

No. 80  
**MICHIGAN SENATE**  
**DAILY CALENDAR**

WEDNESDAY, NOVEMBER 10, 1999  
10:00 a.m.

**MESSAGES FROM THE HOUSE**

1

**SB 555** Sen. Hammerstrom  
Sales tax; exemptions; vended nonalcoholic beverages; exempt.  
Amends sec. 4g of 1933 PA 167 (MCL 205.54g).  
**I.E. House, November 2, 1999.**  
**Returned from House with substitute (H-1), Wednesday, November 3; laid over under the rules.**  
**Committee recommended I.E.**

2

**SB 826** Sen. Bullard  
Vehicles; license plates; specialty fund-raising registration plates; establish procedures.  
Amends secs. 803l & 804 of 1949 PA 300 (MCL 257.803l & 257.804); adds secs. 6d, 17b, 30b, 811d, 811e, 811f, 811g & 811h & repeals secs. 6d, 17b, 30b & 811d to 811o of 1949 PA 300 (MCL 257.6d et seq.).  
**I.E. House, November 3, 1999.**  
**Returned from House with substitute (H-1), Thursday, November 4; laid over under the rules.**  
**Committee recommended I.E.**

**THIRD READING OF BILLS**

3

**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.**

4

**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.**

**THIRD READING OF BILLS**

5

**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.**

6

**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.**

7

**SB 438** Sen. Jaye  
Natural resources; hunting; firearm hunting from raised platforms; allow.  
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.**

8

**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.**

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**THIRD READING OF BILLS**


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9

**SB 830** Sen. Sikkema  
Property tax; exemptions; certain personal property of an agricultural cooperative; exempt.  
Amends sec. 9 of 1893 PA 206 (MCL 211.9).  
**Reported by Committee on Finance.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

10

**SB 867** Sen. Steil  
State; authorities; convention facility authority; create.  
**Reported by Committee on Local, Urban and State Affairs.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

11

**SB 878** Sen. Steil  
Administrative procedure; rules; transfer of certain publication functions to other state agencies; provide for.  
Amends title & secs. 1, 2, 3, 4, 5, 6, 7 & 8 of 1970 PA 193 (MCL 8.41 et seq.).  
**Reported by Committee on Government Operations.**  
**Committee recommended I.E.**

12

**SB 879** Sen. North  
Administrative procedure; rules; transfer of certain publication functions to other state agencies; provide for.  
Amends secs. 201, 202 & 203 of 1986 PA 268 (MCL 4.1201 et seq.).  
**Reported by Committee on Government Operations.**  
**Committee recommended I.E.**

13

**SB 877** Sen. Hammerstrom  
Administrative procedure; rules; revision of procedures and duties regarding rule processing and publishing; provide for.  
Amends title & secs. 5, 7, 7a, 8, 24, 25, 33, 36, 40, 41a, 42, 44, 45, 46, 47, 48, 52, 53, 55, 56, 57, 58 & 59 of 1969 PA 306 (MCL 24.205 et seq.) & adds secs. 28, 34, 39, 39a, 45a & 54.  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

14

**HB 4624** Rep. Shackleton  
Criminal procedure; appeals; prisoner appeal to circuit court regarding decision of the parole board; prohibit and eliminate requirement for parole board interviews with prisoners serving life sentences.  
Amends secs. 34 & 44 of 1953 PA 232 (MCL 791.234 & 791.244).  
**House substitute (H-2).**  
**Reported by Committee on Judiciary.**

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**THIRD READING OF BILLS**


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15

**HB 4625** Rep. Gilbert  
Criminal procedure; appeals; appointed counsel on appeal following guilty or nolo contendere plea; limit.  
Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 3a to ch. X.  
**House substitute (H-2).**  
**For Senate amendments, see Senate Journal No. 79, page 1739.**  
**Reported by Committee on Judiciary.**

