

No. 89

# MICHIGAN SENATE

## DAILY CALENDAR

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TUESDAY, NOVEMBER 8, 2011  
10:00 a.m.

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### MOTIONS

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1

(Consideration postponed until Wednesday, November 30.)

**SB 45** Sen. Anderson  
Education; discipline; policy prohibiting harassment and bullying at school; require.  
Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1310b.  
**Motion to discharge Committee on Judiciary pending.**

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### MESSAGES FROM THE HOUSE

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2

**SB 502** Sen. Nofs  
Liquor; licenses; license to serve alcohol at certain community colleges and universities; allow.  
Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 513a.  
**I.E. House, October 27, 2011.**  
**Returned from House with House substitute (H-1), Tuesday, November 1; laid over under the rules.**  
**Committee recommended I.E.**

3

**SB 291** Sen. Pavlov  
Vehicles; motorcycles; motorcycle helmet requirement; abolish under certain circumstances.  
Amends sec. 658 of 1949 PA 300 (MCL 257.658).  
**I.E. House, November 2, 2011.**  
**Returned from House with House substitute (H-2), Thursday, November 3; laid over under the rules.**  
**Committee recommended I.E.**

4

**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.**  
**I.E. Senate, October 18, 2011.**  
**Returned from House with amendments to Senate substitute (S-2), Thursday, November 3; laid over under the rules.**

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### THIRD READING OF BILLS

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5

**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.**

6

**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.**

7

**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.**

8

**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.**

9

**SB 596** Sen. Kahn  
Crimes; criminal sexual conduct; age of consent for sexual contact between school employee and student; revise.  
Amends secs. 520d & 520e of 1931 PA 328 (MCL 750.520d & 750.520e).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## THIRD READING OF BILLS

10

**SB 755** Sen. Jones

Crimes; criminal sexual conduct; reference to fourth degree criminal sexual conduct; amend to reflect change.

Amends sec. 2a of 1966 PA 189 (MCL 780.652a).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

11

**SB 727** Sen. Boohar

Courts; circuit court; requirement for circuit court to consent to appointment of assistant prosecutor by prosecuting attorney in certain cases; eliminate.

Amends sec. 18, ch. XVI of 1927 PA 175 (MCL 776.18).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

12

**SB 728** Sen. Boohar

Courts; circuit court; requirement for circuit court to consent to appointment of assistant prosecutor by the prosecutor in certain cases; eliminate.

Amends sec. 1 of 1911 PA 41 (MCL 49.41).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

## GENERAL ORDERS

13

**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.**

14

**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.**

15

**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.**

## GENERAL ORDERS

16

**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.**

17

**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).**

18

**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.**

19

**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.**

20

**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.**

21

**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.**

## GENERAL ORDERS

22

**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.**

23

**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.**

24

**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.**

25

**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.**

26

**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.**

27

**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.**

## GENERAL ORDERS

28

**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.**

29

**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.**

30

**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.**

31

**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.**

32

**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.**

33

**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.**

34

**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.**

## GENERAL ORDERS

35

**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.**

36

**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.**

37

**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.**

38

**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.**

39

**SB 377** Sen. Booher  
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.**

40

**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.**

## GENERAL ORDERS

41

**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.**

42

**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.**

43

**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.**

44

**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.**

45

**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.**

46

**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.**

47

**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.**

## GENERAL ORDERS

48

**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.**

49

**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.**

50

**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.**

51

**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.**

52

**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.**

53

**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.**

54

**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.**

## GENERAL ORDERS

55

**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.**

56

**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.**

57

**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.**

58

**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.**

59

**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.**

60

**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.**

61

**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.**



## GENERAL ORDERS

62

**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.**

63

**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.**

64

**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.**

65

**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.**

66

**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.**

67

**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.**

68

**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.**

69

**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.**

## GENERAL ORDERS

70

**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.**

71

**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.**

72

**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.**

73

**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.**

74

**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.**

75

**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.**

## GENERAL ORDERS

76

**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.**

77

**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.**

78

**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.**

79

**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.**

80

**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.**

81

**SB 620** Sen. Robertson

Education; public school academies; conversion schools; provide for.

