

No. 78

# MICHIGAN SENATE

## DAILY CALENDAR

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WEDNESDAY, OCTOBER 12, 2011  
10:00 a.m.

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MESSAGES FROM THE HOUSE

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1

**SB 493** Sen. Meekhof  
Labor; collective bargaining; the decision to consolidate services with other public employers; exempt from collective bargaining requirements.  
Amends sec. 15 of 1947 PA 336 (MCL 423.215).  
**I.E. House, June 30, 2011.**  
**Returned from House with House substitute (H-4), Thursday, September 8; laid over under the rules.**  
**Committee recommended I.E.**

2

**HB 4309** Rep. Kowall  
Local government; intergovernmental affairs; intergovernmental transfers of municipal emergency service employees; revise content of contracts.  
Amends title & sec. 10 of 1988 PA 57 (MCL 124.610).  
**I.E. House, March 24, 2011.**  
**I.E. Senate, June 30, 2011.**  
**Returned from House with House substitute (H-2) to Senate substitute (S-2), Tuesday, September 13; laid over under the rules.**

3

**HB 4311** Rep. Opsommer  
Local government; intergovernmental affairs; intergovernmental transfers of functions and responsibilities; revise contents of contracts.  
Amends sec. 4 of 1967 (Ex Sess) PA 8 (MCL 124.534).  
**I.E. House, March 24, 2011.**  
**I.E. Senate, June 30, 2011.**  
**Returned from House with House substitute (H-5) to Senate substitute (S-2), Tuesday, September 13; laid over under the rules.**

4

**HB 4312** Rep. Hooker  
Local government; intergovernmental affairs; intergovernmental transfers of employees and responsibilities; revise contents of contracts.  
Amends sec. 5 of 1967 (Ex Sess) PA 7 (MCL 124.505).  
**I.E. House, March 24, 2011.**  
**I.E. Senate, June 30, 2011.**  
**Returned from House with House substitute (H-3) to Senate substitute (S-3), Tuesday, September 13; laid over under the rules.**

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MESSAGES FROM THE HOUSE

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5

**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.  
**I.E. House, October 5, 2011.**  
**Returned from House with House substitute (H-1), Thursday, October 6; laid over under the rules.**  
**Committee recommended I.E.**

6

**SB 249** Sen. Boohar  
Crimes; fraud; value thresholds for crime of false pretenses; revise.  
Amends sec. 218 of 1931 PA 328 (MCL 750.218).  
**I.E. House, October 5, 2011.**  
**Returned from House with amendment, Thursday, October 6; laid over under the rules.**  
**For House amendment, see Senate Journal No. 76, page 2279.**  
**Committee recommended I.E.**

7

**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).  
**I.E. House, October 5, 2011.**  
**Returned from House with House substitute (H-1), Thursday, October 6; laid over under the rules.**  
**Committee recommended I.E.**

8

**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).  
**I.E. House, October 5, 2011.**  
**Returned from House, Thursday, October 6.**  
**Committee recommendation for I.E. pending.**

## MESSAGES FROM THE HOUSE

9

**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.).

**I.E. House, October 5, 2011.**

**Returned from House with amendment, Thursday, October 6; laid over under the rules.**

**For House amendment, see Senate Journal No. 76, page 2279.**

**Committee recommended I.E.**

## THIRD READING OF BILLS

10

**HB 4310** Rep. Denby

Local government; intergovernmental affairs; intergovernmental transfers of metropolitan transportation employees; revise contents of contracts.

Amends sec. 13 of 1967 PA 204 (MCL 124.413).

**I.E. House, March 24, 2011.**

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

**Committee recommended I.E.**

11

**SB 162** Sen. Pappageorge

Vehicles; registration plates; specialty plate for Michigan humane society; create.

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

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

12

**SB 656** Sen. Brandenburg

Income tax; income; sourcing of receipts from certain sales; clarify.

Amends sec. 665 of 1967 PA 281 (MCL 206.665).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

13

**HB 4937** Rep. Gilbert

Income tax; income; sources based on where the benefit of a source is received; codify revenue administrative bulletin.

Amends sec. 669 of 1967 PA 281 (MCL 206.669).

