

NO. 70
MICHIGAN SENATE
DAILY CALENDAR
TUESDAY, OCTOBER 19, 1999
10:00 a.m.

THIRD READING OF BILLS	
1	
<p>SJR G Sen. Sikkema State; employees and officers; lieutenant governor; amend constitution to allow governor to appoint a lieutenant governor if office becomes vacant. Amends sec. 21, art. V of the state constitution. Reported by Committee on Government Operations. Senate substitute (S-1). Defeated, Tuesday, March 9; motion to reconsider vote pending.</p>	<p>Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40113b. Reported by Committee on Hunting, Fishing and Forestry. For Senate amendments, see Senate Journal No. 44, page 729. Defeated, Tuesday, May 18; motion to reconsider vote pending. Committee recommended I.E.</p>
2	
<p>SB 287 Sen. Van Regenmorter Traffic control; violations; criminal road endangerment; establish and provide penalties. Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 626c. Reported by Committee on Judiciary. Senate substitute (S-6). Committee recommended I.E.</p>	<p style="text-align: center;">6</p> <p>SB 158 Sen. Rogers Worker's compensation; benefits; employee under the influence of intoxicating liquor or drugs; prohibit benefits paid. Amends 1969 PA 317 (MCL 418.101 - 418.941) by adding sec. 306. Reported by Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs. Senate substitute (S-2). For Senate amendment, see Senate Journal No. 56, page 1215. Committee recommended I.E.</p>
3	
<p>SB 390 Sen. Van Regenmorter Criminal procedure; sentencing guidelines; crime of criminal road endangerment; include in sentencing guidelines. Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12). Reported by Committee on Judiciary. Senate substitute (S-2). Committee recommended I.E.</p>	<p style="text-align: center;">GENERAL ORDERS</p> <p style="text-align: center;">7</p> <p>SB 398 Sen. Jaye Natural resources; fishing; reporting of ice fishing rescue warnings and civil infraction determinations on LEIN system; provide for. Amends sec. 4 of 1974 PA 163 (MCL 28.214). Reported by Committee on Hunting, Fishing and Forestry. Committee recommended I.E.</p>
4	
<p>SB 300 Sen. Jaye Weapons; licensing; time limit for permit to purchase pistol; extend. Amends sec. 2 of 1927 PA 372 (MCL 28.422). Reported by Committee on Hunting, Fishing and Forestry. For Senate amendment, see Senate Journal No. 32, page 483. Committee recommended I.E.</p>	<p style="text-align: center;">8</p> <p>SB 399 Sen. Jaye Natural resources; fishing; reporting of individuals rescued from waters as result of ice fishing; require and provide for civil infraction determination and civil liability. Amends part heading of pt. 465 & secs. 46501 & 46509 of 1994 PA 451 (MCL 324.46501 & 324.46509); adds sec. 46510 & repeals sec. 46510 of 1994 PA 451 (MCL 324.46510). Reported by Committee on Hunting, Fishing and Forestry.</p>
5	
<p>SB 438 Sen. Jaye Natural resources; hunting; firearm hunting from raised platforms; allow.</p>	

