

## MICHIGAN SENATE

## DAILY CALENDAR

WEDNESDAY, JUNE 15, 2005

10:00 a.m.

## MESSAGES FROM THE HOUSE

1

**SB 352** Sen. Hardiman  
Health; pharmaceuticals; prohibition against mail order pharmaceuticals and centralized prescription processing; eliminate prohibition and provide for.  
Amends secs. 17708, 17751, 17752 & 17763 of 1978 PA 368 (MCL 333.17708 et seq.) & adds sec. 17753.  
**I.E. House, May 25, 2005.**  
**Returned from House with House substitute (H-1), Tuesday, May 31; laid over under the rules.**  
**Committee recommended I.E.**

2

**HB 4434** Rep. Hummel  
Health; pharmaceuticals; prohibition against mail order pharmaceuticals and centralized prescription processing; eliminate prohibition and provide for.  
Amends secs. 17708, 17751, 17752 & 17763 of 1978 PA 368 (MCL 333.17708 et seq.) & adds sec. 17753.  
**I.E. House, April 21, 2005.**  
**I.E. Senate, May 12, 2005.**  
**Returned from House with House substitute (H-3) to Senate substitute (S-1), Tuesday, May 31; laid over under the rules.**

3

**SB 282** Sen. Gilbert  
Natural resources; soil and erosion; soil erosion and sedimentation control program; provide for general permits under certain circumstances.  
Amends secs. 9105 & 9106 of 1994 PA 451 (MCL 324.9105 & 324.9106) & adds secs. 9106a & 9115a.  
**I.E. House, June 1, 2005.**  
**Returned from House with House substitute (H-3), Thursday, June 2; laid over under the rules.**  
**Committee recommended I.E.**

4

**SB 189** Sen. Birkholz  
Health; pharmaceuticals; sale of certain over-the-counter products containing pseudoephedrine or ephedrine; require to be maintained behind counter and require photo identification.  
Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 17766b.  
**I.E. House, June 8, 2005.**  
**Returned from House with House substitute (H-1), Thursday, June 9; laid over under the rules.**  
**Committee recommended I.E.**

## MESSAGES FROM THE HOUSE

5

**SB 514** Sen. Cassis  
Education; school districts; certain references to election law in revised school code; correct.  
Amends secs. 4 & 5 of 1976 PA 451 (MCL 380.4 & 380.5).  
**I.E. House, June 9, 2005.**  
**Returned from House, Tuesday, June 14.**  
**Committee recommendation for I.E. pending.**

6

**SB 515** Sen. Cassis  
Higher education; community colleges; filing deadline for college trustee; revise and eliminate requirement that community college election be held same time as school elections.  
Amends secs. 38, 58 & 152 of 1966 PA 331 (MCL 389.38 et seq.).  
**I.E. House, June 9, 2005.**  
**Returned from House, Tuesday, June 14.**  
**Committee recommendation for I.E. pending.**

7

**SB 516** Sen. Allen  
Villages; home rule; terms of office; clarify.  
Amends 1909 PA 278 (MCL 78.1 - 78.28) by adding sec. 24d.  
**I.E. House, June 9, 2005.**  
**Returned from House with House substitute (H-1), Tuesday, June 14; laid over under the rules.**  
**Committee recommended I.E.**

8

**SB 517** Sen. Allen  
Cities; home rule; terms of office; clarify.  
Amends 1909 PA 279 (MCL 117.1 - 117.38) by adding sec. 3b.  
**I.E. House, June 9, 2005.**  
**Returned from House with House substitute (H-1), Tuesday, June 14; laid over under the rules.**  
**Committee recommended I.E.**

9

**SB 518** Sen. Allen  
Villages; general law; terms of office; clarify.  
Amends 1895 PA 3 (MCL 61.1 - 74.25) by adding sec. 5a to ch. II.  
**I.E. House, June 9, 2005.**  
**Returned from House with House substitute (H-1), Tuesday, June 14; laid over under the rules.**  
**Committee recommended I.E.**

## THIRD READING OF BILLS

10

**SB 102** Sen. Cropsey  
Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.  
Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

11

**SB 337** Sen. Allen  
Single business tax; credit; tax credit for historical buildings; create and limit issuance of.  
Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.  
**Reported by Committee on Commerce and Labor.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

