

No. 40

# MICHIGAN SENATE

## DAILY CALENDAR

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WEDNESDAY, MAY 11, 2011  
10:00 a.m.

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**THIRD READING OF BILLS**

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1

**HB 4258** Rep. Lyons  
Records; birth; heirloom birth certificates; create, allow for fee collection, and earmark revenue.  
Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 2882a.  
**I.E. House, March 24, 2011.**  
**Reported by Committee on Families, Seniors and Human Services.**  
**Committee recommended I.E.**

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**GENERAL ORDERS**

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2

**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.**

3

**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.**

4

**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.**

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**GENERAL ORDERS**

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5

**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.**

6

**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.**

7

**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.**

8

**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.**

9

**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.**

## GENERAL ORDERS

10

**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.**

11

**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.**

12

**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.**

13

**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.**

14

**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.**

15

**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.**

## GENERAL ORDERS

16

**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.**

17

**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.**

18

**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.**

19

**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.**

20

**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.**

21

**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

22

**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.**

23

**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.**

24

**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.**

25

**SB 249** Sen. Booher  
Crimes; fraud; value thresholds for crime of false pre-  
tenses; revise.  
Amends sec. 218 of 1931 PA 328 (MCL 750.218).  
**Reported by Committee on Banking and Financial  
Institutions.**  
**Committee recommended I.E.**

26

**SB 250** Sen. Booher  
Criminal procedure; sentencing guidelines; sentencing  
guidelines for crime of false pretenses; revise to reflect in-  
creased 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.**

27

**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.**

## GENERAL ORDERS

28

**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.**

29

**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.**

30

**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.**

31

**SB 137** Sen. Jones  
Education; discipline; policy prohibiting harassment and  
bullying at school; require.  
Amends 1976 PA 451 (MCL 380.1 - 380.1852) by add-  
ing sec. 1310b.  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

32

**SB 281** Sen. Hune  
Torts; liability; bowling centers; provide immunity from  
liability for slip and falls under certain circumstances.  
Creates new act.  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

33

**HB 4167** Rep. McMillin  
Criminal procedure; sentencing guidelines; sentencing  
guidelines for moving violation in a work zone causing  
death; include school bus zones.  
Amends sec. 12e, ch. XVII of 1927 PA 175 (MCL  
777.12e).  
**I.E. House, March 3, 2011.**  
**For House amendment, see House Journal No. 20,  
page 265.**  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

## GENERAL ORDERS

34

**HB 4168** Rep. O'Brien  
Crimes; vehicle offenses; moving violations in a school bus zone; provide for increased penalties.  
Amends sec. 601b of 1949 PA 300 (MCL 257.601b).  
**I.E. House, March 3, 2011.**  
**For House amendment, see House Journal No. 20, page 265.**  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

35

**HB 4231** Rep. Walsh  
Torts; liability; waiver of claims of liability in connection with children's athletic and recreational activities; allow parent to sign.  
Amends 1998 PA 386 (MCL 700.1101 - 700.8206) by adding sec. 5109.  
**I.E. House, March 16, 2011.**  
**For House amendment, see House Journal No. 25, page 318.**  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

36

**HB 4291** Rep. Moss  
Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2010-2011.  
Creates appropriation act.  
**I.E. House, April 13, 2011.**  
**House substitute (H-1).**  
**Reported by Committee on Appropriations.**  
**Committee recommended I.E.**

37

**HB 4445** Rep. Moss  
Appropriations; supplemental; school aid supplemental; provide for fiscal year 2010-2011.  
Amends secs. 11, 11m, 22a, 22b, 51a, 51c & 74 of 1979 PA 94 (MCL 388.1611 et seq.).  
**I.E. House, April 13, 2011.**  
**Reported by Committee on Appropriations.**  
**Committee recommended I.E.**

38

**SB 213** Sen. Casperson  
Health; pharmaceuticals; prohibition on dispensing a prescription for a controlled substance received via electronic means from an individual licensed to practice dentistry in a state other than Michigan; remove.  
Amends secs. 7405, 17708, 17751 & 17763 of 1978 PA 368 (MCL 333.7405 et seq.).  
**Reported by Committee on Health Policy.**  
**Committee recommended I.E.**

39

**SB 333** Sen. Proos  
Health; pharmaceuticals; sale of pseudoephedrine; prohibit under certain circumstances and require retailer to enter sale information into a statewide tracking system.  
Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 7340b.  
**Reported by Committee on Health Policy.**  
**Committee recommended I.E.**

## GENERAL ORDERS

40

**SB 350** Sen. Nofs  
Crimes; controlled substances; false identification used to purchase ephedrine and pseudoephedrine; prohibit, and provide penalties.  
Amends sec. 17766e of 1978 PA 368 (MCL 333.17766e).  
**Reported by Committee on Health Policy.**  
**Committee recommended I.E.**

41

**HB 4192** Rep. Scott  
Health; pharmaceuticals; access to the Michigan automated prescription system for prescribers; provide for under certain circumstances.  
Amends sec. 7333a of 1978 PA 368 (MCL 333.7333a).  
**I.E. House, April 12, 2011.**  
**Reported by Committee on Health Policy.**  
**Committee recommended I.E.**

42

**HB 4389** Rep. Stamas  
Occupations; dentists; dentists practicing under special volunteer license; extend immunity from liability.  
Amends sec. 16185 of 1978 PA 368 (MCL 333.16185).  
**I.E. House, April 12, 2011.**  
**Reported by Committee on Health Policy.**  
**Committee recommended I.E.**

## RESOLUTIONS

43

**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.**

44

**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.**

45

**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.**

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**RESOLUTIONS**


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46

**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.**

47

**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.**

48

**SR 34** Sen. Jones

A resolution to memorialize the United States Congress to take immediate steps to provide funding to the Drug Enforcement Agency for the cleanup of clandestine methamphetamine laboratories seized by state and local law enforcement.

**Reported by Committee on Judiciary.**

**For text of resolution, see Senate Journal No. 30, page 446.**

**Adoption pending.**

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**COMMITTEE REPORTS**


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49

**SB 130** Sen. Hildenbrand

Traffic control; civil infraction procedures; minimum number of unpaid parking tickets a person may have before the secretary of state will not issue or renew the person's operator's license; revise.

Amends sec. 321a of 1949 PA 300 (MCL 257.321a).

**Reported by Committee on Transportation.**

**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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50

**SB 287** Sen. Kowall

Transportation; carriers; applicability of exemptions; modify.

Amends sec. 2, art. V of 1933 PA 254 (MCL 479.2).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

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

51

**SB 24** Sen. Schuitmaker

Insurance; other; payment of commissions or rebates to certain producers; permit.

Amends sec. 1505 of 1956 PA 218 (MCL 500.1505).

**Reported by Committee on Insurance.**

**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 11, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Subcommittee -**

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

**Economic Development** - Wednesday, May 11, 1:30 p.m., Room 110, Farnum Building (373-5312)

**Education** - Wednesday, May 11, 12:30 p.m., Room 100, Farnum Building (373-5314)

**Families, Seniors and Human Services** - Wednesday, May 11, 3:00 p.m., Room 210, Farnum Building (373-5312)

**Natural Resources, Environment and Great Lakes** - Thursday, May 12, 8:30 a.m., Room 210, Farnum Building (373-5323)

**Redistricting** - Wednesday, May 11, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-5307)

**Reforms, Restructuring and Reinventing** - Wednesday, May 11, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5324)

**State Drug Treatment Court Advisory Committee** - Tuesday, May 24, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)