

No. 80
MICHIGAN SENATE
DAILY CALENDAR

THURSDAY, OCTOBER 1, 2009
12:15 a.m.

MOTIONS

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.

MESSAGES FROM THE HOUSE

5

SB 243 Sen. Jansen
Appropriations; zero budget; department of energy, labor, and economic growth; provide for fiscal year 2009-2010.
Creates appropriation act.
I.E. House, June 23, 2009.
I.E. defeated, Wednesday, September 30; motion for I.E. pending.

6

SB 248 Sen. Hardiman
Appropriations; zero budget; department of human services; provide for fiscal year 2009-2010.
Creates appropriation act.
I.E. House, June 25, 2009.
I.E. defeated, Wednesday, September 30; motion for I.E. pending.

CONFERENCE REPORTS

7

SB 253 Sen. Garcia
Appropriations; zero budget; department of state police; provide for fiscal year 2009-2010.
Creates appropriation act.
I.E. House, September 17, 2009.
For text of conference report, see Senate Journal No. 79, page 1707.
Defeated Wednesday, September 30; motion to reconsider vote postponed.
Committee recommended I.E.

8

HB 4436 Rep. McDowell
Appropriations; community health; department of community health; provide for fiscal year 2009-2010.
Creates appropriation act.
I.E. House, April 22, 2009.
For text of conference report, see Senate Journal No. 79, page 1762.
Adopted Wednesday, September 30; motion for I.E. pending.

CONFERENCE REPORTS

9

- HB 4441** Rep. Bauer
 Appropriations; higher education; higher education; provide for fiscal year 2009-2010.
 Creates appropriation act.
I.E. House, April 2, 2009.
For text of conference report, see Senate Journal No. 79, page 1803.
Adopted Wednesday, September 30; motion for I.E. pending.

THIRD READING OF BILLS

10

- 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.

11

- 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.

12

- SB 553** Sen. Pappageorge
 Human services; services or financial assistance; communication with providers regarding eligible individuals for energy assistance programs; require.
 Amends sec. 7 of 1984 PA 34 (MCL 400.1207).
Reported by Committee on Energy Policy and Public Utilities.
Senate substitute (S-1).
Committee recommended I.E.

13

- SB 555** Sen. Richardville
 Human services; services or financial assistance; requirement for energy assistance payments to be directed to provider; provide for.
 Amends 1984 PA 34 (MCL 400.1201 - 400.1217) by adding sec. 7a.
Reported by Committee on Energy Policy and Public Utilities.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

14

- 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.

15

- 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.

16

- 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.

17

- 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.

18

- 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.

19

- 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.

GENERAL ORDERS

20

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.

21

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.

22

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.

23

HB 4674 Rep. Mayes
Michigan business tax; credit; credit for anchor companies based on qualified new jobs created by certain suppliers and customers; revise.
Amends sec. 431a of 2007 PA 36 (MCL 208.1431a).
I.E. House, May 5, 2009.
Reported by Committee on Commerce and Tourism.
Senate substitute (S-1).
Committee recommended I.E.

24

SB 251 Sen. McManus
Appropriations; zero budget; department of natural resources; provide for fiscal year 2009-2010.
Creates appropriation act.
Reported by Committee on Appropriations.
Senate substitute (S-1).
Committee recommended I.E.

25

HB 4507 Rep. Espinoza
Natural resources; other; counties eligible for operation of off-road vehicles on road shoulders; expand.
Amends sec. 81131 of 1994 PA 451 (MCL 324.81131).
I.E. House, March 24, 2009.
House substitute (H-1).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

GENERAL ORDERS

26

HB 4327 Rep. Young
Labor; fair employment practices; unpaid leave for pregnant law enforcement officers; prohibit.
Amends sec. 202 of 1976 PA 453 (MCL 37.2202).
I.E. House, March 18, 2009.
Reported by Committee on Commerce and Tourism.
Senate substitute (S-1).
Committee recommended I.E.

27

HB 4793 Rep. Byrum
Occupations; architects, professional engineers, and surveyors; licensing exam after graduation for architectural graduates; allow.
Amends secs. 2004 & 2005 of 1980 PA 299 (MCL 339.2004 & 339.2005).
I.E. House, June 10, 2009.
House substitute (H-1).
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.

28

HB 4932 Rep. Rocca
Gaming; other; allowable value for coupons awarded in redemption games; increase.
Amends sec. 310b of 1931 PA 328 (MCL 750.310b).
I.E. House, June 2, 2009.
House substitute (H-2).
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-2).
Committee recommended I.E.

29

SB 670 Sen. Richardville
Transportation; funds; Michigan transportation fund; reclassify as a trust fund and restrict disposition of interest and earnings.
Amends sec. 10 of 1951 PA 51 (MCL 247.660).
Reported by Committee on Transportation.
Committee recommended I.E.

