

No. 47

MICHIGAN SENATE

DAILY CALENDAR

THURSDAY, MAY 26, 2011
10:00 a.m.

THIRD READING OF BILLS

1

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.

2

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.

3

HB 4314 Rep. Horn
Communications; telecommunications; certain Michigan telecommunications act provisions; modify.
Amends secs. 101, 102, 103, 202, 205, 210, 211a, 213, 303, 305, 305b, 309, 310a, 313, 315, 316, 401, 503 & 601 of 1991 PA 179 (MCL 484.2101 et seq.) & repeals secs. 301a, 304, 306, 308, 309a, 309b, 311, 312, 314, 321, 351, 352, 353, 355, 356, 357, 358, 359, 362, 363, 375, 376, 402, 502, 504 & 602 of 1991 PA 179 (MCL 484.2301a et seq.).
I.E. House, April 26, 2011.
House substitute (H-2).
Reported by Committee on Energy and Technology.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

4

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.

GENERAL ORDERS

5

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.

6

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.

7

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.

8

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.

9

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.

GENERAL ORDERS

10

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.

11

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.

12

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.

13

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.

14

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.

15

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

16

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).

17

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.

18

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.

19

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.

20

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.

21

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

22

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.**

23

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.**

24

SB 137 Sen. Jones

Education; discipline; policy prohibiting harassment and bullying at school; require.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1310b.

Reported by Committee on Judiciary.**Senate substitute (S-1).****Committee recommended I.E.**

25

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.**

26

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.**

27

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.**

GENERAL ORDERS

28

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.**

29

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.**

30

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.**

31

SB 244 Sen. Jones

Criminal procedure; expunction; expand record expunction for certain offenders; provide for under certain circumstances.

Amends secs. 1, 3 & 4 of 1965 PA 213 (MCL 780.621 et seq.).

Reported by Committee on Judiciary.**Senate substitute (S-1).****Committee recommended I.E.**

32

SB 356 Sen. Jones

Crimes; animals; forfeiture of real property used in the commission of animal fighting; allow.

Amends sec. 4702 of 1961 PA 236 (MCL 600.4702).

Reported by Committee on Judiciary.**Committee recommended I.E.**

33

SB 357 Sen. Johnson

Civil procedure; civil actions; property on which animal fighting is conducted; declare to be a nuisance.

Amends sec. 3801 of 1961 PA 236 (MCL 600.3801).

Reported by Committee on Judiciary.**Committee recommended I.E.**

GENERAL ORDERS

34

SB 231 Sen. Schuitmaker

Crimes; other; discovery of a dead body; require to notify law enforcement under certain circumstances.

Amends sec. 2841 of 1978 PA 368 (MCL 333.2841).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

35

SB 234 Sen. Jones

Health; occupations; conviction of first, second, or third degree criminal sexual conduct; revise sanction disciplinary subcommittee must impose and include permanent revocation.

Amends sec. 16226 of 1978 PA 368 (MCL 333.16226).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

36

SB 235 Sen. Jones

Health; occupations; conviction of first, second, or third degree criminal sexual conduct; revise sanction disciplinary subcommittee must impose.

Amends sec. 16221 of 1978 PA 368 (MCL 333.16221).

Reported by Committee on Judiciary.

Committee recommended I.E.

37

SB 236 Sen. Jones

Health; occupations; conviction of first, second, or third degree criminal sexual conduct; allow permanent revocation of license or registration.

Amends sec. 16245 of 1978 PA 368 (MCL 333.16245).

Reported by Committee on Judiciary.

Committee recommended I.E.

38

SB 258 Sen. Jones

Liquor; drinking age; certain minors presenting themselves for treatment; exempt from underage drinking violation under certain circumstances.

Amends sec. 703 of 1998 PA 58 (MCL 436.1703).

Reported by Committee on Judiciary.

Committee recommended I.E.

39

SB 354 Sen. Jones

Criminal procedure; sex offender registration; exception to prohibition against residing within a student safety zone; modify.

Amends sec. 35 of 1994 PA 295 (MCL 28.735).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

40

SB 380 Sen. Hildenbrand

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of failure to report a dead body with purpose of concealing fact of or cause of death; provide for.

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.

41

SB 27 Sen. Hansen

Agriculture; animals; transfer of regulatory responsibility from department of natural resources and environment to department of agriculture; provide for.

Amends secs. 2, 3, 4, 6, 7 & 10 of 2000 PA 190 (MCL 287.952 et seq.).

Reported by Committee on Agriculture.

Senate substitute (S-1).

Committee recommended I.E.

42

SB 331 Sen. Hune

Liquor; tax; certain taxes on spirits for off-premises licensees; eliminate.

Amends sec. 229 of 1998 PA 58 (MCL 436.1229) & repeals sec. 1205 of 1998 PA 58 (MCL 436.2205).

Reported by Committee on Regulatory Reform.

Committee recommended I.E.

43

SB 384 Sen. Marleau

Health; occupations; nurse practitioners; require supervision in same manner as physician's assistants, clarify ability for nurse practitioners and physician's assistants to prescribe controlled substances and perform other delegatory activities, and revise contents of drug labels.

Amends secs. 17048, 17049, 17050, 17076, 17078, 17548, 17549, 17550, 17745, 17757, 18048, 18049, 18050 & 20201 of 1978 PA 368 (MCL 333.17048 et seq.).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

44

SB 361 Sen. Bieda

Criminal procedure; DNA; deadline for filing petition for DNA testing of felony conviction cases; revise.

Amends sec. 16, ch. X of 1927 PA 175 (MCL 770.16).

Reported by Committee on Judiciary.

