

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, DECEMBER 10, 1997

10:00 a.m.

MESSAGES FROM THE HOUSE

1

SB 181 Sen. Van Regenmorter
Mental health; patients; notification of prosecutor when certain individuals are released or discharged from hospital; require and require competency evaluation.
Amends sec. 1034 of 1974 PA 258 (MCL 330.2034) & adds secs. 487 & 542.
I.E. House, December 2, 1997.
Senate substitute (S-2).
Returned from House with amendments, Tuesday, December 2; laid over under the rules.
For House amendments, see Senate Journal No. 89, page 1879.
Committee recommended I.E.

2

HB 4643 Rep. Perricone
Use tax; exemptions; fuel used in pipeline compressors; exempt.
Amends sec. 4 of 1937 PA 94 (MCL 205.94).
I.E. House, October 8, 1997.
I.E. Senate, July 9, 1997.
House substitute (H-1).
Returned from House as requested, Tuesday, December 9.
Motion to reconsider vote pending.

THIRD READING OF BILLS

3

SB 825 Sen. Van Regenmorter
Criminal procedure; sentencing; sentencing guidelines; enact.
Amends secs. 8, 31, 33 & 34, ch. IX & sec. 14, ch. XI of 1927 PA 175 (MCL 769.8 et seq.) & adds ch. IXA.
Reported by Committee on Judiciary.
Senate substitute (S-1).
For Senate amendments, see Senate Journal No. 91, page 1951.
Committee recommended I.E.

4

SB 826 Sen. Van Regenmorter
Corrections; prisoners; truth in sentencing provisions in corrections act; revise effective date and amend to conform to sentencing guidelines.
Amends sec. 34 of 1893 PA 118 (MCL 800.34) & repeals enacting section 2 of 1994 PA 217 & enacting section 2 of 1994 PA 218.
Reported by Committee on Judiciary.
Senate substitute (S-2).
Committee recommended I.E.

THIRD READING OF BILLS

5

SB 827 Sen. Van Regenmorter
Corrections; prisoners; truth in sentencing provisions in prison code; revise effective date and amend to conform to sentencing guidelines.
Amends secs. 34, 34a, 36 & 65a of 1953 PA 232 (MCL 791.234 et seq.).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

6

SB 473 Sen. Rogers
Criminal procedure; self-incrimination; grant of use immunity to witness; permit in criminal and juvenile proceedings and certain administrative investigations and proceedings.
Amends title & secs. 1, 2 & 3 of 1968 PA 289 (MCL 780.701 et seq.) & adds sec. 2a.
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

7

SB 474 Sen. Rogers
Criminal procedure; self-incrimination; grant of use immunity to witness; permit in grand jury proceeding.
Amends secs. 6 & 19b, ch. VII of 1927 PA 175 (MCL 767.6 & 767.19b).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

8

SB 475 Sen. Gougeon
Criminal procedure; self-incrimination; use immunity to witness; require in certain criminal proceedings.
Amends secs. 125, 157, 446, 453 & 461 of 1931 PA 328 (MCL 750.125 et seq.) & repeals sec. 334 of 1931 PA 328 (MCL 750.334).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

9

SB 476 Sen. Bennett
Criminal procedure; self-incrimination; use immunity to witness; require in fire investigations.
Amends sec. 7 of 1941 PA 207 (MCL 29.7).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

THIRD READING OF BILLS

10

SB 718 Sen. Geake
Torts; other; criminal bringing a civil action for damages for injuries sustained while committing the crime against the victim of the crime and certain other individuals; prohibit.
Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 2955c.
Reported by Committee on Judiciary.
Senate substitute (S-6).

11

SB 300 Sen. North
Education; calendar; school year; require to start after Labor day.
Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1284b.
Reported by Committee on Education.
Senate substitute (S-3).
For Senate amendments, see Senate Journal No. 91, page 1952.
Committee recommended I.E.

12

HB 4146 Rep. Kelly
Libraries; other; definition of library record; revise to include information on patrons of the library.
Amends sec. 2 of 1982 PA 455 (MCL 397.602).
I.E. House, April 30, 1997.
Reported by Committee on Local, Urban and State Affairs.
Committee recommended I.E.

