and the division of townships,” by amending section 75b (MCL 41.75b), as amended by 2002 PA 226.

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

Rep. Pscholka introduced

House Bill No. 4994, entitled

A bill to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending section 11c (MCL 46.11c), as amended by 2002 PA 275.

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

Reps. Aaron Miller, Kelly, Hooker and LaVoy introduced

House Bill No. 4995, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 622b.

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

Reps. Aaron Miller, Hooker and Runestad introduced

House Bill No. 4996, entitled

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

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

Rep. Lucido introduced

House Bill No. 4997, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 602b and 907 (MCL 257.602b and 257.907), section 602b as amended by 2013 PA 231 and section 907 as amended by 2015 PA 126.

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

Rep. Lucido introduced

House Bill No. 4998, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as amended by 2011 PA 59.

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

Rep. Garrett moved that the House adjourn.

The motion prevailed, the time being 5:05 p.m.

Associate Speaker Pro Tempore Franz declared the House adjourned until Tuesday, October 20, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives