

No. 29
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
97th Legislature
REGULAR SESSION OF 2013

House Chamber, Lansing, Thursday, March 21, 2013.

12:00 Noon.

The House was called to order by the Speaker.

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

Abed—present	Genetski—present	Lauwers—present	Roberts—present
Ananich—present	Gardon—present	LaVoy—present	Robinson—present
Banks—present	Goike—present	Leonard—present	Rogers—present
Barnett—present	Graves—present	Lipton—present	Rutledge—present
Bolger—present	Greimel—present	Lori—present	Santana—present
Brinks—present	Haines—present	Lund—present	Schmidt—present
Brown—present	Haugh—present	Lyons—present	Schor—present
Brunner—present	Haveman—present	MacGregor—present	Segal—present
Bumstead—present	Heise—present	MacMaster—present	Shirkey—present
Callton—present	Hobbs—present	McBroom—present	Singh—present
Cavanagh—present	Hooker—present	McCann—present	Slavens—present
Clemente—present	Hovey-Wright—present	McCready—present	Smiley—present
Cochran—present	Howrylak—present	McMillin—present	Somerville—present
Cotter—present	Irwin—present	Muxlow—present	Stallworth—present
Crawford—present	Jacobsen—present	Nathan—present	Stamas—present
Daley—present	Jenkins—present	Nesbitt—present	Stanley—present
Darany—present	Johnson—present	O'Brien—present	Switalski—present
Denby—present	Kandrevas—present	Oakes—present	Talabi—present
Dianda—present	Kelly—present	Olumba—e/d/s	Tlaib—present
Dillon—present	Kesto—present	Outman—present	Townsend—present
Driskell—present	Kivela—present	Pagel—present	VerHeulen—present
Durhal—present	Knezek—present	Pettalia—present	Victory—present
Faris—present	Kosowski—present	Poleski—present	Walsh—present
Farrington—present	Kowall—present	Potvin—present	Yanez—present
Forlini—present	Kurtz—present	Price—present	Yonker—present
Foster—present	LaFontaine—present	Pscholka—present	Zemke—present
Franz—present	Lamonte—present	Rendon—present	Zorn—present
Geiss—present	Lane—present		

e/d/s = entered during session

Fr. Don Klingler, Retired Priest of Saint Margaret's Church in Otsego, offered the following invocation:

"Heavenly Father, as we gather together this day to begin another day of service to the people of Michigan, we ask that You always be here with Your Presence to remind us of the important truths of living a well grounded life with You as its center. So we ask for the following graces:

1. To remember that we are Your sons and daughters and that every person we encounter is my 'brother' or my 'Sister'.
2. To recognize You in the many 'God-Moments' of our day when, because You passionately love us, You reveal Your Presence in another's kind act to us...in a smile...in hearing another say 'I forgive you'...in a sunrise, a sunset, and in the many other ways You desire to show us Your love.
3. To work together for the people of Michigan...to put aside our differences and while trying to be faithful to our respective Parties, to nevertheless, work together to promote the overall good of all our wonderful people.
4. To live out Your primary command to love our God with all our heart and our neighbor as ourselves.
5. To love passionately first God, then our neighbor, our family, our vocation, our calling, our fellow Michiganders by living as best as we can the PRESENT MOMENT (because every moment is Your gift to us) by not worrying about what happened in the past nor worrying about the future (both can be a waste of time)...but by living passionately Your gift of this present moment by doing the best we can and offering it to You.

We conclude by praying: 'DEAR LORD AND SAVOR WHO SUFFERED SO MUCH FOR US, ON THAT FIRST GOOD FRIDAY... WE LOVE YOU AND GIVE OURSELVES TO YOU. BE WITH EACH OF US NOW AS WE BEGIN THESE IMPORTANT SESSIONS.

GOD LOVE AND BLESS YOU! You are always in my prayers!"

Motions and Resolutions

Reps. Forlini, Pscholka, Bumstead, Kowall, Faris, Lauwers, Outman, Goike, Lane, Brown, Segal, Barnett, Cotter, Crawford, Darany, Denby, Durhal, Geiss, Haines, Heise, Hooker, Hovey-Wright, Lori, Slavens and Talabi offered the following resolution:

House Resolution No. 75.

A resolution to encourage the Secretary of Defense to restore the Tuition Assistance Program for those military personnel currently serving.

Whereas, The federal sequestration policy that went into effect on March 1 will force the U.S. Department of Defense to cut \$46 billion in spending by October. One of the casualties of the cuts is the military Tuition Assistance Program for active-duty and reserve members of the armed forces attending school. The Army, Air Force, Marine Corps, and Coast Guard have suspended enrollment of new applicants for the rest of the fiscal year. Troops currently taking classes and pursuing degrees will not have the assistance to complete their programs; and

Whereas, Service members took 870,000 courses and earned 50,000 degrees, diplomas, and certificates last year. Course-work taken while serving provides personal and professional development and ensures that the United States is defended by the most highly skilled armed forces in the world. The Tuition Assistance Program is touted by military recruiters, and many young men and women enlist because of the promised benefit of education assistance. Cutting the program takes away an opportunity for our troops to further their education and use it to support their families and contribute to their communities; and

Whereas, Our troops are serving in harm's way, some losing friends or returning with physical or emotional scars. They deserve our thanks for their sacrifice, not broken promises. They have earned the chance to finish their studies and graduate with a quality education that will facilitate the transition to the civilian workforce. Our servicemen and women should not be victims of the dysfunction in Washington; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Secretary of Defense to restore the Tuition Assistance Program for those military personnel currently serving; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of Defense, the Secretary of the Army, the Secretary of the Air Force, the Commandant of the Marine Corps, and the Commandant of the Coast Guard.

The resolution was referred to the Committee on Military and Veterans Affairs.

Reps. Franz, Barnett, Brown, Cotter, Crawford, Darany, Denby, Durhal, Geiss, Haines, Heise, Hooker, Hovey-Wright, Howrylak, Lori, Poleski, Roberts, Slavens and Talabi offered the following resolution:

House Resolution No. 76.

A resolution to declare March 21, 2013, as Paralyzed Veterans Awareness Day in the state of Michigan.

Whereas, Throughout the course of American history, courageous men and women have taken up arms to secure, defend, and maintain the principles on which our nation's freedoms depend; and

Whereas, The willingness of our veterans to give freely and unselfishly of themselves, even their lives, to defend our democratic principles and safeguard our liberty, gives this great nation continued strength and vitality; and

Whereas, Our hearts and thoughts on this special day also turn to those who have been paralyzed. Their sacrifices and hardships endure daily and earn the honor and compassion of a grateful nation; and

Whereas, The members of the House of Representatives, seeking to convey a gratitude to those brave men and women on behalf of an appreciative state, recognize the challenges that these individuals endure on a daily basis. In the expression of that gratitude, we see the need to recognize these individuals; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare March 21, 2013, as Paralyzed Veterans Awareness Day in the state of Michigan. We urge citizens to use this opportunity to recognize the service and sacrifice of our paralyzed veterans and their future challenges.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Potvin, Barnett, Brown, Cotter, Crawford, Darany, Denby, Durhal, Geiss, Haines, Heise, Hovey-Wright, Howrylak, Lori, Poleski, Roberts, Slavens and Talabi offered the following resolution:

House Resolution No. 77.