Amends secs. 3 & 5 of 1976 PA 451 (MCL 380.3 & 380.5) & adds pt. 6d.

**Reported by Committee on Education.**

**Senate substitute (S-4).**

**Committee recommended I.E.**

## GENERAL ORDERS

82

**SB 413** Sen. Jansen

Retirement; state employees; prohibition of receiving retirement allowance if return to state service; remove for certain child welfare employees.

Amends sec. 68c of 1943 PA 240 (MCL 38.68c).

**Reported by Committee on Appropriations.**

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

**Committee recommended I.E.**

83

**HB 4295** Rep. Agema

Occupations; athletics; amateur mixed martial arts licensure; provide for.

Creates new act.

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

**House substitute (H-2).**

**Reported by Committee on Regulatory Reform.**

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

**Committee recommended I.E.**

84

**HB 4296** Rep. Agema

Criminal procedure; sentencing guidelines; sentencing guidelines for violations of certain Michigan amateur mixed martial arts regulatory act violations; provide for.

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

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

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

**Reported by Committee on Regulatory Reform.**

**Committee recommended I.E.**

85

**SB 726** Sen. Jones

Criminal procedure; statute of limitations; statute of limitations for attempted murder, kidnapping, and manslaughter; revise.

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

**Reported by Committee on Judiciary.**

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

**Committee recommended I.E.**

86

**SB 516** Sen. Proos

Vehicles; agricultural equipment; definition of modified agriculture vehicle; create, and provide an exception from certain weight requirements.

Amends secs. 627, 688, 722 & 801 of 1949 PA 300 (MCL 257.627 et seq.) & adds sec. 30c.

**Reported by Committee on Transportation.**

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

**Committee recommended I.E.**

87

**SB 582** Sen. Casperson

Traffic control; traffic regulation; access to designated highways for unloaded lowboys; allow.

Amends sec. 719 of 1949 PA 300 (MCL 257.719).

**Reported by Committee on Transportation.**

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

**Committee recommended I.E.**

## GENERAL ORDERS

88

**HB 4642** Rep. McBroom

Traffic control; traffic regulation; definition of authorized emergency vehicle; amend to include privately owned vehicles of an emergency management unit.

Amends sec. 2 of 1949 PA 300 (MCL 257.2).

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

**House substitute (H-2).**

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

89

**HB 4770** Rep. Agema

Public employees and officers; compensation and benefits; medical benefits for domestic partners; prohibit public employers from providing.

Creates new act.

**I.E. House, September 15, 2011.**

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

**Committee recommended I.E.**

90

**HB 4771** Rep. Agema

Labor; collective bargaining; domestic partner benefits; make a prohibited subject of bargaining.

Amends sec. 15 of 1947 PA 336 (MCL 423.215).

**I.E. House, September 15, 2011.**

**House substitute (H-2).**

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

**Committee recommended I.E.**

91

**SB 767** Sen. Jones

Torts; defenses; use of an automated external defibrillator; provide immunity for school employees.

Amends sec. 1531d of 1976 PA 451 (MCL 380.1531d).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

92

**SB 107** Sen. Hunter

Sales tax; exemptions; exemptions for fund-raising by nonprofits and charities; clarify.

Amends sec. 4q of 1933 PA 167 (MCL 205.54q).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

93

**SB 368** Sen. Brandenburg

Taxation; administration; treatment of personal investment income under the former single business tax act; clarify.

Amends sec. 27a of 1941 PA 122 (MCL 205.27a).

**Reported by Committee on Finance.**

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

**Committee recommended I.E.**

## GENERAL ORDERS

94

**SB 369** Sen. Brandenburg

Michigan business tax; tax base; treatment of personal investment income; clarify.