Committee recommended I.E.

45

HB 4013 Rep. LeBlanc

Law enforcement; other; possession and operation of electrical devices designed to temporarily incapacitate persons; allow for reserve peace officers, auxiliary officers, and reserve officers.

Amends sec. 224a of 1931 PA 328 (MCL 750.224a).

I.E. House, March 24, 2011.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

RESOLUTIONS

46

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.

47

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.

48

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.

49

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.

50

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.

RESOLUTIONS

51

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.

52

SR 39 Sen. Casperson

A resolution to memorialize the Congress of the United States to remove gray wolves in Michigan from the federal endangered species list and to amend the Endangered Species Act to prevent similar future situations.

Reported by Committee on Natural Resources, Environment and Great Lakes.

For text of resolution, see Senate Journal No. 32, page 477.

Adoption pending.

COMMITTEE REPORTS

53

SB 187 Sen. Boohar

Vehicles; fund-raising registration plates; specialty plate for ducks unlimited; provide for.

Amends sec. 811e of 1949 PA 300 (MCL 257.811e) & adds sec. 811r.

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

54

SB 389 Sen. Anderson

Vehicles; registration plates; specialty plate for the Michigan breast and cervical cancer control program; provide for.

Amends sec. 811e of 1949 PA 300 (MCL 257.811e) & adds sec. 811r.

Reported by Committee on Transportation.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

55

HB 4366 Rep. O'Brien

Transportation; authorities; member of public transit authority; prohibit if individual is employee or officer of another public transit authority.

Amends sec. 3 of 1978 PA 566 (MCL 15.183).

I.E. House, March 24, 2011.

Reported by Committee on Transportation.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

56

HB 4367 Rep. McCann
 Transportation; authorities; qualifying criteria to form a public authority; clarify.
 Amends sec. 4 of 1986 PA 196 (MCL 124.454).
I.E. House, March 24, 2011.
Reported by Committee on Transportation.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Conference Committees -

Education Omnibus (HB 4325) - Thursday, May 26, 9:15 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

SCHEDULED MEETINGS

Omnibus (HB 4526) - Thursday, May 26, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Judiciary - Tuesday, May 31, 2:30 p.m., Room 110, Farnum Building (373-5323)

Natural Resources, Environment and Great Lakes - Thursday, May 26, 8:30 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Thursday, May 26, 12:30 p.m., Room 210, Farnum Building (373-5323)

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to
		Senate	House	
SB 169	Appropriations; zero budget; department of agriculture and rural development; provide for fiscal year 2011-2012.	Green Kahn Hopgood	Potvin Forlini Ananich	5/24/2011
SB 171	Appropriations; zero budget; community colleges; provide for fiscal year 2011-2012.	Booher Kahn Anderson	Goike Genetski McCann	5/25/2011
SB 172	Appropriations; zero budget; department of community health; provide for fiscal year 2011-2012.	Moolenaar Kahn Gregory	Lori MacGregor Tlaib	5/25/2011
SB 173	Appropriations; zero budget; department of corrections; provide for fiscal year 2011-2012.	Proos Kahn Anderson	Haveman MacMaster Lindberg	5/25/2011
SB 174	Appropriations; zero budget; department of education; provide for fiscal year 2011-2012.	Walker Kahn Hopgood	Rogers Poleski Bauer	5/25/2011
SB 175	Appropriations; zero budget; department of energy, labor, and economic growth; provide for fiscal year 2011-2012.	Jansen Kahn Johnson	Pscholka Rogers Ananich	5/25/2011
SB 176	Appropriations; zero budget; department of environmental quality; provide for fiscal year 2011-2012.	Green Kahn Hopgood	Kowall Bumstead McCann	5/25/2011
SB 177	Appropriations; zero budget; general government; provide for fiscal year 2011-2012.	Pappageorge Kahn Johnson	Poleski Lori Durhal	5/25/2011

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to
		Senate	House	
SB 178	Appropriations; zero budget; higher education; provide for fiscal year 2011-2012.	Schuitmaker Kahn Hood	Genetski Cotter Bauer	5/24/2011
SB 179	Appropriations; zero budget; department of human services; provide for fiscal year 2011-2012.	Caswell Kahn Gregory	Agema MacMaster Jackson	5/24/2011
SB 180	Appropriations; zero budget; judiciary; provide for fiscal year 2011-2012.	Proos Kahn Johnson	Cotter Forlini Tlaib	5/25/2011
SB 181	Appropriations; zero budget; department of military and veterans affairs; provide for fiscal year 2011-2012.	Colbeck Kahn Gregory	MacGregor Jenkins LeBlanc	5/24/2011
SB 182	Appropriations; zero budget; department of natural resources; provide for fiscal year 2011-2012.	Green Kahn Hopgood	Bumstead Kowall Lindberg	5/25/2011
SB 183	Appropriations; zero budget; multisection school aid; provide for fiscal year 2011-2012.	Walker Kahn Hopgood	Rogers Poleski Lipton	5/25/2011
SB 184	Appropriations; zero budget; department of state police; provide for fiscal year 2011-2012.	Colbeck Kahn Gregory	MacGregor Jenkins LeBlanc	5/24/2011
SB 185	Appropriations; zero budget; department of transportation; provide for fiscal year 2011-2012.	Pappageorge Kahn Anderson	Agema Goike Dillon	5/25/2011
HB 4325	Appropriations; other; executive recommendation; provide for.	Kahn Moolenaar Anderson	Rogers Moss Lipton	
HB 4526	Appropriations; zero budget; omnibus budget appropriations bill; provide for.	Kahn Moolenaar Anderson	Moss Haveman LeBlanc	