A resolution to declare April 2013 as Military Child Month in the state of Michigan.

Whereas, The members of the Michigan Legislature consider it a great privilege to recognize this occasion and proudly extend tribute to all the military children for their sacrifices and contributions to their families as this body demonstrates Michigan's unconditional support for members of the Armed Forces; and

Whereas, More than 20,000 of Michigan's children and youth have been directly affected by the military deployment of at least one parent; and

Whereas, These children and youth are a source of pride and honor to this state, and it is only fitting that their contributions are recognized, their spirits are celebrated and Michigan's men and women in uniform know that while they are taking care of us, we are taking care of their children and youth; and

Whereas, More than 500 brave men and women of the Michigan Army and Air National Guard are currently deployed overseas primarily to Afghanistan, but also to Kuwait, Liberia, Germany and other locations around the globe, demonstrating their courage and commitment to freedom; and

Whereas, No one feels the effect of deployments more than the children of deployed members of the armed forces, leaving them without a parent who mentors, counsels, teaches and loves, as these daily struggles and personal sacrifices too often go unnoticed; and

Whereas, The children of military parents are frequently transferred from one school system to another, often in different states, and are unable to become rooted in a single community. This volatility in their young lives can make learning an especially challenging process for they must regularly reorient themselves to new environments and continue to find new friends while leaving others behind; and

Whereas, The recognition of a month of the military child will allow us to pay tribute to military children and youth for their commitments, their struggles and their unconditional support of our troops. Because when parents serve in the military, their kids are heroes too; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2013 as Military Child Month in the state of Michigan. We urge all residents and business and government leaders to observe the month with appropriate ceremonies and activities that honor, support, and thank military children; and be it further

Resolved, That a copy of this resolution be transmitted to Michigan Department of Military and Veterans Affairs and the Michigan office for the Military Interstate Children's Compact Commission as evidence of the highest esteem given by the members of the Michigan Legislature.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker called the Speaker Pro Tempore to the Chair.

Messages from the Senate

House Bill No. 4399, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32514 (MCL 324.32514), as added by 1995 PA 59.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Stamas moved that Rule 42 be suspended.

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

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

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

Roll Call No. 52**Yeas—104**

Abed	Franz	Lamonte	Pscholka
Ananich	Geiss	Lane	Rendon
Banks	Genetski	Lauwers	Robinson
Barnett	Gardon	LaVoy	Rogers
Bolger	Goike	Leonard	Rutledge
Brinks	Graves	Lipton	Santana
Brown	Greimel	Lori	Schmidt
Brunner	Haines	Lund	Schor
Bumstead	Haugh	Lyons	Segal
Callton	Haveman	MacGregor	Shirkey
Cavanagh	Heise	MacMaster	Singh
Clemente	Hobbs	McBroom	Slavens
Cochran	Hooker	McCann	Smiley
Cotter	Hovey-Wright	McCready	Somerville
Crawford	Howrylak	McMillin	Stallworth
Daley	Jacobsen	Muxlow	Stamas
Darany	Jenkins	Nathan	Stanley
Denby	Johnson	Nesbitt	Switalski
Dianda	Kelly	O'Brien	Talabi
Dillon	Kesto	Oakes	Townsend
Driskell	Kivela	Outman	VerHeulen
Durhal	Knezek	Pagel	Victory
Faris	Kosowski	Pettalia	Walsh
Farrington	Kowall	Poleski	Yonker
Forlini	Kurtz	Potvin	Zemke
Foster	LaFontaine	Price	Zorn

Nays—5

Irwin	Roberts	Tlaib	Yanez
Kandrevas			

In The Chair: Walsh

The House agreed to the full title.

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

Third Reading of Bills**House Bill No. 4274, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

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

Roll Call No. 53**Yeas—102**

Abed	Franz	LaFontaine	Rendon
Ananich	Geiss	Lamonte	Roberts
Banks	Genetski	Lane	Rogers
Barnett	Gardon	Lauwers	Rutledge
Bolger	Graves	LaVoy	Santana
Brinks	Greimel	Leonard	Schmidt
Brown	Haines	Lipton	Schor
Brunner	Haugh	Lori	Segal
Bumstead	Haveman	Lyons	Shirkey
Callton	Heise	MacGregor	Singh
Cavanagh	Hobbs	MacMaster	Slavens
Clemente	Hooker	McCann	Smiley
Cochran	Hovey-Wright	McCready	Stallworth
Cotter	Howrylak	Muxlow	Stamas
Crawford	Irwin	Nathan	Stanley
Daley	Jacobsen	Nesbitt	Switalski
Darany	Jenkins	O'Brien	Talabi
Denby	Johnson	Oakes	Tlaib
Dianda	Kandrevas	Outman	Townsend
Dillon	Kelly	Pagel	VerHeulen
Driskell	Kesto	Pettalia	Victory
Durhal	Kivela	Poleski	Walsh
Faris	Knezek	Potvin	Yanez
Farrington	Kosowski	Price	Zemke
Forlini	Kowall	Pscholka	Zorn
Foster	Kurtz		

Nays—7

Goike	McBroom	Robinson	Yonker
Lund	McMillin	Somerville	

In The Chair: Walsh

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

House Bill No. 4275, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212c.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 54**Yeas—101**

Abed	Franz	LaFontaine	Rendon
Ananich	Geiss	Lamonte	Roberts
Banks	Genetski	Lane	Rogers
Barnett	Gardon	Lauwers	Rutledge
Bolger	Graves	LaVoy	Santana
Brinks	Greimel	Leonard	Schmidt

Brown	Haines	Lipton	Schor
Brunner	Haugh	Lori	Segal
Bumstead	Haveman	Lyons	Shirkey
Callton	Heise	MacGregor	Singh
Cavanagh	Hobbs	MacMaster	Slavens
Clemente	Hooker	McCann	Smiley
Cochran	Hovey-Wright	McCready	Stallworth
Cotter	Irwin	Muxlow	Stamas
Crawford	Jacobsen	Nathan	Stanley
Daley	Jenkins	Nesbitt	Switalski
Darany	Johnson	O'Brien	Talabi
Denby	Kandrevas	Oakes	Tlaib
Dianda	Kelly	Outman	Townsend
Dillon	Kesto	Pagel	VerHeulen
Driskell	Kivela	Pettalia	Victory
Durhal	Knezek	Poleski	Walsh
Faris	Kosowski	Potvin	Yanez
Farrington	Kowall	Price	Zemke
Forlini	Kurtz	Pscholka	Zorn
Foster			

Nays—8

Goike	Lund	McMillin	Somerville
Howrylak	McBroom	Robinson	Yonker

In The Chair: Walsh

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

Rep. Olumba entered the House Chambers.

