

No. 37

# MICHIGAN SENATE

## DAILY CALENDAR

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WEDNESDAY, MAY 4, 2011  
10:00 a.m.

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**THIRD READING OF BILLS**

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\_\_\_\_\_ 1 \_\_\_\_\_

**HB 4004** Rep. Kurtz  
Transportation; railroads; certain segment of property formerly used for railway; exempt from divestiture provision.  
Amends sec. 10 of 1976 PA 295 (MCL 474.60).  
**I.E. House, February 17, 2011.**  
**House substitute (H-3).**  
**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

\_\_\_\_\_ 2 \_\_\_\_\_

**SB 212** Sen. Kahn  
Fire; other; firefighter training programs in schools and organized fire departments; provide for.  
Creates new act.  
**Reported by Committee on Local Government and Elections.**  
**Senate substitute (S-1).**  
**For Senate amendments, see Senate Journal No. 36, page 584.**  
**Committee recommended I.E.**

\_\_\_\_\_ 3 \_\_\_\_\_

**SB 215** Sen. Walker  
Counties; boards and commissions; membership on the board of public works; modify.  
Amends sec. 2 of 1957 PA 185 (MCL 123.732).  
**Reported by Committee on Local Government and Elections.**  
**Committee recommended I.E.**

\_\_\_\_\_ 4 \_\_\_\_\_

**SB 216** Sen. Walker  
Public employees and officers; ethics; incompatible offices; provide exception for township supervisor and county board of public works.  
Amends sec. 3 of 1978 PA 566 (MCL 15.183).  
**Reported by Committee on Local Government and Elections.**  
**Committee recommended I.E.**

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**GENERAL ORDERS**

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\_\_\_\_\_ 5 \_\_\_\_\_

**SB 29** Sen. Hansen  
Crimes; weapons; sale, possession, and use of device that uses electro-muscular technology; amend Michigan penal code to allow under certain circumstances.  
Amends sec. 224a of 1931 PA 328 (MCL 750.224a).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

\_\_\_\_\_ 6 \_\_\_\_\_

**SB 30** Sen. Jones  
Weapons; licensing; sale, possession, and use of device that uses electro-muscular disruption technology; amend firearms act to allow under certain circumstances.  
Amends title & secs. 5f, 5k & 5o of 1927 PA 372 (MCL 28.425f et seq.).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

\_\_\_\_\_ 7 \_\_\_\_\_

**SB 93** Sen. Hansen  
Criminal procedure; sentencing guidelines; sentencing guidelines for carrying concealed pistol in prohibited place; revise to include reference to electro-muscular disruption devices.  
Amends secs. 11b & 16m, ch. XVII of 1927 PA 175 (MCL 777.11b & 777.16m).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

\_\_\_\_\_ 8 \_\_\_\_\_

**SB 25** Sen. Jones  
Health; death; final disposition of fetal remains; define, and clarify authorization requirements.  
Amends secs. 2803, 2804 & 2834 of 1978 PA 368 (MCL 333.2803 et seq.).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

9

**SB 54** Sen. Jones

Health; death; final disposition of fetal remains; clarify authorization requirements and provide penalties for non-compliance.

Amends secs. 2848 & 13807 of 1978 PA 368 (MCL 333.2848 & 333.13807) & adds secs. 2836 & 2854.

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

10

**SB 55** Sen. Jones

Criminal procedure; sentencing guidelines; sentencing guidelines for violation of requirements for final disposition of fetal remains; establish.

Amends sec. 13k, ch. XVII of 1927 PA 175 (MCL 777.13k).

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

11

**SB 153** Sen. Pavlov

Local government; other; local government and school district fiscal accountability act; create.

Creates new act & repeals 1990 PA 72 (MCL 141.1201 - 141.1291).

**Reported by Committee on Education.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

12

**SB 154** Sen. Pavlov

Cities; home rule; reference to local government and school district fiscal accountability act; provide for in the home rule city act.

Amends sec. 36a of 1909 PA 279 (MCL 117.36a).