30

HB 5086 Rep. Simpson
Economic development; renaissance zones; number of additional renaissance zones for agricultural processing facilities; increase.
Amends sec. 8c of 1996 PA 376 (MCL 125.2688c).
I.E. House, June 25, 2009.
Reported by Committee on Agriculture and Bioeconomy.
Committee recommended I.E.

GENERAL ORDERS

31

SB 636 Sen. Kuipers
Education; other; neighborhood public schools; create in school code.
Amends secs. 5, 1204a, 1230, 1230a, 1230b, 1230c, 1230d, 1230e, 1233, 1233b, 1246, 1277, 1278, 1280 & 1311 of 1976 PA 451 (MCL 380.5 et seq.) & adds pt. 6D & sec. 1701b.
Reported by Committee on Education.
Committee recommended I.E.

32

SB 637 Sen. Cassis
Education; other; school aid act changes to provide funding for neighborhood public schools; provide for.
Amends secs. 3, 6, 8b, 18, 18b, 18c, 20, 31a, 51a, 101, 169 & 169b of 1979 PA 94 (MCL 388.1603 et seq.) & adds sec. 9.
Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.

33

SB 638 Sen. Birkholz
Education; teachers; exemption from teacher tenure act for neighborhood public schools as defined in revised school code; provide for.
Amends sec. 1, art. I & sec. 1, art. III of 1937 (Ex Sess) PA 4 (MCL 38.71 & 38.91).
Reported by Committee on Education.
Committee recommended I.E.

34

SB 639 Sen. Hardiman
Labor; public service employment; neighborhood public schools; provide for in public employment relations act.
Amends secs. 1 & 15 of 1947 PA 336 (MCL 423.201 & 423.215).
Reported by Committee on Education.
Committee recommended I.E.

35

HB 4161 Rep. LeBlanc
Health; pharmaceuticals; prohibition on dispensing a prescription for a controlled substance received via electronic means from a physician prescriber in a state other than Michigan; remove.
Amends secs. 7405, 17708, 17751 & 17763 of 1978 PA 368 (MCL 333.7405 et seq.).
I.E. House, June 17, 2009.
House substitute (H-1).
Reported by Committee on Health Policy.
Committee recommended I.E.

36

HB 4906 Rep. Ebli
Taxation; administration; streamlined sales and use tax administration act; provide for method to correct incorrect classification.
Amends sec. 25 of 2004 PA 174 (MCL 205.825).
Reported by Committee on Finance.
Committee recommended I.E.

GENERAL ORDERS

37

HB 4649 Rep. Horn
Human services; services or financial assistance; communication with providers regarding eligible individuals for energy assistance programs; require.
Amends sec. 7 of 1984 PA 34 (MCL 400.1207).
I.E. House, March 31, 2009.
House substitute (H-1).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

38

HB 4650 Rep. Spade
Human services; services or financial assistance; requirement for energy assistance payments to be directed to provider; provide for.
Amends 1984 PA 34 (MCL 400.1201 - 400.1217) by adding sec. 7a.
I.E. House, March 31, 2009.
House substitute (H-2).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

39

HB 5055 Rep. Bennett
Natural resources; inland lakes; permit conditions for marinas and other mooring structures; provide for.
Amends secs. 30101, 30102, 30103 & 30104 of 1994 PA 451 (MCL 324.30101 et seq.) & adds sec. 30106a.
I.E. House, September 15, 2009.
House substitute (H-1).
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-1).
Committee recommended I.E.

40

HB 5221 Rep. Bennett
Environmental protection; pollution prevention; laboratory recognition program; eliminate.
Repeals pt. 205 of 1994 PA 451 (MCL 324.20501 - 324.20519).
I.E. House, September 15, 2009.
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

41

HB 5222 Rep. Bennett
Water; other; groundwater dispute resolution program; eliminate.
Repeals pt. 317 of 1994 PA 451 (MCL 324.31201 - 324.31713).
I.E. House, September 15, 2009.
House substitute (H-1).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

GENERAL ORDERS

42

SB 852 Sen. Birkholz
 Energy; alternative sources; renewable energy and energy efficiency grant and loan program; create, and establish restricted fund.
 Creates new act.
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

43

HB 4386 Rep. Johnson
 Public utilities; consumer services; penalties for violation of shutoff procedures; allow commission to establish.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9h.
I.E. House, March 31, 2009.
House substitute (H-1).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

44

HB 4655 Rep. Wayne Schmidt
 Public utilities; consumer services; investigation of any shutoffs that result in death or serious injury; allow commission to conduct.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9m.
I.E. House, March 31, 2009.
House substitute (H-1).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

45

HB 4656 Rep. Mayes
 Public utilities; municipal utilities; enforcement mechanism for violations by a municipally owned utility; provide for.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9p.
I.E. House, March 31, 2009.
House substitute (H-2).
Reported by Committee on Energy Policy and Public Utilities.
For Senate amendment, see Senate Journal No. 75, page 1559.
Committee recommended I.E.