Amends secs. 105, 111, 113, 117, 201, 207, 305, 403, 405, 413, 433, 505 & 511 of 2007 PA 36 (MCL 208.1105 et. seq.).

**Reported by Committee on Finance.**

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

**Committee recommended I.E.**

95

**HB 4298** Rep. Lindberg

Natural resources; other; easements across state-owned land; revise policy for granting.

Amends secs. 2123 & 2124 of 1994 PA 451 (MCL 324.2123 & 324.2124) & adds sec. 2123a.

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

**House substitute (H-4).**

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

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

**Committee recommended I.E.**

96

**SB 306** Sen. Hune

Insurance; no-fault; code of conduct for certain automobile glass repair or replacement facilities; require.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2110c.

**Reported by Committee on Insurance.**

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

**Committee recommended I.E.**

97

**SB 645** Sen. Kahn

Corrections; prisoners; prisoners receiving or possessing certain items; prohibit.

Amends 1953 PA 232 (MCL 791.201 - 791.285) by adding sec. 69.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

98

**SB 760** Sen. Green

Weapons; firearms; definition of pistol; modify.

Amends secs. 222 & 223 of 1931 PA 328 (MCL 750.222 & 750.223).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

99

**SB 761** Sen. Kowall

Weapons; firearms; definition of pistol; modify.

Amends sec. 1 of 1927 PA 372 (MCL 28.421).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**



## GENERAL ORDERS

100

**SB 762** Sen. Robertson  
Weapons; firearms; definition of pistol; modify.  
Amends sec. 2951 of 1961 PA 236 (MCL 600.2951).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

101

**SB 778** Sen. Kowall  
Natural resources; inland lakes; public road access to lakes or streams; specify authorized uses.  
Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 30111b.  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

102

**HB 4017** Rep. Agema  
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.  
**I.E. House, June 16, 2011.**  
**House substitute (H-1).**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

103

**HB 4042** Rep. MacMaster  
Environmental protection; permit denial; require department to provide applicant with a scientific rationale for the decision.  
Amends sec. 1307 of 1994 PA 451 (MCL 324.1307).  
**I.E. House, June 16, 2011.**  
**House substitute (H-1).**  
**Reported by Committee on Economic Development.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

104

**HB 4043** Rep. MacMaster  
Environmental protection; enforcement actions; require department to meet with permittee prior to initiating enforcement.  
Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 1511.  
**I.E. House, June 16, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

105

**HB 4240** Rep. Goike  
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.).  
**I.E. House, June 16, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Economic Development.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

106

**HB 4326** Rep. Farrington  
Administrative procedure; rules; adoption of rules by state agencies; prohibit from being more stringent than federal regulations.  
Amends sec. 32 of 1969 PA 306 (MCL 24.232).  
**I.E. House, June 16, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

107

**HB 4500** Rep. Kowall  
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).  
**I.E. House, June 16, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Economic Development.**  
**Committee recommended I.E.**

108

**HB 4573** Rep. Haines  
Administrative procedure; rules; use of certain orders, bulletins, and guidelines; establish limit and provide for regulatory flexibility for small businesses.  
Amends secs. 3, 32, 39, 40, 43, 45, 61 & 64 of 1969 PA 306 (MCL 24.203 et seq.) & adds sec. 45b.  
**I.E. House, June 16, 2011.**  
**House substitute (H-2).**  
**Reported by Committee on Economic Development.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## RESOLUTIONS

109

**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.**

110

**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.**

## RESOLUTIONS

111

**HCR 34** Rep. MacGregor

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

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

**Reported by Committee on Appropriations.**

**For text of resolution, see Senate Journal No. 77, page 2318.**

**Adoption pending.**

112

**SCR 19** Sen. Colbeck

A concurrent resolution to memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant program.

**Reported by Committee on Transportation.**

**For text of resolution, see Senate Journal No. 73, page 2237.**

**Adoption pending.**

113

**SR 93** Sen. Colbeck

A resolution to memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant program.