By unanimous consent the House returned to the order of
Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, March 20:

House Bill Nos. 4480 4481 4482 4483 4484 4485 4486

The Clerk announced that the following Senate bill had been received on Thursday, March 21:

Senate Bill No. 264

Reports of Standing Committees

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

House Bill No. 4139, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by repealing chapter XII (MCL 772.1 to 772.15).
 Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton and Irwin
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cotter, Chair, of the Committee on Judiciary, was received and read:
Meeting held on: Thursday, March 21, 2013

Present: Reps. Cotter, Kesto, Heise, Jacobsen, Johnson, LaFontaine, Leonard, Cavanagh, Lipton, Irwin and Clemente

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Pettalia, Chair, of the Committee on Tourism, was received and read:
Meeting held on: Thursday, March 21, 2013

Present: Reps. Pettalia, Goike, Crawford, Genetski, Rendon, Pagel, Kosowski, Brunner and Kivela

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Poleski, Chair, of the Committee on Financial Liability Reform, was received and read:

Meeting held on: Thursday, March 21, 2013

Present: Reps. Poleski, Victory, Denby, McMillin, Schmidt, Shirkey, Callton, Cavanagh, Talabi, Irwin and Robinson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 21, 2013

Present: Reps. Nesbitt, Shirkey, Farrington, Franz, Price, Schmidt, Zorn, Graves, Hobbs, LaVoy, Yanez and Lamonte

Absent: Reps. Jacobsen, Outman, Pettalia, Lauwers, Stallworth, Nathan, Lane and Brunner

Excused: Reps. Jacobsen, Outman, Pettalia, Lauwers, Stallworth, Nathan, Lane and Brunner

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 21, 2013

Present: Reps. Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed, Cochran and Hovey-Wright

Messages from the Senate**House Bill No. 4398, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32513 (MCL 324.32513), as amended by 2012 PA 247.

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

The House agreed to the full title.

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

House Bill No. 4400, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30104 (MCL 324.30104), as amended by 2011 PA 218.

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

The House agreed to the full title.

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

House Concurrent Resolution No. 5.

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see House Journal No. 28, p. 356.)

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

The concurrent resolution was referred to the Clerk for record.

Introduction of Bills

Reps. Oakes, Tlaib, Lane, Cavanagh, Brunner, Daley, McBroom, Denby, Foster and Slavens introduced

House Bill No. 4487, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2008 PA 226.

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

Reps. Stallworth, Hobbs, Banks, Talabi, Durhal, Ananich, Knezek, Tlaib, Nathan and Santana introduced

House Bill No. 4488, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 10 (MCL 207.630), as amended by 2010 PA 207.

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

Reps. Stallworth, Hobbs, Durhal, LaVoy and Santana introduced

House Bill No. 4489, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

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

Reps. Stallworth, Hobbs, Townsend, Banks, Talabi, Durhal, Ananich, Knezek, Stanley, Tlaib, Nathan and Oakes introduced

House Bill No. 4490, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1310 and 1311 (MCL 380.1310 and 380.1311), section 1310 as amended by 2000 PA 230 and section 1311 as amended by 2008 PA 1.

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

Reps. McMillin, Goike, McBroom, Callton, Yonker, Daley, Robinson, Foster, Lori, Howrylak and Olumba introduced

House Bill No. 4491, entitled

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending section 5 (MCL 257.1905).

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

Reps. Olumba, McMillin, Howrylak and Yonker introduced

House Bill No. 4492, entitled

A bill to prohibit a municipality from prohibiting or imposing certain regulations or conditions on the operation of jitneys; and to impose certain requirements for the operator of a jitney.

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

Reps. Kesto, McCready, Dillon, LaVoy, Bumstead, Haines, Crawford, Johnson, Callton, VerHeulen, Outman, Daley, Hooker, McCann, Yonker, Schmidt, Olumba, Zemke and Ananich introduced

House Bill No. 4493, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2 and 3 (MCL 722.622 and 722.623), section 2 as amended by 2004 PA 563 and section 3 as amended by 2008 PA 510.

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

Announcements by the Clerk

March 15, 2013

Received from the Michigan Law Revision Commission the 2011 Annual Report to the Legislature, pursuant to Article IV, Section 15 of the Michigan Constitution.

Gary L. Randall
Clerk of the House

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4277, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2010 PA 279.

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

Roll Call No. 55

Yeas—109

Abed	Genetski	Lauwers	Roberts
Ananich	Glardon	LaVoy	Robinson
Banks	Goike	Leonard	Rogers
Barnett	Graves	Lipton	Rutledge
Bolger	Greimel	Lori	Santana
Brinks	Haines	Lund	Schmidt
Brown	Haugh	Lyons	Schor
Brunner	Haveman	MacGregor	Segal
Bumstead	Heise	MacMaster	Shirkey
Callton	Hobbs	McBroom	Singh
Cavanagh	Hovey-Wright	McCann	Slavens
Clemente	Howrylak	McCready	Smiley
Cochran	Irwin	McMillin	Somerville
Cotter	Jacobsen	Muxlow	Stallworth
Crawford	Jenkins	Nathan	Stamas
Daley	Johnson	Nesbitt	Stanley
Darany	Kandrevas	O'Brien	Switalski
Denby	Kelly	Oakes	Talabi
Dianda	Kesto	Olumba	Tlaib
Dillon	Kivela	Outman	Townsend
Driskell	Knezek	Pagel	VerHeulen
Durhal	Kosowski	Pettalia	Victory

Faris	Kowall	Poleski	Walsh
Farrington	Kurtz	Potvin	Yanez
Forlini	LaFontaine	Price	Yonker
Foster	Lamonte	Pscholka	Zemke
Franz	Lane	Rendon	Zorn
Geiss			

Nays—1

Hooker

In The Chair: Walsh

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

Rep. 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 voted no on issuing conditional liquor licenses. This would allow expansion of these licenses before the proper licensing process has been completed.”