12

**HB 4469** Rep. Gleason  
Health; code; organ donor procedure for driver license applicants; clarify.  
Amends sec. 10104 of 1978 PA 368 (MCL 333.10104).  
**I.E. House, April 13, 2005.**  
**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

13

**HB 4470** Rep. LaJoy  
Traffic control; driver license; heart logo on driver license; allow.  
Amends secs. 303, 307 & 812 of 1949 PA 300 (MCL 257.303 et seq.).  
**I.E. House, April 13, 2005.**  
**House substitute (H-2).**  
**Reported by Committee on Transportation.**  
**For Senate amendments, see Senate Journal No. 51, page 758.**  
**Committee recommended I.E.**

14

**HB 4444** Rep. Pavlov  
Natural resources; soil and erosion; soil erosion and sedimentation control program; provide for general permits under certain circumstances.  
Amends secs. 9105 & 9106 of 1994 PA 451 (MCL 324.9105 & 324.9106) & adds secs. 9106a & 9115a.  
**I.E. House, June 1, 2005.**  
**House substitute (H-4).**  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Committee recommended I.E.**

15

**SB 387** Sen. Patterson  
Single business tax; credit; lifetime learning expenses; provide for.  
Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35d.  
**Reported by Committee on Commerce and Labor.**  
**Senate substitute (S-4).**  
**Committee recommended I.E.**

## THIRD READING OF BILLS

16

**SB 393** Sen. Olshove  
Income tax; credit; lifetime learning expenses; provide for.  
Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.  
**Reported by Committee on Commerce and Labor.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

17

**SB 274** Sen. Clarke  
Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**For Senate amendments, see Senate Journal No. 56, page 857.**  
**Passed, Tuesday, June 14; motion to reconsider vote pending.**  
**Committee recommended I.E.**

18

**SB 278** Sen. Prusi  
Appropriations; natural resources; department of natural resources; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**For Senate amendments, see Senate Journal No. 56, page 858.**  
**Passed, Tuesday, June 14; motion to reconsider vote pending.**  
**Committee recommended I.E.**

19

**SB 267** Sen. Cherry  
Appropriations; community health; department of community health; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**For Senate amendments, see Senate Journal No. 56, page 859.**  
**Passed, Tuesday, June 14; motion to reconsider vote pending.**  
**Committee recommended I.E.**

20

**SB 270** Sen. Barcia  
Appropriations; environmental quality; department of environmental quality; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**For Senate amendments, see Senate Journal No. 56, pages 865, 877.**  
**Passed, Tuesday, June 14; motion to reconsider vote pending.**  
**Committee recommended I.E.**

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**THIRD READING OF BILLS**


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21

- SB 264** Sen. Barcia  
 Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**For Senate amendments, see Senate Journal No. 56, page 852.**  
**Passed, Tuesday, June 14; motion to reconsider vote pending.**  
**Committee recommended I.E.**

22

- SB 275** Sen. Prusi  
 Appropriations; judiciary; judiciary budget; provide for fiscal year 2005-2006.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**Passed, Tuesday, June 14; motion to reconsider vote pending.**  
**Committee recommended I.E.**

23

- SB 266** Sen. Switalski  
 Appropriations; community colleges; community and junior colleges; provide for fiscal year 2005-2006.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Passed, Tuesday, June 14; motion to reconsider vote pending.**  
**Committee recommended I.E.**

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**GENERAL ORDERS**


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24

- SB 233** Sen. Bishop  
 Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.  
**Referred to Committee of the Whole pursuant to MCL 24.245a.**

25

- SB 347** Sen. Toy  
 Taxation; administration; notification to individuals whose tax returns are reviewed; require.  
 Amends 1941 PA 122 (MCL 205.1 - 205.31) by adding sec. 21a.  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

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**GENERAL ORDERS**


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26

- SB 196** Sen. Jelinek  
 Legislature; legislators; legislator to substitute teach in public schools without pay; allow.  
 Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).  
**Reported by Committee on Education.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

27

- SB 351** Sen. Hammerstrom  
 Occupations; health care professions; registration of acupuncturists; provide for.  
 Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16322 & pt. 165.  
**Reported by Committee on Health Policy.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

