



# HOUSE BILL No. 4154

February 4, 1993, Introduced by Reps. Porreca, Baade, Keith and DeMars and referred to the Committee on Education.

A bill to establish the Michigan public school teacher employment commission; to prescribe its powers and duties; and to prescribe certain powers and duties of certain state officials, departments, and agencies.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. As used in this act:

2       (a) "Commission" means the Michigan public school teacher  
3 employment commission created in section 2.

4       (b) "School district" means a school district or a local act  
5 school district, as defined in the school code of 1976, Act  
6 No. 451 of the Public Acts of 1976, being sections 380.1 to  
7 380.1852, of the Michigan Compiled Laws.

8       Sec. 2. (1) Not later than 30 days after the effective date  
9 of this act, the governor shall appoint with the advice and  
10 consent of the senate the Michigan public school teacher

1 employment commission for the purpose of developing a plan to  
2 provide for employment by the state, rather than by school dis-  
3 tricts, of public school teachers hired after January 1, 1995 and  
4 recommendations for legislation to implement the plan.

5 (2) The commission shall consist of the following 9  
6 members:

7 (a) Two members representing school districts.

8 (b) Two members representing public school teachers.

9 (c) Two members representing business.

10 (d) Three members representing the general public.

11 (3) A vacancy on the commission shall be filled in the same  
12 manner as the original appointment.

13 (4) Not later than 10 days after all appointments have been  
14 made and confirmed under this section, the commission shall hold  
15 its first meeting. At the meeting, the commission shall elect a  
16 chairperson and other officers as it considers necessary from  
17 among its members. Following this initial meeting, the commis-  
18 sion shall hold meetings as considered necessary by the  
19 chairperson.

20 (5) A majority of the members of the commission constitute a  
21 quorum for the transaction of business at a meeting of the  
22 commission. Action by the commission shall be by a majority of  
23 the votes cast.

24 (6) A member of the commission shall be reimbursed for  
25 actual and necessary expenses incurred in the performance of  
26 official duties.

1 (7) Pursuant to section 4 of article V of the state  
2 constitution of 1963, the term of office of members of the  
3 commission is 2 years.

4 Sec. 3. The commission shall do all of the following:

5 (a) Develop a public school teacher employment plan in  
6 accordance with this section and in compliance with section 4.

7 (b) Not later than 6 months after the date of the first  
8 meeting of the commission, publish a report on its findings and  
9 recommendations on how to implement the public school teacher  
10 employment plan, with consideration given to the duration of  
11 existing collective bargaining agreements.

12 (c) After the publication of the report described in  
13 subdivision (b), hold public hearings across the state to provide  
14 information as appropriate to citizens, to answer questions, and  
15 to hear testimony on the public school teacher employment plan.

16 (d) After the completion of the public hearings required by  
17 subdivision (c) but not later than 1 year after the date of the  
18 first meeting of the commission, publish a final report on its  
19 public school teacher employment plan and legislative recommenda-  
20 tions on implementation of the plan and submit a copy of the  
21 report to the committees of the legislature having jurisdiction  
22 over education, public employment, and related appropriations.

23 Sec. 4. (1) The public school teacher employment plan  
24 required by section 3 shall include at least all of the  
25 following:

26 (a) Provisions that all teachers hired to teach in a school  
27 district after January 1, 1995 will be state employees and will

1 continue to be state employees as long as they serve as a teacher  
2 or school administrator in a school district.

3 (b) Provisions that all teachers employed by a school dis-  
4 trict as of January 1, 1995 will continue to be school district  
5 employees as long as they continue to teach in the school dis-  
6 trict by which they were employed as of January 1, 1995.

7 (c) Recommendations for employment practices for teachers  
8 who are state employees that will set statewide salaries and ben-  
9 efits and will have local determination and administration of all  
10 other working conditions, including, but not limited to, workload  
11 and class assignments, extracurricular duties, and layoff and  
12 recall. The recommendation shall include a system for local  
13 hiring decisions, based on statewide standards for determining  
14 local hiring needs, which standards may be based on teacher-pupil  
15 ratios or other objective criteria.

16 (d) Recommendations for revising the current system of  
17 teacher tenure under Act No. 4 of the extra session of 1937,  
18 being sections 38.71 to 38.191 of the Michigan Compiled Laws, as  
19 necessary to conform to the plan.

20 (e) A system for automatically reducing the number of mills  
21 levied in each school district for school operating purposes by  
22 an amount proportional to the reduction that will occur in the  
23 cost to the school district in teacher and administrator salaries  
24 as more of the teachers and school administrators in the school  
25 district become state employees.

26 (f) Recommendations on legislation needed to implement the  
27 plan.

1       (2) In carrying out its duties, the commission may do 1 or  
2 both of the following:

3       (a) Accept assistance from state departments or agencies and  
4 from other public or private organizations or individuals.

5       (b) Form committees or working groups as appropriate for the  
6 performance of its responsibilities.

7       Sec. 5. The department of education and any other depart-  
8 ment or agency as requested by the commission shall assist the  
9 commission and shall provide staff and services as required by  
10 the commission.

11       Sec. 6. The commission shall comply with the open meetings  
12 act, Act No. 267 of the Public Acts of 1976, being sections  
13 15.261 to 15.275 of the Michigan Compiled Laws, and the freedom  
14 of information act, Act No. 442 of the Public Acts of 1976, being  
15 sections 15.231 to 15.246 of the Michigan Compiled Laws.