**I.E. House, September 21, 2011.**

**For Senate amendments, see Senate Journal No. 72, page 2196.**

**Rules suspended, Thursday, September 22.**

## THIRD READING OF BILLS

14

**HB 4005** Rep. Heise

Elections; school; dates of school elections; require to be in November of even numbered years.

Amends secs. 302 & 644g of 1954 PA 116 (MCL 168.302 & 168.644g) & adds sec. 642c.

**I.E. House, August 24, 2011.**

**Reported by Committee on Local Government and Elections.**

**Committee recommended I.E.**

15

**SB 269** Sen. Schuitmaker

Civil procedure; small claims; limitation on recovery amount in small claims suits; revise.

Amends sec. 8401 of 1961 PA 236 (MCL 600.8401).

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

16

**HB 4462** Rep. Knollenberg

Crimes; forgery; forging or uttering and publishing a real estate document; prohibit, and provide for penalties and remedies.

Amends secs. 248 & 249 of 1931 PA 328 (MCL 750.248 & 750.249) & adds secs. 248b & 249b.

**I.E. House, October 5, 2011.**

**For House amendment, see House Journal No. 76, page 2319.**

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

**Committee recommended I.E.**

17

**HB 4478** Rep. Lyons

Criminal procedure; sentencing guidelines; sentencing guidelines for forgery and uttering and publishing of real estate instruments; enact.

Amends sec. 16n, ch. XVII of 1927 PA 175 (MCL 777.16n) & adds sec. 28a.

**I.E. House, October 5, 2011.**

**For House amendment, see House Journal No. 76, page 2319.**

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

**Committee recommended I.E.**

18

**HB 4492** Rep. Tlaib

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

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

**I.E. House, October 5, 2011.**

**House substitute (H-1).**

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

**Committee recommended I.E.**

## GENERAL ORDERS

19

**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.**

20

**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.**

21

**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.**

22

**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.**

23

**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.**

24

**SB 17** Sen. Jones  
Health; pharmaceuticals; formation of medicinal marijuana clubs or operation of medical marijuana 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.**

## GENERAL ORDERS

25

**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).**

26

**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.**

27

**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.**

28

**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.**

29

**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.**

30

**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.**

## GENERAL ORDERS

31

**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.**

32

**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.**

33

**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.**

34

**SB 187** Sen. Booher

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.**

35

**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.**

36

**SB 26** Sen. Jones

Retirement; legislative; retirement health care benefits for legislators; eliminate.

Amends secs. 50b, 75 & 79 of 1957 PA 261 (MCL 38.1050b et seq.) & adds sec. 79a.

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

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

**Committee recommended I.E.**

## GENERAL ORDERS

37

**SB 133** Sen. Rocca

Income tax; checkoff; money received from certain income tax checkoff to be used for training purposes only; require.

Amends sec. 13 of 1966 PA 291 (MCL 29.373).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

38

**SB 134** Sen. Rocca

Income tax; checkoff; donation to the Michigan firefighter training council; provide for check-off option.

Amends sec. 435 of 1967 PA 281 (MCL 206.435).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

39

**HB 4411** Rep. Haines

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).

**I.E. House, May 17, 2011.**

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

40

**HB 4412** Rep. Huuki

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).

**I.E. House, May 17, 2011.**

**House substitute (H-1).**

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

41

**SB 10** Sen. Jansen

Elections; other; reference to municipal partnership act; provide for in the Michigan election law.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 976a.

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

**Committee recommended I.E.**

42

**SB 376** Sen. Kowall

Economic development; plant rehabilitation; definition of industrial property; expand.

Amends sec. 2 of 1974 PA 198 (MCL 207.552).

**Reported by Committee on Economic Development.**

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

**Committee recommended I.E.**

## GENERAL ORDERS

43

**SB 397** Sen. Jones

Labor; arbitration; procedures for arbitration of police and fire labor disputes; revise.

Amends secs. 2, 3, 5, 6, 8, 9 & 10 of 1969 PA 312 (MCL 423.232 et seq.).

**Reported by Committee on Government Operations.**  
**Committee recommended I.E.**

44

**SB 320** Sen. Jones

Children; protection; ex parte emergency removal order allowing the department of human services to take protective custody of a child; allow.

Amends secs. 10, 13a & 14, ch. XIIA of 1939 PA 288 (MCL 712A.10 et seq.) & adds secs. 14a & 14b to ch. XIIA.