28

- SB 334** Sen. Patterson  
 Public utilities; electric utilities; annual approval for a low income and energy efficiency factor regarding a distribution service; provide for.  
 Amends 1939 PA 3 (MCL 460.1 - 460.10cc) by adding sec. 10dd.  
**Reported by Committee on Technology and Energy.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

29

- SB 448** Sen. Cropsey  
 Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.  
 Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).  
**Reported by Committee on Judiciary.**  
**For Senate amendment, see Senate Journal No. 48, page 708.**  
**Committee recommended I.E.**

30

- HB 4481** Rep. Gaffney  
 Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.  
 Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).  
**I.E. House, April 19, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

31

**HB 4275** Rep. Vander Veen  
Elections; canvassing; state board of canvassers procedures; clarify.  
Amends sec. 477 of 1954 PA 116 (MCL 168.477).  
**I.E. House, April 20, 2005.**  
**Reported by Committee on Government Operations.**  
**Committee recommended I.E.**

32

**HB 4082** Rep. Gleason  
Traffic control; driver license; heart insignia on front of driver license of organ and tissue donors; provide for.  
Amends sec. 310 of 1949 PA 300 (MCL 257.310).  
**I.E. House, April 13, 2005.**  
**House substitute (H-4).**  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

33

**SB 268** Sen. Switalski  
Appropriations; corrections; department of corrections; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

34

**SB 269** Sen. Scott  
Appropriations; education; department of education; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

35

**SB 370** Sen. Brown  
Property; other; seller disclosure act; require that seller disclosure form encourage inspection for potential allergens.  
Amends sec. 7 of 1993 PA 92 (MCL 565.957).  
**Reported by Committee on Economic Development, Small Business and Regulatory Reform.**  
**Committee recommended I.E.**

36

**SB 456** Sen. Sanborn  
Liquor; retail sales; price reductions on liquor by SDD licensees; allow under certain circumstances.  
Amends sec. 229 of 1998 PA 58 (MCL 436.1229).  
**Reported by Committee on Economic Development, Small Business and Regulatory Reform.**  
**Committee recommended I.E.**

## GENERAL ORDERS

37

**HB 4541** Rep. Byrum  
Liquor; other; motorsports entertainment complexes with 1,500 or more seats; allow patrons to bring in their own alcoholic beverages under certain circumstances.  
Amends sec. 518 of 1998 PA 58 (MCL 436.1518).  
**I.E. House, May 25, 2005.**  
**House substitute (H-3).**  
**Reported by Committee on Economic Development, Small Business and Regulatory Reform.**  
**For Senate amendment, see Senate Journal No. 56, page 873.**  
**Committee recommended I.E.**

38

**SB 43** Sen. Thomas  
Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.  
Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

39

**SB 471** Sen. Toy  
Courts; other; state court information management commission; eliminate.  
Repeals sec. 1487 of 1961 PA 236 (MCL 600.1487[1]).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

40

**SB 472** Sen. Kuipers  
Energy; other; Michigan superconducting super collider commission; eliminate.  
Amends sec. 11 of 1987 PA 26 (MCL 3.821).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

41

**SB 473** Sen. Goschka  
Records; public; enhanced access to public records joint review committee; eliminate.  
Repeals sec. 5 of 1996 PA 462 (MCL 15.445).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

42

**SB 474** Sen. Garcia  
State; funds; treasury advisory board; repeal.  
Repeals sec. 2 of 1855 PA 105 (MCL 21.142).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

## GENERAL ORDERS

43

**SB 475** Sen. Hardiman  
Higher education; research; state research fund feasibility review panel; eliminate.  
Amends sec. 2 of 1982 PA 175 (MCL 125.1952).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

44

**SB 476** Sen. Sanborn  
State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.  
Amends sec. 77 of 1984 PA 270 (MCL 125.2077).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

45

**SB 477** Sen. Allen  
Campaign finance; statements and reports; electronic filing advisory board; eliminate.  
Amends sec. 18 of 1976 PA 388 (MCL 169.218).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

46

**SB 478** Sen. Jelinek  
State agencies (existing); boards and commissions; highway safety task force; eliminate.  
Amends sec. 629d of 1949 PA 300 (MCL 257.629d) & repeals sec. 629d of 1949 PA 300 (MCL 257.629d).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