**Reported by Committee on Education.**

**Committee recommended I.E.**

13

**SB 155** Sen. Pavlov

Local government; financing; reference to local government and school district fiscal accountability act; provide for in the revised municipal finance act.

Amends sec. 303 of 2001 PA 34 (MCL 141.2303).

**Reported by Committee on Education.**

**Committee recommended I.E.**

14

**SB 156** Sen. Pavlov

Elections; recall; reference to local government and school district fiscal accountability act; provide for in the Michigan election law.

Amends sec. 971 of 1954 PA 116 (MCL 168.971).

**Reported by Committee on Education.**

**Committee recommended I.E.**

## GENERAL ORDERS

15

**SB 160** Sen. Meekhof

Health; abortion; partial-birth abortions; prohibit.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 90h.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

16

**SB 161** Sen. Hansen

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of performing partial-birth abortion; enact.

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

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

17

**SB 126** Sen. Robertson

Use tax; collections; use tax on difference between trade-in and purchase price for motor vehicles and titled watercraft; provide for.

Amends sec. 2 of 1937 PA 94 (MCL 205.92).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

18

**SB 127** Sen. Robertson

Sales tax; collections; sales tax on difference between trade-in and purchase price for motor vehicles and titled watercraft; provide for.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

19

**SB 17** Sen. Jones

Health; pharmaceuticals; formation of medicinal marihuana clubs or operation of medical marihuana bars; prohibit.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 7421.

**Reported by Committee on Health Policy.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

20

**SB 165** Sen. Moolenaar

Labor; fair employment practices; fair and open competition in governmental construction act; create.

Creates new act.

**Reported by Committee on Reforms, Restructuring and Reinventing.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

## GENERAL ORDERS

21

**HB 4152** Rep. Knollenberg  
Labor; collective bargaining; wages and benefits for certain public employees; freeze during contract negotiations.  
Amends 1947 PA 336 (MCL 423.201 - 423.217) by adding sec. 7b.  
**I.E. House, March 10, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Education.**  
**Committee recommended I.E.**

22

**SB 256** Sen. Bieda  
Family law; paternity; paternity of a child born to a married woman; allow to be established in a man other than the husband.  
Amends secs. 1, 4 & 6 of 1956 PA 205 (MCL 722.711 et seq.).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

23

**SJR C** Sen. Jansen  
Labor; civil service employment; health benefits of public employees and officers; allow legislature to regulate.  
Amends the state constitution by adding sec. 9 to art. XI.  
**Reported by Committee on Reforms, Restructuring and Reinventing.**

24

**SB 7** Sen. Jansen  
Labor; public service employment; mandated public employee contribution to employer-provider health care benefits; provide for.  
Creates new act.  
**Reported by Committee on Reforms, Restructuring and Reinventing.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

25

**SB 28** Sen. Hansen  
Income tax; collections; use of credit cards as payment option for state taxes; allow.  
Amends sec. 19 of 1941 PA 122 (MCL 205.19).  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

26

**HB 4111** Rep. Rendon  
Natural resources; other; use of certain volunteer groups for habitat work on state lands; allow.  
Amends sec. 503 of 1994 PA 451 (MCL 324.503).  
**I.E. House, March 17, 2011.**  
**House substitute (H-1).**  
**Reported by Committee on Outdoor Recreation and Tourism.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

27

**HB 4113** Rep. Jenkins  
Occupations; real estate; requirement to display real estate broker's license and license of each salesperson employed in place of business; eliminate.  
Amends sec. 2506 of 1980 PA 299 (MCL 339.2506).  
**I.E. House, March 2, 2011.**  
**House substitute (H-1).**  
**Reported by Committee on Regulatory Reform.**  
**For Senate amendments, see Senate Journal No. 33, page 517.**  
**Committee recommended I.E.**

28

**HB 4227** Rep. Opsommer  
Construction; contracts; use of nonresidential capital recovery fees; prohibit.  
Creates new act.  
**I.E. House, March 23, 2011.**  
**House substitute (H-3).**  
**Reported by Committee on Regulatory Reform.**  
**Committee recommended I.E.**