13

HB 5084 Rep. Dobronski
State; planning; funding for implementation of monumentation and remonumentation plan; clarify.
Amends secs. 2, 6, 8 & 12 of 1990 PA 345 (MCL 54.262 et seq.).
I.E. House, October 14, 1997.
House substitute (H-1).
Reported by Committee on Local, Urban and State Affairs.
Committee recommended I.E.

14

HB 4047 Rep. Callahan
Environmental protection; sewage; discharge of rain-water from gutters or roof downspouts into sanitary sewage system; prohibit in communities that have combined sewer system.
Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 3112b.
I.E. House, June 25, 1997.
House substitute (H-2).
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-2).
Committee recommended I.E.

THIRD READING OF BILLS

15

HB 4045 Rep. Callahan
Environmental protection; sewage; discharge of inadequately treated water during a combined sewer overflow; require notice and testing of receiving waters.
Amends sec. 3112a, 1994 PA 451 (MCL 324.3112a).
I.E. House, June 25, 1997.
House substitute (H-2).
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-5).
Committee recommended I.E.

16

SB 484 Sen. Schwarz
Highways; other; number of interchanges used for logo sign pilot program; increase.
Amends sec. 676a of 1949 PA 300 (MCL 257.676a).
Reported by Committee on Transportation and Tourism.
For Senate amendments, see Senate Journal No. 91, page 1954.
Committee recommended I.E.

17

SB 763 Sen. Byrum
Traffic control; driver license; regulations of licensed driving instructors; provide for.
Amends secs. 2, 4 & 5 of 1974 PA 369 (MCL 256.602 et seq.) & adds secs. 5a & 5b.
Reported by Committee on Transportation and Tourism.
Senate substitute (S-2).
Committee recommended I.E.

18

SB 792 Sen. Byrum
Traffic control; other; requirement for private driving schools to subscribe to the community look-up service; provide for.
Amends sec. 208b of 1949 PA 300 (MCL 257.208b).
Reported by Committee on Transportation and Tourism.
For Senate amendments, see Senate Journal No. 91, page 1954.
Committee recommended I.E.

19

SB 486 Sen. Bennett
Townships; charter; signature requirements to file for election to the board of a charter township; eliminate.
Amends sec. 4 of 1947 PA 359 (MCL 42.4).
Reported by Committee on Government Operations.
Committee recommended I.E.

THIRD READING OF BILLS

20

HB 4635 Rep. Bankes
 State; identification cards; use of official state personal identification card as proof of identification; permit acceptance same as driver license and provide penalties for non-compliance.
 Amends secs. 2 & 3 of 1972 PA 222 (MCL 28.292 & 28.293).
I.E. House, May 21, 1997.
Reported by Committee on Government Operations.
For Senate amendments, see Senate Journal No. 91, page 1954.
Committee recommended I.E.

21

SB 805 Sen. Steil
 Labor; hours and wages; certain projects subject to prevailing wage act; exempt.
 Amends sec. 8 of 1965 PA 166 (MCL 408.558).
Reported by Committee on Human Resources, Labor and Veterans Affairs.
Committee recommended I.E.

22

SB 312 Sen. Bouchard
 Courts; other; juror boards; eliminate.
 Amends secs. 1304, 1304a, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323, 1324, 1326, 1327, 1328, 1330, 1331, 1340, 1341, 1342, 1345 & 1346 of 1961 PA 236 (MCL 600.1304 et seq.) & repeals secs. 1301, 1302, 1303, 1303a, 1305, & 1318 of 1961 PA 236 (MCL 600.1301 et seq.).
Reported by Committee on Judiciary.
Committee recommended I.E.

23

SB 780 Sen. Cherry
 Criminal procedure; sentencing; conditional sentence; allow payment of restitution to the victim as a condition.
 Amends secs. 1a & 3, ch. IX of 1927 PA 175 (MCL 769.1a & 769.3).
Reported by Committee on Judiciary.
Committee recommended I.E.