House Bill No. 4376, entitled

A bill to amend 1943 PA 148, entitled “Proprietary schools act,” by amending section 2a (MCL 395.102a), as amended by 2009 PA 212; 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. 56**Yeas—109**

Abed	Genetski	Lane	Rendon
Ananich	Gardon	Lauwers	Roberts
Banks	Goike	LaVoy	Rogers
Barnett	Graves	Leonard	Rutledge
Bolger	Greimel	Lipton	Santana
Brinks	Haines	Lori	Schmidt
Brown	Haugh	Lund	Schor
Brunner	Haveman	Lyons	Segal
Bumstead	Heise	MacGregor	Shirkey
Callton	Hobbs	MacMaster	Singh
Cavanagh	Hooker	McBroom	Slavens
Clemente	Hovey-Wright	McCann	Smiley
Cochran	Howrylak	McCready	Somerville
Cotter	Irwin	McMillin	Stallworth
Crawford	Jacobsen	Muxlow	Stamas
Daley	Jenkins	Nathan	Stanley
Darany	Johnson	Nesbitt	Switalski
Denby	Kandrevas	O’Brien	Talabi
Dianda	Kelly	Oakes	Tlaib

Dillon	Kesto	Olumba	Townsend
Driskell	Kivela	Outman	VerHeulen
Durhal	Knezek	Pagel	Victory
Faris	Kosowski	Pettalia	Walsh
Farrington	Kowall	Poleski	Yanez
Forlini	Kurtz	Potvin	Yonker
Foster	LaFontaine	Price	Zemke
Franz	Lamonte	Pscholka	Zorn
Geiss			

Nays—1

Robinson

In The Chair: Walsh

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

House Bill No. 4377, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 411 (MCL 339.303a and 339.411), section 303a as amended by 2006 PA 489 and section 411 as amended by 2008 PA 309; 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. 57**Yeas—95**

Abed	Franz	Kurtz	Poleski
Ananich	Genetski	LaFontaine	Potvin
Bolger	Glardon	Lamonte	Price
Brinks	Goike	Lane	Pscholka
Brown	Graves	Lauwers	Rendon
Brunner	Greimel	Leonard	Rogers
Bumstead	Haines	Lipton	Rutledge
Callton	Haugh	Lori	Schmidt
Cavanagh	Haveman	Lund	Schor
Clemente	Heise	Lyons	Segal
Cochran	Hobbs	MacGregor	Shirkey
Cotter	Hooker	MacMaster	Slavens
Crawford	Hovey-Wright	McBroom	Smiley
Daley	Howrylak	McCann	Somerville
Darany	Jacobsen	McCready	Stamas
Denby	Jenkins	McMillin	Stanley
Dianda	Johnson	Muxlow	Tlaib
Dillon	Kandreas	Nesbitt	Townsend
Driskell	Kelly	O'Brien	VerHeulen
Durhal	Kesto	Oakes	Victory
Faris	Kivela	Olumba	Walsh
Farrington	Knezek	Outman	Yonker
Forlini	Kosowski	Pagel	Zorn
Foster	Kowall	Pettalia	

Nays—15

Banks	LaVoy	Santana	Talabi
Barnett	Nathan	Singh	Yanez
Geiss	Roberts	Stallworth	Zemke
Irwin	Robinson	Switalski	

In The Chair: Walsh

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

House Bill No. 4378, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 411 and 601 (MCL 339.411 and 339.601), section 411 as amended by 2008 PA 309 and section 601 as amended by 2008 PA 319; 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. 58**Yeas—110**

Abed	Genetski	Lauwers	Roberts
Ananich	Glardon	LaVoy	Robinson
Banks	Goike	Leonard	Rogers
Barnett	Graves	Lipton	Rutledge
Bolger	Greimel	Lori	Santana
Brinks	Haines	Lund	Schmidt
Brown	Haugh	Lyons	Schor
Brunner	Haveman	MacGregor	Segal
Bumstead	Heise	MacMaster	Shirkey
Callton	Hobbs	McBroom	Singh
Cavanagh	Hooker	McCann	Slavens
Clemente	Hovey-Wright	McCready	Smiley
Cochran	Howrylak	McMillin	Somerville
Cotter	Irwin	Muxlow	Stallworth
Crawford	Jacobsen	Nathan	Stamas
Daley	Jenkins	Nesbitt	Stanley
Darany	Johnson	O'Brien	Switalski
Denby	Kandrevas	Oakes	Talabi
Dianda	Kelly	Olumba	Tlaib
Dillon	Kesto	Outman	Townsend
Driskell	Kivela	Pagel	VerHeulen
Durhal	Knezek	Pettalia	Victory
Faris	Kosowski	Poleski	Walsh
Farrington	Kowall	Potvin	Yanez
Forlini	Kurtz	Price	Yonker
Foster	LaFontaine	Pscholka	Zemke
Franz	Lamonte	Rendon	Zorn
Geiss	Lane		

Nays—0

In The Chair: Walsh

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

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

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2008 PA 309; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4379, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50703, 50706, 51101, and 51103 (MCL 324.50703, 324.50706, 324.51101, and 324.51103), sections 50703 and 50706 as added by 1995 PA 57 and sections 51101 and 51103 as amended by 2006 PA 383.

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

Roll Call No. 59

Yeas—105

Abed	Genetski	Lane	Pscholka
Ananich	Gardon	Lauwers	Rendon
Banks	Goike	LaVoy	Rogers
Barnett	Graves	Leonard	Rutledge
Bolger	Greimel	Lipton	Santana
Brinks	Haines	Lori	Schmidt
Brown	Haugh	Lund	Schor
Brunner	Haveman	Lyons	Segal
Bumstead	Heise	MacGregor	Shirkey
Callton	Hobbs	MacMaster	Singh
Cavanagh	Hooker	McBroom	Slavens
Clemente	Hovey-Wright	McCann	Smiley
Cochran	Howrylak	McCready	Somerville
Cotter	Jacobsen	McMillin	Stallworth
Crawford	Jenkins	Muxlow	Stamas
Daley	Johnson	Nathan	Stanley
Darany	Kandrevas	Nesbitt	Switalski
Denby	Kelly	O'Brien	Talabi
Dianda	Kesto	Oakes	Townsend
Dillon	Kivela	Olumba	VerHeulen
Driskell	Knezek	Outman	Victory
Durhal	Kosowski	Pagel	Walsh
Faris	Kowall	Pettalia	Yanez
Farrington	Kurtz	Poleski	Yonker
Forlini	LaFontaine	Potvin	Zemke
Foster	Lamonte	Price	Zorn
Franz			

Nays—5

Geiss	Roberts	Robinson	Tlaib
Irwin			

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

House Bill No. 4380, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

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

Roll Call No. 60

Yeas—105

Abed	Genetski	Lane	Pscholka
Ananich	Gardon	Lauwers	Rendon
Banks	Goike	LaVoy	Rogers
Barnett	Graves	Leonard	Rutledge
Bolger	Greimel	Lipton	Santana
Brinks	Haines	Lori	Schmidt
Brown	Haugh	Lund	Schor
Brunner	Haveman	Lyons	Segal
Bumstead	Heise	MacGregor	Shirkey
Callton	Hobbs	MacMaster	Singh
Cavanagh	Hooker	McBroom	Slavens
Clemente	Hovey-Wright	McCann	Smiley
Cochran	Howrylak	McCready	Somerville
Cotter	Jacobsen	McMillin	Stallworth
Crawford	Jenkins	Muxlow	Stamas
Daley	Johnson	Nathan	Stanley
Darany	Kandrevas	Nesbitt	Switalski
Denby	Kelly	O'Brien	Talabi
Dianda	Kesto	Oakes	Townsend
Dillon	Kivela	Olumba	VerHeulen
Driskell	Knezek	Outman	Victory
Durhal	Kosowski	Pagel	Walsh
Faris	Kowall	Pettalia	Yanez
Farrington	Kurtz	Poleski	Yonker
Forlini	LaFontaine	Potvin	Zemke
Foster	Lamonte	Price	Zorn
Franz			