<p style="text-align: center;">Committee recommended I.E.</p> <hr/> <p style="text-align: center;">9</p> <p>SB 378 Sen. Gougeon Crimes; embezzlement; embezzlement by certain court-appointed guardians, conservators, personal representatives, trustees, and other fiduciaries; prohibit and provide penalties. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 174a. Reported by Committee on Judiciary. Committee recommended I.E.</p>	<hr/> <p style="text-align: center;">13</p> <p>HB 4544 Rep. Howell Crimes; larceny; larceny of firearm; increase penalty and prohibit possession of stolen firearm. Amends sec. 357b of 1931 PA 328 (MCL 750.357b). I.E. House, May 20, 1999. House substitute (H-1). Reported by Committee on Judiciary. Committee recommended I.E.</p>
<hr/> <p style="text-align: center;">10</p> <p>SB 597 Sen. Gougeon Criminal procedure; sentencing guidelines; felony provisions for embezzlement by certain court-appointed guardians, conservators, personal representatives, trustees, and other fiduciaries; include in sentencing guidelines. Amends sec. 16i, ch. XVII of 1927 PA 175 (MCL 777.16i). Reported by Committee on Judiciary. Senate substitute (S-1). Committee recommended I.E.</p>	<hr/> <p style="text-align: center;">14</p> <p>HB 4641 Rep. Godchaux Explosives; other; age requirements for purchase of explosives; increase. Amends secs. 5 & 15 of 1970 PA 202 (MCL 29.45 & 29.55). I.E. House, May 19, 1999. House substitute (H-1). Reported by Committee on Judiciary. Committee recommended I.E.</p>
<hr/> <p style="text-align: center;">11</p> <p>HB 4534 Rep. Kowall Weapons; concealed; forfeiture of concealed weapons carried in violation of Michigan penal code; make subject to forfeiture provisions of firearms act. Amends sec. 239 of 1931 PA 328 (MCL 750.239). I.E. House, May 19, 1999. Reported by Committee on Hunting, Fishing and Forestry. For Senate amendment, see Senate Journal No. 49, page 857.</p>	<hr/> <p style="text-align: center;">15</p> <p>HB 4642 Rep. Thomas Explosives; other; teaching of explosives on the internet; prohibit. Amends sec. 528a of 1931 PA 328 (MCL 750.528a). I.E. House, May 19, 1999. House substitute (H-2). Reported by Committee on Judiciary. Committee recommended I.E.</p>
<hr/> <p style="text-align: center;">12</p> <p>HB 4543 Rep. Basham Crimes; weapons; penalties for certain crimes involving firearms; increase. Amends secs. 233, 234d, 234e, 234f, 235 & 237 of 1931 PA 328 (MCL 750.233 et seq.). I.E. House, May 19, 1999. House substitute (H-2). Reported by Committee on Hunting, Fishing and Forestry. Senate substitute (S-2).</p>	<hr/> <p style="text-align: center;">16</p> <p>HB 4643 Rep. Woronchak Explosives; other; penalty for possessing an explosive when that violation results in the death of another individual or serious impairment of a body function of another individual; increase. Amends secs. 209a & 212a of 1931 PA 328 (MCL 750.209a & 750.212a). I.E. House, May 19, 1999. House substitute (H-1). Reported by Committee on Judiciary. Committee recommended I.E.</p>
	<hr/> <p style="text-align: center;">17</p> <p>SB 447 Sen. Emmons Education; attendance; eligibility to start kindergarten; change to age 5 on September 1. Amends sec. 1147 of 1976 PA 451 (MCL 380.1147). Reported by Committee on Education. Senate substitute (S-1).</p>

<p style="text-align: center;">Committee recommended I.E.</p> <hr/> <p style="text-align: center;">18</p> <hr/> <p>SB 275 Sen. Young Crimes; assaultive; assault or battery of certain vehicle operators and passengers; prohibit under certain circumstances and provide for penalties. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 81c. Reported by Committee on Judiciary. Senate substitute (S-1). Committee recommended I.E.</p>	<p>page 1435.</p> <p style="text-align: center;">Committee recommended I.E.</p> <hr/> <p style="text-align: center;">22</p> <hr/> <p>SB 726 Sen. Leland Cities; boards and commissions; number of members on the Detroit city council; revise, and establish redistricting commission. Reported by Committee on Local, Urban and State Affairs. Senate substitute (S-1). Committee recommended I.E.</p>
<hr/> <p style="text-align: center;">19</p> <hr/> <p>SB 774 Sen. Young Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting or battering operator or passenger of public transit vehicle; enact. Amends sec. 16d, ch. XVI of 1927 PA 175 (MCL 777.16d). Reported by Committee on Judiciary. Senate substitute (S-1). Committee recommended I.E.</p>	<hr/> <p style="text-align: center;">23</p> <hr/> <p>SB 55 Sen. North Torts; immunity; limitation of medical and dental malpractice liability for certain health professionals and health facilities when providing uncompensated care; provide for. Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding secs. 16277 & 20190. Reported by Committee on Health Policy. Senate substitute (S-4). Committee recommended I.E.</p>
<hr/> <p style="text-align: center;">20</p> <hr/> <p>SB 373 Sen. Van Regenmorter Criminal procedure; sentencing; sentencing guidelines; revise. Amends secs. 10, 11, 12 & 34, ch. IX & secs. 5, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 31, 35, 41, 42, 43, 46, 48 & 57, ch. XVII of 1927 PA 175 (MCL 769.10 et seq.); adds secs. 11b, 11d, 12b, 12d, 12f, 12h, 13b, 13d, 13f, 13h, 13j, 13l, 13n, 14b, 14d, 14f, 14h, 14j & 15b to ch. XVII & repeals sec. 22, ch. XVII of 1927 PA 175 (MCL 777.22). Reported by Committee on Judiciary. Senate substitute (S-6). Committee recommended I.E.</p>	<hr/> <p style="text-align: center;">24</p> <hr/> <p>SB 725 Sen. Schwarz Torts; immunity; immunity from liability for certain persons rendering emergency care or treatment using an automated external defibrillator; provide for. Amends sec. 20965 of 1978 PA 368 (MCL 333.20965). Reported by Committee on Health Policy. Committee recommended I.E.</p>
<hr/> <p style="text-align: center;">21</p> <hr/> <p>HB 4640 Rep. Faunce Criminal procedure; sentencing guidelines; technical amendments; provide for. Amends sec. 34, ch. IX & secs. 31, 43, 46 & 48, ch. XVII of 1927 PA 175 (MCL 769.34 et seq.). I.E. House, May 27, 1999. For House amendment, see House Journal No. 49, page 1139. Reported by Committee on Judiciary. For Senate amendment, see Senate Journal No. 67,</p>	<hr/> <p style="text-align: center;">25</p> <hr/> <p>HB 4479 Rep. Woronchak Insurance; health care corporations; prescription drugs; provide for general amendments. Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 401h. House substitute (H-1). Reported by Committee on Health Policy. Senate substitute (S-1). Committee recommended I.E.</p> <hr/> <p style="text-align: center;">26</p> <hr/> <p>HB 4480 Rep. DeRossett Insurance; health maintenance organizations; prescription drugs; provide for general amendments. Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21053f.</p>