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**GENERAL ORDERS**


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16

**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.**

17

**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).**

18

**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.**

19

**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.**

## GENERAL ORDERS

20

**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.**

21

**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.**

22

**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).**  
**Committee recommended I.E.**

23

**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.**

24

**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.**

## GENERAL ORDERS

25

**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.**

26

**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, page 1435.**  
**Committee recommended I.E.**

27

**SB 746** Sen. Miller  
Financial institutions; generally; citations to the banking code in the natural resources and environmental protection act; revise.  
Amends sec. 20101b of 1994 PA 451 (MCL 324.20101b).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

28

**SB 747** Sen. Rogers  
Financial institutions; generally; citations to the banking code in the Michigan consumer protection act; revise.  
Amends sec. 4 of 1976 PA 331 (MCL 445.904).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

29

**SB 748** Sen. Emmons  
Financial institutions; generally; citations to the banking code in the Michigan export development act; revise.  
Amends sec. 2 of 1986 PA 157 (MCL 447.152).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

## GENERAL ORDERS

30

- SB 749** Sen. Steil  
Financial institutions; generally; citations to the banking code in the sale of checks act; revise.  
Amends sec. 4 of 1960 PA 136 (MCL 487.904).  
**Reported by Committee on Banking and Financial Institutions.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

31

- SB 750** Sen. Shugars  
Financial institutions; generally; citations to the banking code in the Michigan BIDCO act; revise.  
Amends sec. 717 of 1986 PA 89 (MCL 487.1717).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

32

- SB 751** Sen. Steil  
Financial institutions; generally; citations to the banking code in the savings bank act; revise.  
Amends sec. 102 of 1996 PA 354 (MCL 487.3102).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

33

- SB 752** Sen. Steil  
Financial institutions; generally; citations to the banking code in the savings and loan act of 1980; revise.  
Amends secs. 107, 700 & 800 of 1980 PA 307 (MCL 491.107 et seq.).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

34

- SB 753** Sen. Shugars  
Financial institutions; generally; citations to the banking code in estates code; revise.  
Amends sec. 1214 of 1998 PA 386 (MCL 700.1214).  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

35

- SB 48** Sen. Stille  
Property tax; assessments; assessor to use existing use of property in assessment without regard to highest and best use; require.  
Amends sec. 27 of 1893 PA 206 (MCL 211.27).  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**

## GENERAL ORDERS

36

- SB 836** Sen. Hammerstrom  
Mental health; other; licensed professional counselors; include in list of qualified individuals to provide a second opinion determination for persons denied mental health services.  
Amends secs. 100b & 705 of 1974 PA 258 (MCL 330.1100b & 330.1705).  
**Reported by Committee on Families, Mental Health and Human Services.**  
**Committee recommended I.E.**

37

- SB 837** Sen. Johnson  
Children; foster care; reference to licensed mental health professional; enact technical amendment to change cite because of amendment to mental health code.  
Amends sec. 4c of 1994 PA 203 (MCL 722.954c).  
**Reported by Committee on Families, Mental Health and Human Services.**  
**Committee recommended I.E.**

38

- SB 756** Sen. Bullard  
Health facilities; hospitals; reporting of injuries by violence to local law enforcement; require of hospitals, pharmacies, and physicians.  
Amends sec. 411 of 1931 PA 328 (MCL 750.411).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

39

- HB 4010** Rep. Shulman  
Highways; construction and repair; township liability for injuries and damages occurring on public highways, sidewalks, bike paths, and safety paths; eliminate unless township assumes jurisdiction.  
Amends sec. 2 of 1964 PA 170 (MCL 691.1402).  
**House substitute (H-2)\*.**  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

40

- HB 4618** Rep. Rick Johnson  
Civil procedure; costs and fees; statutory attorney fee for the trial in civil cases; increase.  
Amends sec. 2441 of 1961 PA 236 (MCL 600.2441).  
**I.E. House, June 8, 1999.**  
**House substitute (H-2).**  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