47

**SB 480** Sen. Birkholz  
Insurance; prudent purchaser agreements; joint legislative committee to investigate the degree of competition in the health care coverage market; eliminate.  
Repeals sec. 10 of 1984 PA 233 (MCL 550.60).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

48

**SB 481** Sen. Cropsey  
Courts; cyber court; legislative oversight committee on the cyber court; eliminate.  
Repeals sec. 8029 of 1961 PA 236 (MCL 600.8029).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

49

**SB 276** Sen. Prusi  
Appropriations; labor and economic growth; department of labor and economic growth; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

## GENERAL ORDERS

50

**SB 273** Sen. Cherry  
Appropriations; higher education; higher education; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

51

**SB 280** Sen. Clarke  
Appropriations; state police; department of state police; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

52

**SB 277** Sen. Clarke  
Appropriations; military affairs and state police; department of military and veterans affairs; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

53

**SB 272** Sen. Switalski  
Appropriations; general government; general government; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

54

**HB 4623** Rep. Nitz  
Agriculture; associations and commissions; potato commission; allow to reapportion either the number of commission members or members districts.  
Amends sec. 2 of 1970 PA 29 (MCL 290.422).  
**I.E. House, May 10, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Agriculture, Forestry and Tourism.**  
**Committee recommended I.E.**

55

**HB 4635** Rep. Hansen  
Agriculture; fertilizer; sale of ammonium nitrate; regulate circumstances of its sale.  
Amends secs. 8515 & 8516 of 1994 PA 451 (MCL 324.8515 & 324.8516).  
**I.E. House, May 19, 2005.**  
**House substitute (H-2).**  
**Reported by Committee on Agriculture, Forestry and Tourism.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

**GENERAL ORDERS**

56

**SB 271** Sen. Scott  
 Appropriations; family independence agency; family independence agency; provide for fiscal year 2005-2006.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

57

**SB 281** Sen. Barcia  
 Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

58

**SB 279** Sen. Switalski  
 Appropriations; school aid; school aid; provide for fiscal year 2005-2006.  
 Amends secs. 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 26a, 31a, 31d, 32c, 32d, 32j, 37, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, 107b, 147, 158b & 164c of 1979 PA 94 (MCL 388.1604 et seq.); adds secs. 22e, 26b & 103 & repeals secs. 11b, 32f, 98b & 166 of 1979 PA 94 (MCL 388.1611b et seq.).  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

**RESOLUTIONS**

59

**SCR 22** Sen. Brown  
 A concurrent resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.  
**Reported by Committee on Agriculture, Forestry and Tourism.**  
**For text of resolution, see Senate Journal No. 50, page 736.**  
**Adoption pending.**

60

**SR 35** Sen. Brater  
 A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance, including additional emergency funding, in the effort to mitigate the infestation of the Emerald Ash Borer.  
**Reported by Committee on Agriculture, Forestry and Tourism.**  
**For text of resolution, see Senate Journal No. 50, page 734.**  
**Adoption pending.**

**COMMITTEE REPORTS**

61

**SB 540** Sen. Sanborn  
 Financial institutions; mortgage brokers; leased employees performing services as agent of mortgage broker, lender, or servicer; exempt from licensing requirement.  
 Amends sec. 2 of 1987 PA 173 (MCL 445.1652).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

**SCHEDULED MEETINGS**

**Appropriations -**

**Subcommittees -**

**Higher Education and Education -** Wednesday, June 15, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Judiciary and Corrections -** Tuesday, June 21, 3:00 p.m., Senate Hearing Room, 1st Floor, Boji Tower (373-3760)

**K-12, School Aid, Education and Education -** Thursday, June 16, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-6960)

**Natural Resources Department -** Wednesday, June 15, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725) (CANCELED)

**Education and Higher Education Appropriations Subcommittee -** Wednesday, June 15, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6920)

**Education and K-12, School Aid, Education Appropriations Subcommittee -** Thursday, June 16, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-6920)

**Finance -** Thursday, June 16, 9:00 a.m., Room 424, Capitol Building (373-1758)

**Local, Urban and State Affairs -** Thursday, June 16, 1:00 p.m. or later immediately following session, Room 110, Farnum Building (373-1707)

**Senior Citizens and Veterans Affairs -** Wednesday, June 15, 1:00 p.m., Room 100, Farnum Building (373-1707)