House substitute (H-1).
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

27

HB 4481 Rep. Ehardt
 Insurance; health; prescription drugs; provide for general amendments.
 Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406o.

House substitute (H-1).
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

28

HB 4482 Rep. Howell
 Insurance; health care corporations; access to a pediatrician; require in certain circumstances.
 Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 401g.

For House amendment, see House Journal No. 37, page 689.

Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

29

HB 4483 Rep. Scranton
 Insurance; health; access to a pediatrician; require in certain circumstances.
 Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406n.

For House amendment, see House Journal No. 37, page 689.

Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

30

HB 4484 Rep. Birkholz
 Insurance; health maintenance organizations; access to a pediatrician; require in certain circumstances.
 Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21053e.

For House amendment, see House Journal No. 37, page 689.

Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

31

HB 4485 Rep. Caul
 Insurance; health care corporations; continuity of care; provide for.
 Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 402c.

House substitute (H-3).
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

32

HB 4486 Rep. Richardville
 Insurance; health maintenance organizations; continuity of care; provide for.
 Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21052b.

House substitute (H-3).
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

33

HB 4487 Rep. Law
 Insurance; health; continuity of care; provide for.
 Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2212b.

House substitute (H-3).
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

34

HB 4764 Rep. Law
 Insurance; other; agreeing to pay lump sum for terminally ill insureds who agree to commit suicide; prohibit.
 Amends 1996 PA 386 (MCL 550.521 - 550.528) by adding sec. 4a.

I.E. House, October 6, 1999.
Reported by Committee on Financial Services.
Committee recommended I.E.

35

SB 783 Sen. Bullard
 Insurance; health care corporations; disability insurance for replacement of loss of earnings; permit sale of.
 Amends sec. 207 of 1980 PA 350 (MCL 550.1207).

Reported by Committee on Financial Services.
Senate substitute (S-1).
Committee recommended I.E.

36

SB 784 Sen. Bullard
 Insurance; other; disability insurance for replacement of loss of earnings; permit insurer owned by health care corporation to sell.
 Amends sec. 5104 of 1956 PA 218 (MCL 500.5104).
Reported by Committee on Financial Services.
Senate substitute (S-1).
Committee recommended I.E.

RESOLUTIONS

37

HCR 44 Rep. Jellema
 A concurrent resolution to change the scope of the Professional Studies and Classroom Building project at the University of Michigan-Flint.
For text of resolution, see Senate Journal No. 68, page —.
Rules suspended and consideration postponed, Wednesday, October 13.
Adoption pending.

38

HCR 51 Rep. Jellema
 A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority and Central Michigan University relative to the Central Michigan University Park Library Addition and Remodeling.
For text of resolution, see Senate Journal No. 68, page —.
Rules suspended and consideration postponed, Wednesday, October 13.
Adoption pending.