29

**HB 4228** Rep. Rendon  
Construction; contracts; use of capital recovery fees; regulate.  
Creates new act.  
**I.E. House, March 23, 2011.**  
**House substitute (H-3).**  
**Reported by Committee on Regulatory Reform.**  
**Committee recommended I.E.**

30

**SB 104** Sen. Kahn  
Vehicles; registration plates; specialty plates for scouts; create.  
Amends sec. 811e of 1949 PA 300 (MCL 257.811e) & adds sec. 811r.  
**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

31

**HB 4129** Rep. Knollenberg  
Highways; name; portion of M-24; designate as the "William Davidson memorial highway".  
Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 1078.  
**I.E. House, February 24, 2011.**  
**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

32

**SJR E** Sen. Hildenbrand  
Legislature; other; budget process; require legislature to present all general appropriation bills to the governor by July 1 and require forfeiture of legislators' salaries for failure to present those bills by that date.  
Amends sec. 31, art. IV & adds sec. 55 to art. IV of the state constitution.  
**Reported by Committee on Reforms, Restructuring and Reinventing.**  
**Senate substitute (S-1).**

## GENERAL ORDERS

33

- SB 271** Sen. Brandenburg  
 Administrative procedure; rules; regulatory impact statement; require certain information to be included.  
 Amends sec. 45 of 1969 PA 306 (MCL 24.245).  
**Reported by Committee on Economic Development.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

34

- SB 272** Sen. Kowall  
 Administrative procedure; rules; use of certain orders, bulletins, and guidelines; establish limit and provide for regulatory flexibility for small businesses.  
 Amends secs. 32, 40, 43, 61 & 64 of 1969 PA 306 (MCL 24.232 et seq.).  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

35

- SB 274** Sen. Pappageorge  
 Administrative procedure; joint committee; authority of joint committee on administrative rules; clarify.  
 Amends secs. 35 & 45a of 1969 PA 306 (MCL 24.235 & 24.245a).  
**Reported by Committee on Economic Development.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## RESOLUTIONS

36

- SR 30** Sen. Casperson  
 A resolution to call on the state and federal government to work cooperatively to fund the restoration of the break-wall at the Grand Marais Harbor.  
**Reported by Committee on Natural Resources, Environment and Great Lakes.**  
**For text of resolution, see Senate Journal No. 29, page 421.**  
**Adoption pending.**

37

- SCR 13** Sen. Casperson  
 A concurrent resolution to call on the state and federal government to work cooperatively to fund the restoration of the breakwall at the Grand Marais Harbor.  
**Reported by Committee on Natural Resources, Environment and Great Lakes.**  
**For text of resolution, see Senate Journal No. 29, page 422.**  
**Adoption pending.**

## RESOLUTIONS

38

- HCR 7** Rep. Johnson  
 A concurrent resolution to urge the U.S. Congress and the U.S. Army Corps of Engineers to take immediate actions to prevent the Asian carp from entering the Great Lakes and to develop long-term strategies to address this problem.  
**Reported by Committee on Natural Resources, Environment and Great Lakes.**  
**For text of resolution, see Senate Journal No. 18, page 231.**  
**Adoption pending.**

39

- HCR 8** Rep. Pettalia  
 A concurrent resolution to urge the Congress of the United States to make every effort to expedite and fund the Great Lakes and Mississippi River Basin Interbasin Study and to ensure Asian carp do not invade the Great Lakes.  
**Reported by Committee on Natural Resources, Environment and Great Lakes.**  
**For text of resolution, see Senate Journal No. 18, page 231.**  
**Adoption pending.**

40

- SR 27** Sen. Kowall  
 A resolution to urge the President of the United States to impose a moratorium on any new regulations and to memorialize the Congress of the United States enact the Regulations from the Executive in Need of Scrutiny (REINS) Act.  
**Reported by Committee on Economic Development.**  
**For text of resolution, see Senate Journal No. 26, page 366.**  
**Adoption pending.**

## COMMITTEE REPORTS

41

- SB 102** Sen. Pappageorge  
 Vehicles; registration plates; "Gold Star Family" registration plates; create.  
 Amends sec. 803e of 1949 PA 300 (MCL 257.803e).  
**Reported by Committee on Transportation.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

42

- SB 282** Sen. Pappageorge  
 Holidays; other; patriot week in Michigan; designate.  
 Creates new act.  
**Reported by Committee on Veterans, Military Affairs and Homeland Security.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

## COMMITTEE REPORTS

43

**SB 43** Sen. Hunter

Financial institutions; generally; crime of residential mortgage fraud; establish.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 219d.