**Reported by Committee on Transportation.**

**For text of resolution, see Senate Journal No. 86, page 2453.**

**Adoption pending.**

## COMMITTEE REPORTS

114

**SR 94** Sen. Emmons

A resolution to memorialize Congress and the United States Department of Labor to halt the implementation of proposed restrictions regarding youth employment on farms.

**Reported by Committee on Agriculture.**

**For text of resolution, see Senate Journal No. 87, page 2485.**

**Refer to Resolutions pursuant to Rule 3.106.**

115

**SB 725** Sen. Moolenaar

Property tax; exemptions; qualified agricultural property; include property employing wildlife risk mitigation practices.

Amends secs. 7dd & 34c of 1893 PA 206 (MCL 211.7dd & 211.34c).

**Reported by Committee on Agriculture.**

**Committee recommended I.E.**

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

## COMMITTEE REPORTS

116

**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.**

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

**Committee recommended I.E.**

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

117

**HB 5014** Rep. Moss

Appropriations; supplemental; multidepartment supplemental; provide for fiscal year 2011-2012.

Creates appropriation act.

**I.E. House, October 19, 2011.**

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

**Reported by Committee on Appropriations.**

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

**Committee recommended I.E.**

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

118

**HB 4293** Rep. Haugh

Explosives; licensing; Michigan fireworks safety act; create.

Creates new act & repeals ch. XXXIX of 1931 PA 328 (MCL 750.243a - 750.243e).

**I.E. House, October 19, 2011.**

**House substitute (H-8).**

**Reported by Committee on Regulatory Reform.**

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

**Committee recommended I.E.**

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

119

**HB 4893** Rep. Callton

Occupations; optometrists; special volunteer license and immunity from liability; expand to include optometrists.

Amends secs. 16184 & 16185 of 1978 PA 368 (MCL 333.16184 & 333.16185).

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

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

**Reported by Committee on Health Policy.**

**Committee recommended I.E.**

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

## SCHEDULED MEETINGS

**Appropriations -**

**Subcommittees -**

**Human Services Department -** Tuesday, November 8, 2:00 p.m., Room 405, Capitol Building (373-2768)

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**SCHEDULED MEETINGS**


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**State Police and Military Affairs and House State Police Appropriations Subcommittee** - Thursday, November 10, 2:00 p.m., Room 405, Capitol Building (373-2768)

**Economic Development** - Wednesday, November 9, 3:30 p.m., Oakland University, Oakland Center, Gold Room, 2200 North Squirrel Road, Rochester (373-5312)

**Energy and Technology** - Tuesday, November 8, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5307)

**Families, Seniors and Human Services** - Wednesday, November 9, 3:00 p.m., Room 210, Farnum Building (373-5312)

**Finance** - Wednesday, November 9, 12:30 p.m., Room 210, Farnum Building (373-5307)

**Government Operations** - Tuesday, November 8, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

**Insurance** - Tuesday, November 8, 2:30 p.m., Room 100, Farnum Building (373-5324)

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**SCHEDULED MEETINGS**


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**Judiciary** - Tuesday, November 8, 2:30 p.m., Room 110, Farnum Building (373-5323)

**Michigan Law Revision Commission** - Wednesday, December 7, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Outdoor Recreation and Tourism** - Thursday, November 10, 12:30 p.m., Room 210, Farnum Building (373-5323)

**Reforms, Restructuring and Reinventing** - Monday, November 7, 3:30 p.m., Oakland University, Oakland Center, Gold Room, 2200 North Squirrel Road, Rochester (373-5307)

**State Drug Treatment Court Advisory Committee** - Tuesday, November 22, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Transportation** - Tuesday, November 8, 12:30 p.m., Room 100, Farnum Building (373-5314)

**Veterans, Military Affairs and Homeland Security** - Tuesday, November 8, 1:00 p.m., Room 210, Farnum Building (373-5312)