39

HCR 52 Rep. Jellema
 A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority and Bay de Noc Community College relative to the Bay de Noc Community College General Campus Renovations and Additions.
For text of resolution, see Senate Journal No. 68, page —.
Rules suspended and consideration postponed, Wednesday, October 13.
Adoption pending.

COMMITTEE REPORTS

40

SB 754 Sen. Hammerstrom
 Juveniles; criminal procedure; mental health evaluation and treatment for minors found to have committed cruelty to animals; require.
Reported by Committee on Families, Mental Health and Human Services.
Senate substitute (S-3).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

41

SB 757 Sen. B. Bullard Jr
 Children; support; bond for individual arrested for failure to pay child support; set at not less than child support arrearage.
 Amends secs. 31 & 32 of 1982 PA 295 (MCL 552.631 & 552.632).
Reported by Committee on Families, Mental Health and Human Services.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

42

HB 4132 Rep. Scranton
 Juveniles; delinquency; boards or commissions that oversee juvenile facilities; require that membership include local elected official.
 Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 115o.
I.E. House, May 13, 1999.
House substitute (H-2).
Reported by Committee on Families, Mental Health and Human Services.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

43

SB 614 Sen. Hoffman
 Education; other; qualified immunity for administering medication in public schools; revise for certain school employees.
 Amends sec. 1178 of 1976 PA 451 (MCL 380.1178).
Reported by Committee on Education.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

44

SB 631 Sen. Schwarz
 Education; students; students possessing and using inhalers

for asthma at school; allow and exempt school personnel from liability under certain circumstances.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1179.

**Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule**

3.701.

45

SB 706 Sen. Stille
Education; employees; school district employees promoting or marketing performance enhancing dietary supplements to students; prohibit.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1317.

**Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule**

3.701.

46

SB 762 Sen. Rogers
Worker's compensation; mediation; mediators to approve certain redemptions; allow.

Amends secs. 836 & 837 of 1969 PA 317 (MCL 418.836 & 418.837).

Reported by Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

**Senate substitute (S-2).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule**

3.701.

47

SB 735 Sen. McCotter
Crimes; other; certain threats on school property; prohibit and provide a penalty.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 411r.

**Reported by Committee on Judiciary.
Senate substitute (S-1).
Refer to Committee of the Whole pursuant to Rule**

3.701.

48

SB 736 Sen. Johnson
Criminal procedure; sentencing guidelines; sentencing guidelines for crime of making certain threats on school property; enact.

Amends sec. 16t, ch. XVII of 1927 PA 175 (MCL 777.16t).

**Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule**

3.701.

49

HB 4352 Rep. Gosselin
Criminal procedure; sentencing guidelines; felony of impersonating a physician; add to sentencing guidelines.

Amends sec. 16l, ch. XVII of 1927 PA 175 (MCL 777.16l).

**House substitute (H-2).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Refer to Committee of the Whole pursuant to Rule**

3.701.

50

HB 4354 Rep. Gosselin
Crimes; other; false representation of necessary qualifications or authorization to practice medicine; increase penalty.

**House substitute (H-4).
Reported by Committee on Judiciary.
Refer to Committee of the Whole pursuant to Rule**

3.701.

51

HB 4420 Rep. Law
Torts; immunity; limited immunity from liability for certain persons rendering emergency services by using an automated external defibrillator; provide for.

Amends sec. 4 of 1963 PA 17 (MCL 691.1504).

I.E. House, May 25, 1999.

**House substitute (H-3).
Reported by Committee on Judiciary.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule**

3.701.

LAID ON TABLE

52

HB 4532 Rep. Veal
Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1). Reported without recommendation.	Room, Farnum Building (373-3760)
SCHEDULED MEETINGS	
Administrative Rules, Joint - Thursday, October 21, 8:30 a.m., Room 402, Capitol Building (373-3543)	Health Policy - Tuesday, October 19, 3:00 p.m., Room 100, Farnum Building (373-0793)
Banking and Financial Institutions - Thursday, October 21, 2:30 p.m., Room 210, Farnum Building (373-1801)	Judiciary - Tuesday, October 19, 1:00 p.m., Room 402, Capitol Building (373-6920)
Families, Mental Health and Human Services - Wednesday, October 20, 3:00 p.m., Room 100, Farnum Building (373-3543)	Reapportionment - Wednesday, October 20, 1:00 p.m., Room 110, Farnum Building (373-7946)
Finance - Tuesday, October 19, 1:00 p.m., 8th Floor Conference	