46

HB 4658 Rep. Neumann
 Public utilities; consumer services; requirement for providers to determine whether a customer is a senior citizen; require.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9o.
I.E. House, March 31, 2009.
House substitute (H-2).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

GENERAL ORDERS

47

HB 4659 Rep. Sheltroun
 Public utilities; consumer services; shutoff notice requirement for municipally owned utilities; establish.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9n.
I.E. House, March 31, 2009.
House substitute (H-3).
Reported by Committee on Energy Policy and Public Utilities.
For Senate amendments, see Senate Journal No. 75, page 1560.
Committee recommended I.E.

48

HB 4673 Rep. Mayes
 Public utilities; consumer services; public service commission rules on shutoffs; require municipally owned utilities to comply with.
 Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9q.
I.E. House, March 31, 2009.
House substitute (H-3).
Reported by Committee on Energy Policy and Public Utilities.
For Senate amendment, see Senate Journal No. 75, page 1561.
Committee recommended I.E.

49

HB 4191 Rep. Warren
 Income tax; deductions; tax incentive for charitable contributions to the advance tuition payment fund; provide for.
 Amends sec. 30 of 1967 PA 281 (MCL 206.30).
I.E. House, April 29, 2009.
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

50

HB 4629 Rep. Lipton
 Michigan business tax; deductions; adjustment to business income tax base for charitable contributions made to the advance tuition payment fund under the Michigan education trust act; provide for.
 Amends sec. 201 of 2007 PA 36 (MCL 208.1201).
I.E. House, April 29, 2009.
For House amendment, see Senate Journal No. 35, page 730.
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

RESOLUTIONS

51

- 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.

52

- SR 75** Sen. Patterson
A resolution to extend subpoena power to the Senate Judiciary Committee.
Motion to suspend rules postponed, Wednesday, August 26.
For text of resolution, see Senate Journal No. 65, page 1325.
Rules suspension pending.

SCHEDULED MEETINGS

Legislative Commission on Government Efficiency - Wednesday, October 14, 9:00 a.m., Room 426, Capitol Building (373-0212)

Legislative Retirement Board of Trustees - Thursday, December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 243	Appropriations; zero budget; department of energy, labor, and economic growth; provide for fiscal year 2009-2010.	Jansen George Scott	Hammel Switalski Rogers	9/24/2009	9/25/2009
SB 245	Appropriations; zero budget; general government; provide for fiscal year 2009-2010.	Pappageorge Jansen Cherry	Durhal Cushingberry Rogers	9/29/2009	
SB 247	Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2009-2010.	George Brown Clark-Coleman			
SB 248	Appropriations; zero budget; department of human services; provide for fiscal year 2009-2010.	Hardiman Kahn Scott	Spade Tlaib Agema	9/29/2009	9/29/2009
SB 253	Appropriations; zero budget; department of state police; provide for fiscal year 2009-2010.	Garcia Cropsey Barcia	LeBlanc Espinoza Genetski		
SB 290	Economic development; brownfield redevelopment authority; eligibility requirements; modify.	Allen Gilbert Clarke			
SB 293	Economic development; renaissance zones; eligibility requirements; modify.	Allen Gilbert Clarke			
SB 295	Economic development; obsolete property and rehabilitation; obsolete property rehabilitation act; modify eligibility requirements.	Allen Gilbert Clarke			
SB 296	Michigan business tax; other; historic preservation tax credit preferences and penalties under certain circumstances; provide for.	Allen Gilbert Clarke			

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
HB 4083	State financing and management; funds; strategic fund; modify eligibility requirements.	Allen Gilbert Clarke			
HB 4089	Economic development; Michigan economic growth authority; eligibility requirements; modify.	Allen Gilbert Clarke			
HB 4092	Economic development; other; industrial development revenue bond act; modify eligibility requirements.	Allen Gilbert Clarke			
HB 4093	Economic development; plant rehabilitation; eligibility requirements; modify.	Allen Gilbert Clarke			
HB 4094	Economic development; other; transportation economic development fund; modify eligibility requirements.	Allen Gilbert Clarke			
HB 4436	Appropriations; community health; department of community health; provide for fiscal year 2009-2010.	Kahn Pappageorge Cherry	McDowell Hammel Green	9/30/2009	9/30/2009
HB 4441	Appropriations; higher education; higher education; provide for fiscal year 2009-2010.	Stamas George Barcia	Bauer Cushingberry Caul	9/30/2009	9/30/2009
HB 4447	Appropriations; school aid; school aid appropriations; provide for fiscal year 2009-2010.	Jelinek Brown Switalski	Terry Brown Cushingberry Moss		