Nays—5

Geiss	Roberts	Robinson	Tlaib
Irwin			

In The Chair: Walsh

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

House Bill No. 4381, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 411 (MCL 339.303a and 339.411), section 303a as amended by 2006 PA 489 and section 411 as amended by 2008 PA 309; 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. 61**Yeas—105**

Abed	Genetski	Lane	Pscholka
Ananich	Glardon	Lauwers	Rendon
Banks	Goike	LaVoy	Rogers
Barnett	Graves	Leonard	Rutledge
Bolger	Greimel	Lipton	Santana
Brinks	Haines	Lori	Schmidt
Brown	Haugh	Lund	Schor
Brunner	Haveman	Lyons	Segal
Bumstead	Heise	MacGregor	Shirkey
Callton	Hobbs	MacMaster	Singh
Cavanagh	Hooker	McBroom	Slavens
Clemente	Hovey-Wright	McCann	Smiley
Cochran	Howrylak	McCready	Somerville
Cotter	Jacobsen	McMillin	Stallworth
Crawford	Jenkins	Muxlow	Stamas
Daley	Johnson	Nathan	Stanley
Darany	Kandrevas	Nesbitt	Switalski
Denby	Kelly	O'Brien	Talabi
Dianda	Kesto	Oakes	Townsend
Dillon	Kivela	Olumba	VerHeulen
Driskell	Knezek	Outman	Victory
Durhal	Kosowski	Pagel	Walsh
Faris	Kowall	Pettalia	Yanez
Farrington	Kurtz	Poleski	Yonker
Forlini	LaFontaine	Potvin	Zemke
Foster	Lamonte	Price	Zorn
Franz			

Nays—5

Geiss	Roberts	Robinson	Tlaib
Irwin			

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 4392, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2008 PA 309; 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. 62**Yeas—105**

Abed	Genetski	Lamonte	Price
Ananich	Glardon	Lane	Pscholka
Banks	Goike	Lauwers	Rendon
Barnett	Graves	LaVoy	Roberts
Bolger	Greimel	Leonard	Rogers
Brinks	Haines	Lipton	Rutledge
Brown	Haugh	Lori	Santana
Brunner	Haveman	Lund	Schmidt
Bumstead	Heise	Lyons	Schor
Callton	Hobbs	MacGregor	Segal
Cavanagh	Hooker	MacMaster	Shirkey
Clemente	Hovey-Wright	McBroom	Smiley
Cochran	Howrylak	McCann	Somerville
Cotter	Irwin	McCready	Stallworth
Crawford	Jacobsen	McMillin	Stamas
Daley	Jenkins	Muxlow	Stanley
Darany	Johnson	Nathan	Switalski
Denby	Kandrevas	Nesbitt	Talabi
Dianda	Kelly	O'Brien	Tlaib
Dillon	Kesto	Oakes	Townsend
Driskell	Kivela	Olumba	VerHeulen
Durhal	Knezek	Outman	Victory
Faris	Kosowski	Pagel	Walsh
Farrington	Kowall	Pettalia	Yanez
Forlini	Kurtz	Poleski	Yonker
Foster	LaFontaine	Potvin	Zorn
Franz			

Nays—5

Geiss	Singh	Slavens	Zemke
Robinson			

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 4264, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174a (MCL 750.174a), as amended by 2012 PA 172.

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

Roll Call No. 63**Yeas—102**

Abed	Geiss	Lauwers	Pscholka
Ananich	Genetski	LaVoy	Rendon
Banks	Glardon	Leonard	Roberts

Barnett	Goike	Lipton	Rogers
Bolger	Graves	Lori	Rutledge
Brinks	Greimel	Lund	Schmidt
Brown	Haines	Lyons	Schor
Brunner	Haugh	MacGregor	Segal
Bumstead	Heise	MacMaster	Shirkey
Callton	Hobbs	McBroom	Singh
Cavanagh	Hooker	McCann	Slavens
Clemente	Hovey-Wright	McCready	Smiley
Cochran	Jacobsen	McMillin	Somerville
Cotter	Jenkins	Muxlow	Stamas
Crawford	Johnson	Nathan	Stanley
Daley	Kandrevas	Nesbitt	Switalski
Darany	Kelly	O'Brien	Tlaib
Denby	Kesto	Oakes	Townsend
Dianda	Kivela	Olumba	VerHeulen
Dillon	Knezek	Outman	Victory
Driskell	Kosowski	Pagel	Walsh
Faris	Kowall	Pettalia	Yanez
Farrington	Kurtz	Poleski	Yonker
Forlini	LaFontaine	Potvin	Zemke
Foster	Lamonte	Price	Zorn
Franz	Lane		

Nays—8

Durhal	Howrylak	Robinson	Stallworth
Haveman	Irwin	Santana	Talabi

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 4127, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6b (MCL 765.6b), as amended by 2008 PA 192.

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

Roll Call No. 64**Yeas—109**

Abed	Genetski	Lane	Rendon
Ananich	Glardon	Lauwers	Roberts
Banks	Goike	LaVoy	Rogers
Barnett	Graves	Leonard	Rutledge
Bolger	Greimel	Lipton	Santana
Brinks	Haines	Lori	Schmidt
Brown	Haugh	Lund	Schor
Brunner	Haveman	Lyons	Segal
Bumstead	Heise	MacGregor	Shirkey
Callton	Hobbs	MacMaster	Singh

Cavanagh	Hooker	McBroom	Slavens
Clemente	Hovey-Wright	McCann	Smiley
Cochran	Howrylak	McCready	Somerville
Cotter	Irwin	McMillin	Stallworth
Crawford	Jacobsen	Muxlow	Stamas
Daley	Jenkins	Nathan	Stanley
Darany	Johnson	Nesbitt	Switalski
Denby	Kandrevas	O'Brien	Talabi
Dianda	Kelly	Oakes	Tlaib
Dillon	Kesto	Olumba	Townsend
Driskell	Kivela	Outman	VerHeulen
Durhal	Knezek	Pagel	Victory
Faris	Kosowski	Pettalia	Walsh
Farrington	Kowall	Poleski	Yanez
Forlini	Kurtz	Potvin	Yonker
Foster	LaFontaine	Price	Zemke
Franz	Lamonte	Pscholka	Zorn
Geiss			