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

45

**SB 351** Sen. Proos

Sales tax; distribution; percentage of sales tax collected to be earmarked to transportation funding; establish.

Amends sec. 25 of 1933 PA 167 (MCL 205.75).

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

46

**SB 208** Sen. Hune

Agriculture; animals; cap on indemnification for disease eradication; eliminate.

Amends sec. 14 of 1988 PA 466 (MCL 287.714).

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

47

**SB 307** Sen. Hune

Criminal procedure; sentencing guidelines; sentencing guidelines for sporting swine marketing act violations; enact.

Amends sec. 12m, ch. XVII of 1927 PA 175 (MCL 777.12m).

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

48

**SB 308** Sen. Hune

Agriculture; animals; ability of registrant under privately owned cervidae producers marketing act to operate sporting swine estate; provide for.

Amends sec. 5 of 2000 PA 190 (MCL 287.955).

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

## GENERAL ORDERS

49

**SB 309** Sen. Hune

Agriculture; animals; certain sporting swine; exclude from regulation as game.

Amends secs. 40103 & 41102 of 1994 PA 451 (MCL 324.40103 & 324.41102).

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

50

**SB 310** Sen. Hune

Agriculture; animals; sporting swine livestock operations; regulate.

Creates new act.

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

51

**SB 377** Sen. Boohar

Health; medical marihuana; registry information; make available to law enforcement officers upon issuance of a medical marihuana card.

Amends sec. 6 of IL 1 of 2008 (MCL 333.26426).

**Reported by Committee on Judiciary.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

52

**SB 418** Sen. Jones

Health; medical marihuana; permissible causes of action under the medical marihuana law; clarify.

Amends sec. 7 of 2008 IL 1 (MCL 333.26427).

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

53

**SB 504** Sen. Jones

Health; medical marihuana; dispensing medical marihuana within 1,000 feet of a church or school; prohibit.

Amends sec. 4 of 2008 IL 1 (MCL 333.26424).

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

54

**SB 505** Sen. Jones

Health; medical marihuana; qualification for designation as primary caregiver; establish.

Amends sec. 6 of 2008 IL 1 (MCL 333.26426).

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

55

**HB 4563** Rep. Nesbitt

State; escheats; business-to-business exemption; provide for.

Amends 1995 PA 29 (MCL 567.221 - 567.265) by adding sec. 37a.

**I.E. House, June 8, 2011.**

**House substitute (H-1).**

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



## GENERAL ORDERS

56

**SB 363** Sen. Bieda  
Human services; other; uses for bridge card; clarify.  
Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding secs. 14k & 14l.  
**Reported by Committee on Families, Seniors and Human Services.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

57

**HB 4553** Rep. MacMaster  
Occupations; landscape architects; requirement for continuing education for renewal of license; establish.  
Amends secs. 2203 & 2205 of 1980 PA 299 (MCL 339.2203 & 339.2205).  
**I.E. House, June 14, 2011.**  
**Reported by Committee on Regulatory Reform.**  
**Committee recommended I.E.**

58

**HB 4061** Rep. Geiss  
Liquor; licenses; provision relating to consumption of alcohol products on licensed premises produced by home brewers; modify to allow the premises of microbrewers or brewpubs under certain circumstances.  
Amends sec. 1027 of 1998 PA 58 (MCL 436.2027).  
**I.E. House, June 23, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Regulatory Reform.**  
**Committee recommended I.E.**

59

**SB 557** Sen. Bieda  
Family law; paternity; revocation of paternity act; enact.  
Creates new act.  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

60

**SB 558** Sen. Bieda  
Family law; paternity; acknowledgment of parentage; allow to be set aside under revocation of paternity act.  
Amends sec. 7 of 1996 PA 305 (MCL 722.1007) & repeals sec. 11 of 1996 PA 305 (MCL 722.1011).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

61

**SB 559** Sen. Jones  
Family law; paternity; order of filiation; allow to be set aside under revocation of paternity act.  
Amends sec. 10 of 1956 PA 205 (MCL 722.720).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

62

**SB 560** Sen. Jones  
Family law; paternity; determination of parentage for intestate succession; provide for determination under revocation of paternity act.  
Amends sec. 2114 of 1998 PA 386 (MCL 700.2114).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

