

No. 49  
**MICHIGAN SENATE**  
**DAILY CALENDAR**

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TUESDAY, JUNE 9, 2009  
10:00 a.m.

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**MOTIONS**

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1

(Consideration postponed until Friday, October 2.)

**HB 4316** Rep. Lisa Brown  
Torts; product liability; limitation on liability for drugs that have been approved by federal food and drug administration; rescind.  
Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).  
**I.E. House, March 26, 2009.**  
**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.**

2

(Consideration postponed until Friday, October 2.)

**HB 4317** Rep. Kennedy  
Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years after repeal of the defense.  
Amends sec. 5805 of 1961 PA 236 (MCL 600.5805).  
**I.E. House, March 26, 2009.**  
**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.**

3

(Consideration postponed until Friday, October 2.)

**HB 4318** Rep. Slavens  
Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify.  
Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).  
**I.E. House, March 26, 2009.**  
**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.**

4

(Consideration postponed until Thursday, December 31.)

**SR 15** Sen. Whitmer  
A resolution to amend the Standing Rules of the Senate.  
**Motion to reconsider motion to discharge Committee on Government Operations and Reform, Thursday, May 7.**

**THIRD READING OF BILLS**

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5

**SB 216** Sen. Allen  
Liquor; licenses; continuing care retirement center liquor license; create.  
Amends secs. 525 & 537 of 1998 PA 58 (MCL 436.1525 & 436.1537) & adds sec. 545.  
**Reported by Committee on Economic Development and Regulatory Reform.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

6

**SB 47** Sen. Kahn  
Health; pharmaceuticals; prescription drug website; provide for.  
Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9721.  
**Reported by Committee on Health Policy.**  
**Committee recommended I.E.**

7

**SB 434** Sen. Gilbert  
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.).  
**Reported by Committee on Economic Development and Regulatory Reform.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

8

**SB 583** Sen. Stamas  
Higher education; community colleges; investment of surplus funds in certain certificates of deposit; authorize.  
Amends sec. 142 of 1966 PA 331 (MCL 389.142).  
**Reported by Committee on Banking and Financial Institutions.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

**GENERAL ORDERS**

9

**SB 237** Sen. Brown  
 Appropriations; zero budget; department of agriculture; provide for fiscal year 2009-2010.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

10

**SB 245** Sen. Pappageorge  
 Appropriations; zero budget; general government; provide for fiscal year 2009-2010.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

11

**SB 248** Sen. Hardiman  
 Appropriations; zero budget; department of human services; provide for fiscal year 2009-2010.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

12

**SB 249** Sen. Cropsey  
 Appropriations; zero budget; judiciary; provide for fiscal year 2009-2010.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

13

**SB 250** Sen. Garcia  
 Appropriations; zero budget; department of military and veterans affairs; provide for fiscal year 2009-2010.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

14

**SB 253** Sen. Garcia  
 Appropriations; zero budget; department of state police; provide for fiscal year 2009-2010.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

15

**SB 254** Sen. Hardiman  
 Appropriations; zero budget; department of transportation; provide for fiscal year 2009-2010.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

**GENERAL ORDERS**

16

**SB 35** Sen. Sanborn  
 Civil procedure; statute of limitations; statute of limitations and statute of repose for actions against architects, engineers, and construction contractors; revise.  
 Amends secs. 5805 & 5839 of 1961 PA 236 (MCL 600.5805 & 600.5839).  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

17

**SB 361** Sen. Gilbert  
 Michigan business tax; gross receipts; phase-in of exclusion of tobacco taxes from the definition of gross receipts; eliminate.  
 Amends sec. 111 of 2007 PA 36 (MCL 208.1111).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**

18

**SB 165** Sen. Barcia  
 Traffic control; accidents; procedure relating to obtaining crash reports; modify.  
 Amends secs. 621 & 622 of 1949 PA 300 (MCL 257.621 & 257.622).  
**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

19

**SB 388** Sen. Birkholz  
 Natural resources; other; state park, boating access site, and forest recreation passport fees; provide for distribution of revenue.  
 Amends secs. 2005, 2030, 2035, 74101, 74102a, 74116, 74117, 74122, 74123, 78105 & 83106 of 1994 PA 451 (MCL 324.2005 et seq.); adds secs. 1911 & 2045 & repeals secs. 1909 & 1910 of 1994 PA 451 (MCL 324.1909 & 324.1910).  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Senate substitute (S-4).**  
**Committee recommended I.E.**