Nays—1

Robinson

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 4177, entitled

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

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

Roll Call No. 65

Yeas—110

Abed	Genetski	Lauwers	Roberts
Ananich	Gardon	LaVoy	Robinson
Banks	Goike	Leonard	Rogers
Barnett	Graves	Lipton	Rutledge
Bolger	Greimel	Lori	Santana
Brinks	Haines	Lund	Schmidt
Brown	Haugh	Lyons	Schor
Brunner	Haveman	MacGregor	Segal
Bumstead	Heise	MacMaster	Shirkey
Callton	Hobbs	McBroom	Singh
Cavanagh	Hooker	McCann	Slavens
Clemente	Hovey-Wright	McCready	Smiley
Cochran	Howrylak	McMillin	Somerville
Cotter	Irwin	Muxlow	Stallworth
Crawford	Jacobsen	Nathan	Stamas
Daley	Jenkins	Nesbitt	Stanley

Darany	Johnson	O'Brien	Switalski
Denby	Kandrevas	Oakes	Talabi
Dianda	Kelly	Olumba	Tlaib
Dillon	Kesto	Outman	Townsend
Driskell	Kivela	Pagel	VerHeulen
Durhal	Knezek	Pettalia	Victory
Faris	Kosowski	Poleski	Walsh
Farrington	Kowall	Potvin	Yanez
Forlini	Kurtz	Price	Yonker
Foster	LaFontaine	Pscholka	Zemke
Franz	Lamonte	Rendon	Zorn
Geiss	Lane		

Nays—0

In The Chair: Walsh

The House agreed to the title of the bill.

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

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

House Bill No. 4369, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3, 4, 5, 11a, 501, 502, 654, 921, 1147, 1212, 1228, 1229, and 1280c (MCL 380.3, 380.4, 380.5, 380.11a, 380.501, 380.502, 380.654, 380.921, 380.1147, 380.1212, 380.1228, 380.1229, and 380.1280c), section 3 as amended by 2007 PA 45, sections 4 and 5 as amended by 2011 PA 232, section 11a as amended by 2010 PA 91, sections 501 and 502 as amended by 2011 PA 277, section 1147 as amended by 2012 PA 198, section 1212 as amended by 2003 PA 299, section 1228 as added by 1995 PA 289, section 1229 as amended by 2011 PA 105, and section 1280c as amended by 2011 PA 8, and by adding section 1701b and part 7c.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Lyons moved to amend the bill as follows:

1. Amend page 44, line 15, after "(7)" by inserting "**BEGINNING JANUARY 1, 2014, THE STATE SCHOOL REDESIGN OFFICER HAS THE POWER AND DUTY TO ISSUE ORDERS PLACING PUBLIC SCHOOLS THAT ARE ON THE LIST REQUIRED UNDER SUBSECTION (1) IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY AS PROVIDED UNDER THIS SUBSECTION. IF THE STATE SCHOOL REDESIGN OFFICER DETERMINES THAT HE OR SHE WILL ISSUE AN ORDER PLACING A PUBLIC SCHOOL IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY FOR A SCHOOL YEAR, THE STATE SCHOOL REDESIGN OFFICER SHALL ISSUE THAT ORDER AND NOTIFY THE SCHOOL BOARD OR BOARD OF DIRECTORS OPERATING THE PUBLIC SCHOOL OF THAT ORDER DURING THE FIRST WEEK OF JANUARY OF THE CALENDAR YEAR IN WHICH THAT SCHOOL YEAR BEGINS.**".

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,

Rep. Goike moved to amend the bill as follows:

1. Amend page 44, line 16, after "(16)" by inserting "**AND SUBSECTIONS (19) TO (22)**".

2. Amend page 44, line 24, after "**YEARS.**" by inserting "**HOWEVER, THE STATE SCHOOL REDESIGN OFFICER SHALL NOT ISSUE AN ORDER PLACING A PUBLIC SCHOOL IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY PURSUANT TO THIS SUBDIVISION UNTIL THE EXPIRATION OF 60 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION.**".

3. Amend page 54, line 23, after "**CENTER**" by striking out "**SCHOOL**" and inserting "**PROGRAM**".

4. Amend page 56, following line 22, by inserting:

"(19) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AT ANY TIME BEFORE PLACEMENT OF A PUBLIC SCHOOL THAT IS OPERATED BY A SCHOOL DISTRICT AND IS INCLUDED

ON THE LIST UNDER SUBSECTION (1) IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY, THE SCHOOL BOARD OF THE PUBLIC SCHOOL OR, FOR A QUALIFIED PUBLIC SCHOOL, THE CHANCELLOR, MAY REQUEST THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE PUBLIC SCHOOL IS LOCATED TO ASSUME WITH RESPECT TO THE PUBLIC SCHOOL THE FUNCTIONS AND RESPONSIBILITIES THAT THE ACHIEVEMENT AUTHORITY HAS UNDER THIS SECTION FOR A PUBLIC SCHOOL PLACED IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY. WITHIN 30 DAYS AFTER RECEIVING THE REQUEST, THE INTERMEDIATE SCHOOL DISTRICT SHALL DETERMINE WHETHER TO ASSUME THOSE FUNCTIONS AND RESPONSIBILITIES, AND SHALL HAVE 30 DAYS AFTER THE REQUEST IS RECEIVED TO APPROVE AND GIVE EFFECT TO AN AGREEMENT FOR THIS PURPOSE WITH THE SCHOOL BOARD OF THE PUBLIC SCHOOL. UPON THE AGREEMENT TAKING EFFECT WITHIN THIS TIME PERIOD, ALL OF THE FUNCTIONS AND RESPONSIBILITIES THAT THE ACHIEVEMENT AUTHORITY HAS UNDER THIS SECTION FOR A PUBLIC SCHOOL PLACED IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY ARE ASSUMED AND MAY BE EXERCISED BY THE INTERMEDIATE SCHOOL DISTRICT WITH RESPECT TO THE PUBLIC SCHOOL. BEGINNING ON THE EFFECTIVE DATE OF THE AGREEMENT, THE PUBLIC SCHOOL SHALL NOT BE PLACED IN OR BE A PART OF THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY UNLESS ANY OF THE FOLLOWING OCCUR:

(A) THE PUBLIC SCHOOL HAS APPEARED ON THE LIST UNDER SUBSECTION (1) FOR AT LEAST 3 CONSECUTIVE YEARS REPRESENTING 3 FULL SCHOOL YEARS AFTER THE INTERMEDIATE SCHOOL DISTRICT ASSUMED THE FUNCTIONS AND RESPONSIBILITIES UNDER THIS SUBSECTION WITH RESPECT TO THE PUBLIC SCHOOL.