24

SB 781 Sen. Van Regenmorter
 Criminal procedure; sentencing; imposition of sentence conditional upon payment of restitution; permit under crime victim's rights act.
 Amends secs. 16 & 76 of 1985 PA 87 (MCL 780.766 & 780.826).
Reported by Committee on Judiciary.
Committee recommended I.E.

25

SB 536 Sen. Bouchard
 Criminal procedure; pleas; pleas or arraignment by telephone, mail, or court filing; allow for certain incarcerated individuals and extend 2-way television procedures.
 Amends sec. 37a, ch. VII of 1927 PA 175 (MCL 767.37a) & adds sec. 37b to ch. VII.
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

THIRD READING OF BILLS

26

SB 537 Sen. Geake
 Health; smoking; use of tobacco products on school property; give district court concurrent jurisdiction if violator is a minor.
 Amends sec. 473 of 1931 PA 328 (MCL 750.473).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

27

SB 538 Sen. Geake
 Health; smoking; possession or use of tobacco product by minor in a public place; give district court concurrent jurisdiction.
 Amends sec. 2 of 1915 PA 31 (MCL 722.642).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

28

SB 539 Sen. Geake
 Courts; jurisdiction; misdemeanors involving minors and tobacco products; provide district courts with concurrent jurisdiction.
 Amends secs. 1021 & 8311 of 1961 PA 236 (MCL 600.1021 & 600.8311).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

29

HB 5259 Rep. Law
 Occupations; marriage counselors; direct client contact hours during educational training; revise requirements for obtaining.
 Amends sec. 16909 of 1978 PA 368 (MCL 333.16909).
I.E. House, November 12, 1997.
Reported by Committee on Health Policy and Senior Citizens.
Committee recommended I.E.

GENERAL ORDERS

30

SJR E Sen. Hoffman
 Transportation; other; state transportation commission; repeal.
 Repeals sec. 28, art. V of the state constitution.
Reported by Committee on Appropriations.
For Senate amendment, see Senate Journal No. 50, page 833.

31

SB 10 Sen. Schuette
 Single business tax; credit; research and development; provide for.
 Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 37e.
Reported by Committee on Economic Development, International Trade and Regulatory Affairs.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

32

HB 4039 Rep. Profit
Vehicles; emergency vehicles; emergency vehicle operation; create commission and require to develop a model policy.
Creates & repeals new act.
I.E. House, February 26, 1997.
House substitute (H-5)*.
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

33

HB 4324 Rep. Harder
State; employees and officers; suggestion awards programs; include retired state employees.
Amends secs. 1, 2, 3 & 4 of 1978 PA 325 (MCL 38.1161 et seq.).
I.E. House, March 19, 1997.
For House amendment, see House Journal No. 24, page 428.
Reported by Committee on Government Operations.
For Senate amendment, see Senate Journal No. 83, page 1686.
Committee recommended I.E.

34

SB 789 Sen. Rogers
Worker's compensation; disabilities; occupational cancer; provide presumption for certain fire fighters regarding.
Amends sec. 405 of 1969 PA 317 (MCL 418.405).
Reported by Committee on Human Resources, Labor and Veterans Affairs.
Committee recommended I.E.

35

HB 4454 Rep. Varga
Liquor; other; recodification of Michigan liquor control act; provide for.
Creates new act & repeals (See bill).
I.E. House, May 14, 1997.
House substitute (H-1).
Reported by Committee on Economic Development, International Trade and Regulatory Affairs.
Senate substitute (S-2).
Committee recommended I.E.

36

SB 202 Sen. Steil
Education; board members; school elections; require to be held with general election, make other revisions in school elections, and repeal certain election provisions in school code.
Amends secs. 3, 5, 6, 11a, 613, 616, 617, 661, 687, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 932, 945, 1361 & 1732 of 1976 PA 451 (MCL 380.3 et seq.); adds secs. 1206 & 1351c & repeals sec. 662 of 1976 PA 451 (MCL 380.662), pt. 12 of 1976 PA 451 (MCL 380.1001 - 380.1071) & pt. 14 of 1976 PA 451 (MCL 380.1101 - 380.1106).
Reported by Committee on Government Operations.
Committee recommended I.E.