## GENERAL ORDERS

63

**SB 353** Sen. Robertson  
Traffic control; violations; any intoxicating substance; include in definition of "operating while intoxicated".  
Amends sec. 625 of 1949 PA 300 (MCL 257.625).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

64

**SB 539** Sen. Schuitmaker  
Probate; guardians and conservators; appointment in this state of guardians and conservators appointed in other jurisdictions; allow.  
Amends secs. 5313 & 5433 of 1998 PA 386 (MCL 700.5313 & 700.5433) & adds secs. 5202a & 5301a.  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

65

**SB 453** Sen. Johnson  
Property tax; payment and collection; delinquent tax collection process; revise.  
Amends 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 57b.  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

66

**SB 204** Sen. Kowall  
Elections; special elections; requirement for a special election when a vacancy occurs in the office of county commissioner during an odd numbered year; eliminate.  
Amends sec. 12 of 1966 PA 261 (MCL 46.412).  
**Reported by Committee on Local Government and Elections.**  
**Committee recommended I.E.**

67

**HB 4452** Rep. Yonker  
Employment security; benefits; eligibility of educational contractor employees; revise.  
Amends sec. 27 of 1936 (Ex Sess) PA 1 (MCL 421.27).  
**I.E. House, June 7, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Economic Development.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

68

**SB 642** Sen. Jones  
Crimes; assaultive; assaulting a health care professional; increase penalties.  
Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 81f.  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

69

**SB 643** Sen. Kahn

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting or battering a health care professional; enact.

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

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

70

**HB 4403** Rep. Jackson

Courts; juries; individuals who fail to return jury questionnaires; ensure continued eligibility for jury service.

Amends sec. 1313 of 1961 PA 236 (MCL 600.1313).

**I.E. House, June 30, 2011.**

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

71

**HB 4938** Rep. Gilbert

Income tax; other; definition of gross receipts; replace with definition under former single business tax act.

Amends sec. 607 of 1967 PA 281 (MCL 206.607).

**I.E. House, September 21, 2011.**

**Rules suspended, placed on General Orders, Thursday, September 22.**

72

**SB 651** Sen. Brandenburg

Income tax; income; sourcing based on where the benefit of a source is received; codify revenue administrative bulletin.

Amends sec. 669 of 1967 PA 281 (MCL 206.669).

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

73

**SB 652** Sen. Brandenburg

Income tax; other; definition of financial institution; eliminate outdated reference.

Amends sec. 651 of 1967 PA 281 (MCL 206.651).

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

74

**SB 653** Sen. Brandenburg

Income tax; administration; definition of foreign operating entity and member; clean up.

Amends sec. 607 of 1967 PA 281 (MCL 206.607).

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

75

**SB 657** Sen. Brandenburg

Income tax; administration; definition of tax year for certain persons included in a unitary business group; clarify.

Amends sec. 611 of 1967 PA 281 (MCL 206.611).

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

## GENERAL ORDERS

76

**SB 658** Sen. Jansen

Michigan business tax; replacement; administration, operation, and filing after enactment of corporate income tax; clarify.

Amends secs. 107, 117, 431, 500 & 503 of 2007 PA 36 (MCL 208.1107 et seq.) & adds sec. 512.

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

77

**SB 659** Sen. Jansen

Income tax; credit; provision to provide for recapture under certain circumstances of certain credits earned under previous business tax acts; create.

Amends 1967 PA 281 (MCL 206.1 - 206.713) by adding sec. 673.

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

78

**SB 661** Sen. Jansen

Income tax; property tax credit; definition of total household resources; clean up.

Amends sec. 508 of 1967 PA 281 (MCL 206.508).

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

79

**SB 662** Sen. Jansen

Income tax; property tax credit; definition of income; clean up.

Amends sec. 510 of 1967 PA 281 (MCL 206.510).

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

80

**SB 663** Sen. Jansen

Income tax; property tax credit; treatment of senior citizens; clarify.

Amends sec. 522 of 1967 PA 281 (MCL 206.522).

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

81

**SB 664** Sen. Pappageorge

Income tax; income; effective date of single factor apportionment of business income for transportation services; correct.

Amends sec. 115 of 1967 PA 281 (MCL 206.115).

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

82

**SB 665** Sen. Pappageorge

Income tax; income; definition carve-out of business income for electric cooperatives; eliminate.