(B) AT ANY TIME AFTER THE INTERMEDIATE SCHOOL DISTRICT ASSUMED THE FUNCTIONS AND RESPONSIBILITIES UNDER THIS SUBSECTION WITH RESPECT TO THE PUBLIC SCHOOL, THE INTERMEDIATE SCHOOL DISTRICT OR THE SCHOOL BOARD OF THE PUBLIC SCHOOL REQUESTS THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO PLACE THE PUBLIC SCHOOL UNDER, OR RETURN THE PUBLIC SCHOOL TO, CONTROL OF THE STATE SCHOOL REDESIGN OFFICER UNDER THIS SECTION, OR, FOR A QUALIFIED PUBLIC SCHOOL, THE CHANCELLOR REQUESTS THAT THE QUALIFIED PUBLIC SCHOOL BE RETURNED TO THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY.

(C) FOR A PUBLIC SCHOOL THAT IS NOT A QUALIFIED PUBLIC SCHOOL AND THAT APPEARED ON THE LIST UNDER SUBSECTION (1) AT LEAST 3 CONSECUTIVE YEARS IMMEDIATELY PRECEDING THE DATE ON WHICH THE INTERMEDIATE SCHOOL DISTRICT ASSUMED FUNCTIONS AND RESPONSIBILITIES UNDER THIS SUBSECTION, OR SEPTEMBER 1, 2015, WHICHEVER IS LATER, THE STATE SCHOOL REDESIGN OFFICER DETERMINES THAT INSUFFICIENT PROGRESS IS BEING MADE AT THAT PUBLIC SCHOOL.

(20) IF A PUBLIC SCHOOL UNDER THE SUPERVISION OF AN INTERMEDIATE SCHOOL DISTRICT UNDER SUBSECTION (19) ACHIEVES SUFFICIENT IMPROVEMENT WHILE UNDER THE SUPERVISION OF THE INTERMEDIATE SCHOOL DISTRICT, AS EVIDENCED BY IT NOT APPEARING ON THE LIST UNDER SUBSECTION (1) FOR 3 CONSECUTIVE YEARS FOLLOWING THE ASSUMPTION OF FUNCTIONS AND RESPONSIBILITIES BY THE INTERMEDIATE SCHOOL DISTRICT UNDER SUBSECTION (19), THE SCHOOL BOARD OF THE PUBLIC SCHOOL OR FOR A QUALIFIED PUBLIC SCHOOL, THE SCHOOL BOARD OF THE SCHOOL DISTRICT IN WHICH THE QUALIFIED PUBLIC SCHOOL IS LOCATED, MAY ADOPT A RESOLUTION DIRECTING THE INTERMEDIATE SCHOOL DISTRICT TO RETURN THE PUBLIC SCHOOL TO THE CONTROL AND SUPERVISION OF THAT SCHOOL BOARD. UPON RECEIVING SUCH A RESOLUTION, THE INTERMEDIATE SCHOOL BOARD SHALL RETURN THE PUBLIC SCHOOL TO THE CONTROL AND SUPERVISION OF THAT SCHOOL BOARD. IF THE PUBLIC SCHOOL FAILS TO ACHIEVE SUFFICIENT IMPROVEMENT WHILE UNDER THE SUPERVISION OF THE INTERMEDIATE SCHOOL DISTRICT, AS DETERMINED BY THE STATE SCHOOL REDESIGN OFFICER, ALL OF THE FOLLOWING APPLY:

(A) FOR A PUBLIC SCHOOL THAT IS NOT A QUALIFIED PUBLIC SCHOOL, THE STATE SCHOOL REDESIGN OFFICER SHALL ISSUE AN ORDER PLACING THE PUBLIC SCHOOL UNDER THE CONTROL OF THE STATE SCHOOL REDESIGN OFFICER.

(B) FOR A PUBLIC SCHOOL THAT IS A QUALIFIED PUBLIC SCHOOL, THE STATE SCHOOL REDESIGN OFFICER SHALL ISSUE AN ORDER PLACING THE PUBLIC SCHOOL WITHIN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY.

(C) THE INTERMEDIATE SCHOOL DISTRICT MAY NOT EXERCISE THE FUNCTIONS AND RESPONSIBILITIES PROVIDED UNDER SUBSECTION (19) WITH RESPECT TO THAT PUBLIC SCHOOL.

(21) AN INTERMEDIATE SCHOOL DISTRICT MAY NOT ENTER INTO AN INTERGOVERNMENTAL AGREEMENT TO JOINTLY EXERCISE FUNCTIONS AND RESPONSIBILITIES OR A CONTRACT TO TRANSFER FUNCTIONS AND RESPONSIBILITIES OF AN INTERMEDIATE SCHOOL DISTRICT UNDER SUBSECTIONS (19) AND (20).

(22) AS USED IN SUBSECTIONS (19) AND (20), “QUALIFIED PUBLIC SCHOOL” MEANS A PUBLIC SCHOOL OPERATED BY A SCHOOL DISTRICT THAT IS SUBJECT TO AN ORDER ISSUED BY THE STATE SCHOOL REDESIGN OFFICER PLACING THE PUBLIC SCHOOL IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE ACHIEVEMENT AUTHORITY AND THAT HAS BEEN WITHIN THE STATE REFORM DISTRICT FOR LESS THAN 1 YEAR.” and renumbering the remaining subsections.

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

The question being on the passage of the bill,

Rep. Johnson moved to amend the bill as follows:

1. Amend page 59, following line 2, by inserting:

“(25) EMPLOYEES OF A PUBLIC SCHOOL AT THE TIME IT IS PLACED IN THE STATE REFORM DISTRICT AND UNDER THE CONTROL OF THE EDUCATION ACHIEVEMENT AUTHORITY, AND WHO ARE HIRED BY THE EDUCATION ACHIEVEMENT AUTHORITY, WILL CONTINUE TO BE MEMBERS OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM UNDER THE MICHIGAN PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO 38.1437, IF THE PUBLIC SCHOOL WAS OPERATED BY A REPORTING UNIT OF THE MICHIGAN PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM UNDER THAT ACT.” and renumbering the remaining subsection.