GENERAL ORDERS

37

SB 207 Sen. McManus
Elections; school; chapter in election law regulating school elections; create and provide other general amendments.
Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 17 & ch. XIV.
Reported by Committee on Government Operations.
Committee recommended I.E.

38

SB 224 Sen. Bennett
Elections; school; school elections being conducted by local units of government; provide for and provide other general amendments.
Amends secs. 30a, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 544c, 644k, 690, 862, 863, 954 & 972 of 1954 PA 116 (MCL 168.30a et seq.).
Reported by Committee on Government Operations.
For Senate amendment, see Senate Journal No. 88, page 1856.
Committee recommended I.E.

39

SB 776 Sen. V. Smith
Property tax; tax sales; sales of tax liens; allow.
Amends sec. 107 of 1893 PA 206 (MCL 211.107).
Reported by Committee on Finance.
Committee recommended I.E.

40

SB 778 Sen. V. Smith
Local government; financing; sale of tax liens; allow.
Reported by Committee on Finance.
Committee recommended I.E.

41

SB 779 Sen. V. Smith
Local government; bonds; procedure for issuance of delinquent tax anticipation notes or bonds; revise.
Amends secs. 20, 21, 22, 23 & 24, ch. IV of 1943 PA 202 (MCL 134.20 et seq.).
Reported by Committee on Finance.
Committee recommended I.E.

42

SB 104 Sen. Schwarz
Health; occupations; registered professional nurse with specialty certification; include in definition of prescriber.
Amends sec. 17708 of 1978 PA 368 (MCL 333.17708).
Reported by Committee on Health Policy and Senior Citizens.
Senate substitute (S-3).
Committee recommended I.E.

43

HB 4619 Rep. Gire
Health; pharmaceuticals; complimentary starter dose drugs; revise definition and labeling requirements.
Amends sec. 17745 of 1978 PA 368 (MCL 333.17745).
I.E. House, November 5, 1997.
House substitute (H-1).
Reported by Committee on Health Policy and Senior Citizens.
Committee recommended I.E.

GENERAL ORDERS

44

SB 757 Sen. Schuette
Labor; other; expenditure of state money to provide benefits for partners of certain unmarried public employees; prohibit.

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

Committee recommended I.E.

45

HB 5058 Rep. Gagliardi
Property; conveyances; certain state owned property in Mackinac county; provide for conveyance.

I.E. House, October 14, 1997.

For House amendments, see House Journal No. 78, page 2090.

Committee on Local, Urban and State Affairs discharged, Tuesday, December 9.

46

HB 5121 Rep. Alley
Economic and industrial development; local development financing; definition of and reference to certain other protected obligations; modify.

Amends secs. 2 & 11a of 1986 PA 281 (MCL 125.2152 & 125.2161a).

I.E. House, December 3, 1997.

House substitute (H-1).

Committee on Finance discharged, Tuesday, December 9.

47

HB 5370 Rep. Emerson
Education; meals; school lunch mandate in the school code; eliminate.

Amends secs. 1272a, 1272c & 1225 of 1976 PA 451 (MCL 380.1272a et seq.).

I.E. House, December 4, 1997.

House substitute (H-1).

Committee on Appropriations discharged, Tuesday, December 9.

48

HB 4215 Rep. Profit
Taxation; tobacco; tax stamp; provide for.
Amends title & secs. 2, 5, 6, 7, 8, 9 & 12 of 1993 PA 327 (MCL 205.422) & adds secs. 5a, 5b, 6a, 6b, 7a & 7b.

I.E. House, December 4, 1997.

For House amendments, see House Journal No. 94, page 2509.

Rules suspended, placed on General Orders, Tuesday, December 9.

RESOLUTIONS

49

SR 71 Sen. McManus
A resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

Reported by Committee on Gaming and Casino Oversight.

For text of resolution, see Senate Journal No. 51, page 860.

Adoption pending.

COMMITTEE REPORTS

50

HB 5223 Rep. Schroer
Economic and industrial development; plant rehabilitation; certain filing requirements; waive under certain circumstances.

Amends sec. 9 of 1974 PA 198 (MCL 207.559).

I.E. House, November 5, 1997.

For House amendment, see House Journal No. 87, page 2275.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.