Amends sec. 603 of 1967 PA 281 (MCL 206.603).

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

## GENERAL ORDERS

83

**SB 666** Sen. Pappageorge  
Income tax; other; definition of corporation; clarify.  
Amends sec. 605 of 1967 PA 281 (MCL 206.605).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

84

**SB 667** Sen. Pappageorge  
Income tax; administration; definition of person; include flow-through entity.  
Amends sec. 609 of 1967 PA 281 (MCL 206.609).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

85

**SB 668** Sen. Pappageorge  
Income tax; income; certain adjustments to tax base; clarify.  
Amends sec. 623 of 1967 PA 281 (MCL 206.623).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

86

**SB 673** Sen. Robertson  
Income tax; other; references to each tax base; eliminate to reflect single tax base.  
Amends sec. 663 of 1967 PA 281 (MCL 206.663).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

87

**SB 675** Sen. Robertson  
Income tax; administration; tax base and sales factor for a foreign person; clarify.  
Amends sec. 625 of 1967 PA 281 (MCL 206.625).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

88

**SB 676** Sen. Proos  
Income tax; other; definition of gross receipts; replace with definition under former single business tax act.  
Amends sec. 607 of 1967 PA 281 (MCL 206.607).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

89

**SB 678** Sen. Proos  
Income tax; administration; treatment of disregarded entities; clarify.  
Amends 1967 PA 281 (MCL 206.1 - 206.713) by adding sec. 699.  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

90

**SB 681** Sen. Proos  
Income tax; other; internal cite included with a credit for taxes withheld; correct.  
Amends sec. 251 of 1967 PA 281 (MCL 206.251).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

## GENERAL ORDERS

91

**SB 574** Sen. Bieda  
Animals; dogs; sale of dogs and cats; create certain protections for purchasers.  
Amends title & sec. 1 of 1969 PA 287 (MCL 287.331) & adds sec. 5b.  
**Reported by Committee on Regulatory Reform.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

92

**SB 35** Sen. Nofs  
Traffic control; traffic regulation; provision relating to maximum length allowed for a recreational vehicle; expand to include trailers.  
Amends secs. 719 & 721 of 1949 PA 300 (MCL 257.719 & 257.721).  
**Reported by Committee on Transportation.**  
**Senate substitute (S-1).**

93

**SB 534** Sen. Gleason  
Vehicles; fund-raising registration plates; anatomical gift donation fund-raising registration plate; create.  
Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 811t.  
**Reported by Committee on Transportation.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

94

**HB 4109** Rep. Daley  
Health; abortion; partial-birth abortions; prohibit.  
Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 90h.  
**I.E. House, September 21, 2011.**  
**House substitute (H-3).**  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

95

**SB 135** Sen. Robertson  
Children; parental rights; process for judicial waiver of parental consent requirement; clarify.  
Amends secs. 3 & 4 of 1990 PA 211 (MCL 722.903 & 722.904).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

96

**SB 321** Sen. Jones  
Insurance; no-fault; medical marihuana coverage in insurance policies; exempt required coverage for.  
Amends sec. 3107 of 1956 PA 218 (MCL 500.3107).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**



## GENERAL ORDERS

97

**SB 580** Sen. Casperson

Crimes; other; penalties for failure to report a missing child or death of a child to law enforcement agencies in a timely manner; establish.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 145e.

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

98

**SB 626** Sen. Rocca

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of failing to report death of minor or to report child as missing; enact.

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

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

99

**SB 433** Sen. Hune

Gaming; horse racing; Michigan agriculture equine industry development fund; provide for payment of breeders' awards to Michigan-bred thoroughbred horses racing out of state.

Amends title & sec. 20 of 1995 PA 279 (MCL 431.320).

**Reported by Committee on Agriculture.**

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

**Committee recommended I.E.**

100

**SB 454** Sen. Nofs

Civil procedure; evidence; testimony of a vulnerable adult; allow to be presented by videotape or closed-circuit television.

Amends sec. 2163a of 1961 PA 236 (MCL 600.2163a).

**Reported by Committee on Families, Seniors and Human Services.**

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

**Committee recommended I.E.**

101

**SB 455** Sen. Rocca

Criminal procedure; sentencing guidelines; sentencing guidelines for certain fraud violations; revise.