41

- HB 4628** Rep. Vander Roest  
Land use; planning; notice of planning commission hearing on plan; revise.  
Amends sec. 9 of 1959 PA 168 (MCL 125.329).  
**I.E. House, October 20, 1999.**  
**House substitute (H-2).**  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

**GENERAL ORDERS**

42

**HB 4629** Rep. Vander Roest  
Townships; boards and commissions; moderator of township meeting; extend to allow a supervisor to moderate a regular meeting.  
Amends sec. 97 of 1846 RS 16 (MCL 41.97).  
**I.E. House, October 20, 1999.**  
**House substitute (H-4).**  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

43

**SB 456** Sen. Peters  
Animals; dogs; leader dogs; exempt training organization from dog license fees.  
Amends sec. 1 of 1970 PA 207 (MCL 287.291).  
**Reported by Committee on Farming, Agribusiness and Food Systems.**  
**Committee recommended I.E.**

44

**SB 795** Sen. McManus  
Labor; youth employment; youth employment standards; eliminate cap on number of weeks youth are allowed to be employed in certain farming operations.  
Amends sec. 11 of 1978 PA 90 (MCL 409.111).  
**Reported by Committee on Farming, Agribusiness and Food Systems.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

45

**SB 668** Sen. Bullard  
Financial institutions; generally; consumer financial services act; revise.  
Amends secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17 & 19 of 1988 PA 161 (MCL 487.2052 et seq.); adds secs. 10a, 10b, 10c, 10d, 10e, 10f, 10g, 16a & 16b & repeals sec. 13 of 1988 PA 161 (MCL 487.2063).  
**Reported by Committee on Banking and Financial Institutions.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

**RESOLUTIONS**

46

**SR 73** Sen. McManus  
A resolution to request the Michigan Board of Dentistry to reconsider disciplinary subcommittee sanctions imposed on Kimberlee Miller, and to clarify who may lawfully engage in the practice of teeth whitening to the general public.  
**Reported by Committee on Government Operations.**  
**For text of resolution, see Senate Journal No. 57, page 1248.**  
**Adoption pending.**

**RESOLUTIONS**

47

**SCR 26** Sen. Rogers  
A concurrent resolution to memorialize the Congress of the United States to enact legislation to provide for the establishment of a national cemetery in the Detroit metropolitan area.  
**Reported by Committee on Government Operations.**  
**For text of resolution, see Senate Journal No. 77, page 1709.**  
**Adoption pending.**

**LAI D ON TABLE**

48

**HB 4532** Rep. Vear  
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.**

**SCHEDULED MEETINGS**

**Appropriations** - Wednesday, November 10, 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Subcommittee -**

**Capital Outlay, Joint** - Wednesday, November 10, 8:45 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Education** - Wednesday, November 10, 3:00 p.m., Room 810, Farnum Building (373-7350)

**Families, Mental Health and Human Services** - Wednesday, November 10, 9:30 a.m., Room 100, Farnum Building (373-3543) (CANCELED)

**Farming, Agribusiness and Food Systems** - Wednesday, November 10, 1:00 p.m., Room 810, Farnum Building (373-1725)

**Financial Services** - Wednesday, November 10, 9:30 a.m., Room 110, Farnum Building (373-1758)

**Health Policy** - Wednesday, November 10, 1:30 p.m., Room 100, Farnum Building (373-0793)

**Hunting, Fishing and Forestry** - Wednesday, November 10, 2:00 p.m., Room 110, Farnum Building (373-7670)

**Judiciary** - Wednesday, November 10, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**SCHEDULED MEETINGS**

**Local, Urban and State Affairs** - Wednesday, November 10, 3:00 p.m., Room 405, Capitol Building (373-1707)

**SCHEDULED MEETINGS**

**Natural Resources and Environmental Affairs** - Wednesday, November 10, 9:30 a.m., Room 405, Capitol Building (373-0797)

**BILLS IN CONFERENCE**

**Conferees**

**Report Agreed to**

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 463	Construction code; uniform code and building standards for structures	McCotter Stille Dingell		DeRossett Rocca Frank	