20

**SB 389** Sen. Basham  
 Natural resources; other; state park, boating access site, and forest recreation passport; create.  
 Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 805.  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Senate substitute (S-6).**  
**Committee recommended I.E.**

21

**SB 266** Sen. Hunter  
 Advertising; billboards; billboards for sexually oriented businesses; provide for regulation.  
 Amends sec. 18a of 1972 PA 106 (MCL 252.318a).  
**Reported by Committee on Transportation.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

**GENERAL ORDERS**

22

**HB 4053** Rep. Simpson  
 Highways; name; renaming a portion of M-188; designate as the "Elgie G. Hanna Memorial Highway".  
 Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 77.  
**I.E. House, March 10, 2009.**  
**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

23

**SB 478** Sen. Sanborn  
 Corrections; other; report to legislature of status of offender tracking system; require.  
 Amends 1953 PA 232 (MCL 791.201 - 791.285) by adding sec. 7b.  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

24

**SB 418** Sen. Allen  
 State financing and management; funds; centers of energy excellence program; increase funding.  
 Amends sec. 88q of 1984 PA 270 (MCL 125.2088q).  
**Reported by Committee on Commerce and Tourism.**  
**Committee recommended I.E.**

25

**SB 462** Sen. Richardville  
 Financial institutions; loan officers; mortgage loan officer licensing; adopt statute that complies with federal SAFE act requirements.  
 Creates new act.  
**Reported by Committee on Banking and Financial Institutions.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

26

**SB 463** Sen. Stamas  
 Financial institutions; mortgage brokers and lenders; mortgage brokers, lenders, and servicers licensing act; amend to comply with federal SAFE act requirements.  
 Amends title & secs. 1a, 2, 8, 10, 11, 12, 14, 29 & 33 of 1987 PA 173 (MCL 445.1651a et seq.) & repeals secs. 2a, 2b, 2c & 22b of 1987 PA 173 (MCL 445.1652a et seq.).  
**Reported by Committee on Banking and Financial Institutions.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

27

**SB 464** Sen. Olshove  
 Financial institutions; mortgage brokers and lenders; secondary mortgage loan act; amend to comply with federal SAFE act requirements.  
 Amends title & secs. 1, 2, 6, 6a, 6b, 11, 13, 20, 22 & 27 of 1981 PA 125 (MCL 493.51 et seq.) & repeals secs. 2a, 2b, 2c, 2d & 26a of 1981 PA 125 (MCL 493.52a et seq.).  
**Reported by Committee on Banking and Financial Institutions.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

**GENERAL ORDERS**

28

**SB 465** Sen. Sanborn  
 Financial institutions; other; consumer financial services act; amend to comply with federal SAFE act requirements.  
 Amends sec. 9 of 1988 PA 161 (MCL 487.2059).  
**Reported by Committee on Banking and Financial Institutions.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

29

**SB 483** Sen. Allen  
 Natural resources; hunting; participation license for bear and bobcat hunting when using dogs during hunt; clarify.  
 Amends secs. 43523, 43528 & 43531 of 1994 PA 451 (MCL 324.43523 et seq.).  
**Reported by Committee on Hunting, Fishing and Outdoor Recreation.**  
**Committee recommended I.E.**

30

**SB 592** Sen. Kuipers  
 Education; financing; certain energy contracts; allow.  
 Amends sec. 1274a of 1976 PA 451 (MCL 380.1274a).  
**Reported by Committee on Education.**  
**Committee recommended I.E.**

31

**SB 325** Sen. Basham  
 Crimes; other; installation or use of motor vehicle tracking device; prohibit under certain circumstances and provide penalty.  
 Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 539l.  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

32

**SB 334** Sen. Jelinek  
 Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2008-2009.  
 Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

33

**SB 449** Sen. Brown  
 Law enforcement; other; definition of regularly employed; clarify in commission on law enforcement standards act and allow for certain waivers.  
 Amends secs. 2 & 9 of 1965 PA 203 (MCL 28.602 & 28.609).  
**Reported by Committee on Homeland Security and Emerging Technologies.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