Amends secs. 16i & 16o, ch. XVII of 1927 PA 175 (MCL 777.16i & 777.16o).

**Reported by Committee on Families, Seniors and Human Services.**

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

**Committee recommended I.E.**

102

**SB 459** Sen. Emmons

Crimes; embezzlement; crime of obtaining signature by fraud and penalties for financial exploitation of vulnerable adults; increase under certain circumstances.

Amends secs. 159g, 174a & 273 of 1931 PA 328 (MCL 750.159g et seq.).

**Reported by Committee on Families, Seniors and Human Services.**

**Committee recommended I.E.**

## GENERAL ORDERS

103

**SB 465** Sen. Hildenbrand

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of financial exploitation of vulnerable adult; revise to reflect increased penalties.

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

**Reported by Committee on Families, Seniors and Human Services.**

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

**Committee recommended I.E.**

104

**SB 466** Sen. Schuitmaker

Law enforcement; reports; senior medical alert program; provide for.

Creates new act.

**Reported by Committee on Families, Seniors and Human Services.**

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

**Committee recommended I.E.**

105

**SB 468** Sen. Hansen

Criminal procedure; arrests; complainant's signature requirement to file a criminal complaint in cases alleging vulnerable adult abuse; prohibit magistrate from refusing to accept complaint because signed upon information and belief by individual other than the victim.

Amends sec. 1a, ch. IV of 1927 PA 175 (MCL 764.1a).

**Reported by Committee on Families, Seniors and Human Services.**

**Committee recommended I.E.**

106

**SB 298** Sen. Smith

Insurance; other; practitioners who employ, use, or act as a runner, capper, or steerer to falsely or fraudulently obtain benefits; prohibit as fraudulent act.

Amends secs. 4501 & 4503 of 1956 PA 218 (MCL 500.4501 & 500.4503).

**Reported by Committee on Insurance.**

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

**Committee recommended I.E.**

107

**SB 630** Sen. Jones

Criminal procedure; probation; retention and release of nonpublic records of an arrest, diversion, discharge, or dismissal of certain controlled substance cases; clarify.

Amends sec. 1070 of 1961 PA 236 (MCL 600.1070).

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

108

**SB 631** Sen. Schuitmaker

Criminal procedure; probation; retention of nonpublic records during period of diversion for a controlled substance violation; clarify.

Amends sec. 350a of 1931 PA 328 (MCL 750.350a).

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

## GENERAL ORDERS

109

**SB 632** Sen. Bieda

Criminal procedure; probation; retention of nonpublic records during period of diversion for a controlled substance violation; require.

Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

110

**SB 633** Sen. Smith

Criminal procedure; probation; retention of nonpublic records during period of diversion for certain crimes; clarify.

Amends sec. 4a, ch. IX of 1927 PA 175 (MCL 769.4a).

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

111

**HB 4071** Rep. Lori

Corrections; jails; double-bunking and jail cell size provisions; modify.

Amends secs. 62b & 62c of 1953 PA 232 (MCL 791.262b & 791.262c).

**I.E. House, September 20, 2011.**

**For House amendment, see Senate Journal No. 70, page 2203.**

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

112

**SB 561** Sen. Brandenburg

Transportation; limousines; authority to license; limit to transportation department and department of state and repeal provision allowing safety inspection by local units of government.

Amends secs. 5, 7, 13 & 15 of 1990 PA 271 (MCL 257.1905 et seq.) & repeals secs. 1914 & 1923 of 1990 PA 271 (MCL 257.1914 & 257.1923).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

113

**SB 619** Sen. Colbeck

Education; public school academies; certain requirements and limitations on authorizing cyber schools; revise.

Amends sec. 552 of 1976 PA 451 (MCL 380.552).

**Reported by Committee on Education.**

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

**Committee recommended I.E.**

114

**SB 621** Sen. Hansen

School aid; other; conditions under which public school may receive school aid for instruction provided to nonpublic school students at nonpublic school site; revise.

Amends sec. 166b of 1979 PA 94 (MCL 388.1766b).

**Reported by Committee on Education.**

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

**Committee recommended I.E.**

## GENERAL ORDERS

115

**HB 4394** Rep. Haveman

Employment security; benefits; computation and charging of unemployment benefits; modify for continuing employer.