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

44

**SB 44** Sen. Hunter

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of mortgage fraud; enact.

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

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

45

**SB 249** Sen. Boohar

Crimes; fraud; value thresholds for crime of false pretenses; revise.

Amends sec. 218 of 1931 PA 328 (MCL 750.218).

**Reported by Committee on Banking and Financial Institutions.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

46

**SB 250** Sen. Boohar

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of false pretenses; revise to reflect increased penalties.

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

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

47

**SB 251** Sen. Nofs

Criminal procedure; statute of limitations; certain crimes relating to real property; revise statute of limitations.

Amends sec. 24, ch. VII of 1927 PA 175 (MCL 767.24).

**Reported by Committee on Banking and Financial Institutions.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

## COMMITTEE REPORTS

48

**SB 252** Sen. Marleau

Occupations; notaries public; penalties for notary public violations; increase.

Amends secs. 41, 43 & 49 of 2003 PA 238 (MCL 55.301 et seq.).

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

49

**SB 253** Sen. Gleason

Criminal procedure; sentencing guidelines; sentencing guidelines for notary public violations; enact.

Amends sec. 11c, ch. XVII of 1927 PA 175 (MCL 777.11c).

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

50

**SB 273** Sen. Robertson

Administrative procedure; rules; 1984 PA 27; update reference to administrative procedures act.

Amends sec. 2 of 1984 PA 27 (MCL 4.552).

**Reported by Committee on Economic Development.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

51

**SB 276** Sen. Robertson

Administrative procedure; rules; state office of administrative hearings and rules; require posting of legal and policy bases and assessment of impact of the rules on the private sector.

Amends secs. 3, 39 & 122 of 1969 PA 306 (MCL 24.203 et seq.) & adds sec. 45b.

**Reported by Committee on Economic Development.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

52

**SB 277** Sen. Hildenbrand

Environmental protection; other; NREPA programs; require peer review.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 27.

**Reported by Committee on Economic Development.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**COMMITTEE REPORTS**


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53

**SB 278** Sen. Hansen

Administrative procedure; rules; review of existing and new rules; provide for on a periodic basis.

Amends sec. 53 of 1969 PA 306 (MCL 24.253).

**Reported by Committee on Economic Development.  
Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

54

**SB 279** Sen. Pavlov

Environmental protection; other; stratified random sampling process; establish for inspections under NREPA.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 1505.

**Reported by Committee on Economic Development.  
Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

55

**SB 334** Sen. Hildenbrand

Economic development; other; business improvement districts; expand to include townships.

Amends secs. 10, 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l & 10m of 1961 PA 120 (MCL 125.990 et seq.).

**Reported by Committee on Economic Development.  
Senate substitute (S-1).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**SCHEDULED MEETINGS**


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**Appropriations** - Wednesday, May 4, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Subcommittee -**

**Capital Outlay** - Thursdays, May 5 (CANCELED), and May 12, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Education** - Wednesday, May 4, 12:30 p.m., Room 100, Farnum Building (373-5314)

**Families, Seniors and Human Services** - Wednesday, May 4, 3:00 p.m., Room 210, Farnum Building (373-5312)

**Health Policy** - Thursday, May 5, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

**Natural Resources, Environment and Great Lakes** - Thursday, May 5, 8:30 a.m., Room 210, Farnum Building (373-5323)

**Redistricting** - Wednesday, May 4, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5307)

**Reforms, Restructuring and Reinventing** - Wednesday, May 4, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5324)