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. 66

Yeas—57

Bolger	Heise	Lund	Potvin
Callton	Hooker	Lyons	Price
Cotter	Howrylak	MacGregor	Pscholka
Crawford	Jacobsen	MacMaster	Rendon
Daley	Jenkins	McBroom	Rogers
Denby	Johnson	McCready	Schmidt
Farrington	Kelly	McMillin	Shirkey
Forlini	Kesto	Muxlow	Somerville
Foster	Kowall	Nesbitt	Stamas
Franz	Kurtz	O’Brien	VerHeulen
Genetski	LaFontaine	Olumba	Victory
Goike	Lauwers	Outman	Walsh
Graves	Leonard	Pagel	Yonker
Haines	Lori	Poleski	Zorn
Haveman			

Nays—53

Abed	Driskell	Kosowski	Schor
Ananich	Durhal	Lamonte	Segal
Banks	Faris	Lane	Singh
Barnett	Geiss	LaVoy	Slavens
Brinks	Gardon	Lipton	Smiley
Brown	Greimel	McCann	Stallworth
Brunner	Haugh	Nathan	Stanley
Bumstead	Hobbs	Oakes	Switalski
Cavanagh	Hovey-Wright	Pettalia	Talabi
Clemente	Irwin	Roberts	Tlaib

Cochran
Darany
Dianda
Dillon

Kandrevas
Kivela
Knezek

Robinson
Rutledge
Santana

Townsend
Yanez
Zemke

In The Chair: Walsh

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

Mr. Speaker, I rise in opposition to HB 4369, legislation that would codify and expand an experimental approach to intervening in troubled schools before we have any results on whether this experiment is working. Why are we doing this?

Everyone in this chamber would acknowledge that our most precious asset is our children. We all know that our first job is to safeguard our children and provide for their future. Yet in this House today, the majority is saying, ‘let’s wing it,’ when it comes to our children’s education. Mr. Speaker, I submit that our children’s education and their future is too precious for us to double down on the Educational Achievement Authority before we have any data on its effectiveness.

But even if there were clear evidence that the EAA’s educational strategies were effective, there is no reason why these approaches cannot be used in community-based public schools. Why do we need to create a new statewide bureaucracy to implement reforms in our public school system? This heavy-handed top down approach is not necessary and not likely to achieve its goals.

I can only conclude that a priority other than the best interest of our students is at work in this legislation. In pushing this legislation, the Republican majority is putting politics above our kids. For this reason, and for the others I have cited, I urge my colleagues to vote no on this legislation.”

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

“Mr. Speaker and members of the House:

Mr. Speaker, I would like to speak today about the effect this legislation will have on my schools and the students in my school district in the Lansing Public Schools.

Lansing is unique. Eastern High School in the Lansing School District is home to students speaking dozens of languages because they are recent immigrants. Walk the halls and listen to international students from the Congo, Burma, Nepal - the world. Eastern must teach these students to learn a new language and then teach them how to learn. These kids are great and want to learn and be productive students here in Michigan. In Lansing, diversity is an asset. But to the state and the EAA, those new students must pass the same tests given to other more naturally privileged kids - or our Lansing students are considered a failure.

Governor Snyder talks about the need for immigrants here in Michigan and the importance of having communities that are welcoming to all in order to attract talent and bring jobs to Michigan. Well I say to my colleagues, I agree with the Governor. When these children come to America, we need those students to succeed and lead, but the road to success can be bumpy. Lansing knows how to embrace diversity and make students successful - but it takes time, and it takes an investment - not fewer resources directed toward education and schools being taken over under this legislation.

Lansing does have students with challenges. We have a wide variety of socio-economic backgrounds...some middle class and some lower income working families. Our new Superintendent and our school board is working through those problems to help our students. They have priority schools, and have chosen the transformation model - one of the four allowed under the race to the top legislation. Now this legislation will have them taken over by an unaccountable authority. Eastern High School replaced its principal and has complied with the eleven other requirements. The problem is not that the school district is missing the mark...it is that the mark keeps changing!

Lansing schools are complying with current law and helping more and more students succeed, and now the law is poised to change again. EAA does not use the same metrics or assessment instruments to determine student achievement as do the schools that are currently identified as Priority. The EAA reform model is not comprehensive nor does it consider the ‘whole child,’ as it only focuses on content mastery. There are no options for extra-curricular activities like sports, band, orchestra, visual/performing arts, career/technical education, special education, English-language learners, etc. EAA is not required to employ highly qualified teachers like No Child Left Behind is. Under No Child Left Behind, all public schools are required to use highly qualified teachers. So again we are asking for something different from our schools and our children.

Additionally, the No Child Left Behind Act already has in place the provision for state-takeover of schools by the Michigan Department of Education and the State Board of Education, who are elected representatives of the public. This EAA legislation will create a parallel educational bureaucracy when we already have a state education agency. So, we know the State Department of Education is accountable to the people and the elected school board. And to the US Department of Education is, too, because it is required to follow NCLB requirements. But we don't know who the EAA is accountable to.

This bill also fails to include an in-depth audit of existing issues in the school buildings and districts with concerning performances, and it takes away our local communities' ability to establish education policy, direct curriculum, and manage community resources. Even worse, it allows for these activities without providing any substantive local controls to establish standards, create missions and goals, monitor performance, or audit the finances of new schools created by HB 4369.

I am also greatly disappointed that the Republican majority in the Michigan House of Representatives REJECTED several common-sense amendments that attempted to fix some of the many problems in this bill. Those amendments include:

- require EAA schools to have the same testing standards as public schools
- require parent groups at EAA schools
- require the EAA to hold monthly public meetings just like public school boards
- limit the terms of EAA members to 4 years
- prohibit EAA schools from converting schools to for-profit charters
- put the EAA under the State Board of Education
- require the State School Board to decide which schools are EAA schools
- require EAA be subject to FOIA
- add a sunset to the legislation
- prevent court shopping
- do an educational and organizational audit

Instead of passing this legislation, we need to focus on helping our local schools do better. This legislation is not good for the students or parents in Lansing or in other schools, and I hope you will join me in voting to reject it.”

Rep. Stamas 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
Motions and Resolutions

Rep. Stamas moved that when the House adjourns today it stand adjourned until Tuesday, April 9, at 1:30 p.m.
The motion prevailed.

Messages from the Senate

Senate Bill No. 264, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 1301, 3109c, 30105, and 32512a (MCL 324.1301, 324.3109c, 324.30105, and 324.32512a), section 1301 as amended by 2012 PA 249, section 3109c as added by 2006 PA 97, section 30105 as amended by 2009 PA 120, and section 32512a as amended by 2012 PA 247, and by adding sections 30106b and 32515a.

The Senate has passed the bill.

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

Announcements by the Clerk

The Clerk received the following dissent on **House Bill No. 4274**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even

a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4275**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4277**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4376**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4377**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4378**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4379**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4380**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4381**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4392**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

The Clerk received the following dissent on **House Bill No. 4264**, from Rep. Irwin:

I continue to object to the use of procedural tricks to subvert the Constitutional rights of citizens to know accurately the actions of the House of Representatives. Motions for immediate effect are routinely gaveled through without even a pretense of vote counting. This motion requires support from 2/3rds of the members and there is no genuine effort to ascertain the level of support for immediate effect. I object to this practice and I object to the erroneous assertions printed in the House Journal that suggest an authentic counting of votes occurred on the House floor.

Rep. Price moved that the House adjourn.
The motion prevailed, the time being 7:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, April 9, at 1:30 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