Amends 1936 (Ex Sess) PA 1 (MCL 421.1 - 421.75) by adding sec. 27c.

**I.E. House, June 22, 2011.**

**House substitute (H-1).**

**Reported by Committee on Economic Development.**

**Committee recommended I.E.**

116

**HB 4554** Rep. MacMaster

Natural resources; Great Lakes; submerged log permits; modify requirements.

Amends secs. 32601, 32603, 32604, 32606, 32607 & 32609 of 1994 PA 451 (MCL 324.32601 et seq.).

**I.E. House, June 23, 2011.**

**House substitute (H-3).**

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

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

**Committee recommended I.E.**

117

**SB 412** Sen. Booher

Natural resources; hunting; wild turkey license fee; modify use.

Amends sec. 43524 of 1994 PA 451 (MCL 324.43524).

**Reported by Committee on Outdoor Recreation and Tourism.**

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

**Committee recommended I.E.**

118

**HB 4369** Rep. Liss

Health; pharmaceuticals; electronic monitoring system for certain dispensed controlled substances; allow health care benefit plans to access.

Amends sec. 7333a of 1978 PA 368 (MCL 333.7333a).

**I.E. House, April 12, 2011.**

**Reported by Committee on Health Policy.**

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

**Committee recommended I.E.**

## RESOLUTIONS

119

**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.**

## RESOLUTIONS

120

**SR 67** Sen. Marleau

A resolution to urge the Secretary of the United States Department of Health and Human Services to continue the Perinatology Research Branch facility in Detroit.

**Reported by Committee on Health Policy.**

**For text of resolution, see Senate Journal No. 58, page 1656.**

**Adoption pending.**

121

**SCR 18** Sen. Walker

A concurrent resolution to memorialize Congress to take immediate action to close the O'Brien Lock and Dam in the Chicago Waterway System to prevent Asian carp from entering Lake Michigan and the Great Lakes watershed.

**Returned from House with House substitute (H-1), Thursday, October 6; laid over under the rules.**

**Adoption pending.**

## COMMITTEE REPORTS

122

**HB 4888** Rep. McBroom

Highways; name; certain bridge on US-141; designate as the "Veterans Memorial Bridge".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 70.

**I.E. House, October 4, 2011.**

**Reported by Committee on Transportation.**

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

**Committee recommended I.E.**

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

123

**SB 688** Sen. Schuitmaker

Crimes; perjury; unsworn declaration made under penalty of perjury; include as a statement punishable as perjury.

Amends sec. 423 of 1931 PA 328 (MCL 750.423).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

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

124

**SB 707** Sen. Schuitmaker

Civil procedure; discovery; uniform interstate depositions and discovery act; adopt.

Amends sec. 1852 of 1961 PA 236 (MCL 600.1852) & adds ch. 22.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

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

## COMMITTEE REPORTS

125

**HB 4881** Rep. Horn

Courts; probate court; provisions regarding the election of a state presiding probate judge; eliminate.

Repeals secs. 819 & 824 of 1961 PA 236 (MCL 600.819 & 600.824).

**I.E. House, September 28, 2011.**

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

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

## SCHEDULED MEETINGS

**Appropriations** - Wednesday, October 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1106)

**Subcommittee -**

**Human Services Department; Families, Seniors and Human Services; House Families, Children, and Seniors; and House Human Services Appropriations Subcommittee** - Thursday, October 27, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Economic Development** - Wednesday, October 12, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

**Education** - Wednesday, October 12, 12:00 noon, Room 110, Farnum Building (373-5314)

**Families, Seniors and Human Services; Human Services Department Appropriations Subcommittee; House Families, Children, and Seniors; and House Human Services Appropriations Subcommittee** - Thursday, October 27, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

**Finance** - Wednesday, October 12, 12:30 p.m., Room 210, Farnum Building (373-5307) (CANCELED)

**Michigan Law Revision Commission** - Thursday, October 13, 11:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212) (CANCELED)

**Natural Resources, Environment and Great Lakes** - Thursday, October 13, 8:30 a.m., Room 210, Farnum Building (373-5323)

**Reforms, Restructuring and Reinventing** - Wednesday, October 12, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

**Regulatory Reform** - Thursday, October 13, 12:30 p.m., Room 110, Farnum Building (373-5307)