**GENERAL ORDERS**

34

**SB 204** Sen. Olshove  
 Liens; other; self-service storage facility's right to deny access to property and sell property if rent is unpaid; prohibit for units rented by certain military personnel.  
 Amends secs. 4 & 5 of 1985 PA 148 (MCL 570.524 & 570.525).  
**Reported by Committee on Senior Citizens and Veterans Affairs.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

35

**SB 371** Sen. Garcia  
 Communications; cellular telephone; active duty military personnel; allow to cancel cellular telephone contract without penalties.  
 Creates new act.  
**Reported by Committee on Senior Citizens and Veterans Affairs.**  
**Committee recommended I.E.**

**RESOLUTIONS**

36

**SR 41** Sen. Cropsey  
 A resolution to urge the Michigan Department of Corrections to implement nondenominational prison congregation programs within our prisons.  
**Reported by Committee on Judiciary.**  
**For text of resolution, see Senate Journal No. 32, page 591.**  
**Adoption pending.**

**COMMITTEE REPORTS**

37

**SB 48** Sen. Kahn  
 State; buildings; flags flown at state buildings; require to be made in the United States.  
 Amends 1911 PA 209 (MCL 2.21 - 2.27) by adding sec. 2a.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

38

**SB 596** Sen. Prusi  
 Property; conveyances; Upper Peninsula state fairgrounds; provide for conveyance.  
 Creates land transfer act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

**COMMITTEE REPORTS**

39

**SB 435** Sen. Pappageorge  
 Administrative procedure; rules; review of existing and new rules; provide for on a periodic basis.  
 Amends sec. 53 of 1969 PA 306 (MCL 24.253).  
**Reported by Committee on Economic Development and Regulatory Reform.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

40

**SB 436** Sen. Gilbert  
 Environmental protection; permits; private sector review of certain environmental permits; establish.  
 Amends secs. 1307 & 1311 of 1994 PA 451 (MCL 324.1307 & 324.1311) & adds sec. 1313.  
**Reported by Committee on Economic Development and Regulatory Reform.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

41

**SB 470** Sen. Sanborn  
 Liquor; retail sales; tagging of certain beer kegs; require.  
 Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 1029.  
**Reported by Committee on Economic Development and Regulatory Reform.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

42

**SB 219** Sen. Pappageorge  
 Michigan business tax; tax base; exclusion of certain royalty and interest payments made to a foreign person from the business income tax base; provide for.  
 Amends sec. 201 of 2007 PA 36 (MCL 208.1201).  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

43

**HB 4514** Rep. Lahti  
 Income tax; credit; eligibility for state earned income tax credit; require taxpayer to be resident for at least 6 months.  
 Amends sec. 272 of 1967 PA 281 (MCL 206.272).  
**I.E. House, March 18, 2009.**  
**House substitute (H-1).**  
**Reported by Committee on Finance.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

**SCHEDULED MEETINGS**

**Appropriations -**

**Subcommittee -**

**Judiciary and Corrections** - Tuesday, June 9, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Commerce and Tourism** - Tuesday, June 9, 2:30 p.m., Room 100, Farnum Building (373-2413)

**Energy Policy and Public Utilities** - Thursday, June 11, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Judiciary** - Tuesday, June 9, 1:00 p.m., Room 210, Farnum Building (373-6920)

**Legislative Commission on Statutory Mandates** - Thursday, June 25, 9:00 a.m., Oakland County Executive Office Building, Waterford Room, 1st Floor, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

**SCHEDULED MEETINGS**

**Legislative Retirement Board of Trustees** - Thursdays, June 11, 2:00 p.m., Room H-65, Capitol Building; and September 10 and December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

**Subcommittee -**

**Investment** - Thursday, June 11, 10:30 a.m., Room S-927, South Tower, House Office Building (373-0575)

**Local, Urban and State Affairs** - Tuesday, June 9, 3:00 p.m., Room 110, Farnum Building (373-1635)

**Michigan Law Revision Commission** - Wednesday, June 24, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Natural Resources and Environmental Affairs** - Wednesday, June 10, 1:00 p.m., Room 110, Farnum Building (373-3447)