

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, OCTOBER 2, 2013
10:00 a.m.

MOTIONS

1

(Consideration postponed until Saturday, December 28.)

SB 95 Sen. Hopgood
Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in private sector.
Amends secs. 1, 2, 8, 14, 17 & 22 of 1939 PA 176 (MCL 423.1 et seq.).
Refer to Resolutions pursuant to Rule 3.106.
Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.

2

(Consideration postponed until Saturday, December 28.)

SB 96 Sen. Hopgood
Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in public sector.
Amends secs. 9, 10 & 15 of 1947 PA 336 (MCL 423.209 et seq.).
Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.

3

(Consideration postponed until Saturday, December 28.)

SB 145 Sen. Johnson
Individual income tax; deductions; pension tax; eliminate limitations and restrictions.
Amends sec. 30 of 1967 PA 281 (MCL 206.30).
Motion to discharge Committee on Finance pending.

4

(Consideration postponed until Saturday, December 28.)

SB 280 Sen. Jones
Individual income tax; income; limitations and restrictions on deduction of certain retirement or pension benefits, treatment of senior citizens, and the homestead property tax credit; eliminate and restore.
Amends secs. 30, 520 & 522 of 1967 PA 281 (MCL 206.30 et seq.).
Motion to discharge Committee on Finance pending.

THIRD READING OF BILLS

5

SB 459 Sen. Colbeck
Insurance; health; qualified health plans and private exchanges; establish in this state to ensure access to quality health care.
Creates new act.
Reported by Committee on Government Operations.
Senate substitute (S-1).
Committee recommended I.E.

6

SB 460 Sen. Colbeck
Human services; medical services; all medical assistance program recipients; enroll in certain certified qualified health plans.
Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 105c.
Reported by Committee on Government Operations.
Senate substitute (S-1).
Committee recommended I.E.

7

SB 285 Sen. Bieda
Crimes; animals; penalties for crimes against animals; enhance, and make other revisions.
Amends secs. 50 & 50b of 1931 PA 328 (MCL 750.50 & 750.50b).
Reported by Committee on Judiciary.
Senate substitute (S-2).
Committee recommended I.E.

8

SB 286 Sen. Jones
Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of animal cruelty; enact and amend.
Amends secs. 16b, 34, 40, 46 & 49, ch. XVII of 1927 PA 175 (MCL 777.16b et seq.).
Reported by Committee on Judiciary.
Committee recommended I.E.

THIRD READING OF BILLS

9

SB 156 Sen. Brandenburg
Michigan business tax; administration; gross receipts, certain credit and apportionment provisions; modify to clarify original intent.
Amends secs. 111, 305, 403 & 433 of 2007 PA 36 (MCL 208.1111 et seq.).
Reported by Committee on Finance.
Senate substitute (S-2).
Committee recommended I.E.

10

SB 404 Sen. Brandenburg
Environmental protection; funding; perpetual care fund; modify acceptable instruments.
Amends secs. 11504, 11523, 11523a, 11525 & 11525b of 1994 PA 451 (MCL 324.11504 et seq.).
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

11

SB 428 Sen. Kahn
Veterans; cemeteries; flags used to mark graves of veterans; require to be American made.
Amends secs. 1 & 1a of 1915 PA 63 (MCL 35.831 & 35.831a).
Reported by Committee on Veterans, Military Affairs and Homeland Security.
Senate substitute (S-1).
Committee recommended I.E.

12

HB 4355 Rep. Clemente
Housing; condominium; auditing requirements; modify.
Amends sec. 57 of 1978 PA 59 (MCL 559.157).
I.E. House, June 5, 2013.
House substitute (H-3).
Reported by Committee on Regulatory Reform.
Committee recommended I.E.

GENERAL ORDERS

13

SB 49 Sen. Casperson
Weapons; licensing; certain firearm licensing information; exempt from freedom of information act.
Amends secs. 2 & 2a of 1927 PA 372 (MCL 28.422 & 28.422a).
Reported by Committee on Judiciary.
Committee recommended I.E.

14

SB 63 Sen. Pavlov
Weapons; firearms; Michigan firearms freedom act; create.
Creates new act.
Reported by Committee on Judiciary.
Committee recommended I.E.

GENERAL ORDERS

15

SJR F Sen. Bieda
Courts; judges; election of or appointment to a judicial office of person who has reached 70 years of age; remove prohibition.
Amends sec. 19, art. VI of the state constitution.
Reported by Committee on Judiciary.

16

HB 4111 Rep. Haveman
Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2012-2013.
Creates appropriation act.
I.E. House, February 28, 2013.
House substitute (H-1).
Rules suspended, placed on General Orders, Tuesday, March 5.

17

SB 169 Sen. Kowall
Traffic control; traffic regulation; autonomous driving; authorize under certain circumstances.
Amends title, division heading & sec. 244 of 1949 PA 300 (MCL 257.244) & adds secs. 2b, 663, 664, 665, 666 & 817.
Reported by Committee on Transportation.
Senate substitute (S-2).
Committee recommended I.E.

18

SB 131 Sen. Hopgood
Family law; child custody; granting of custody or parenting time for parent convicted of certain sexual offenses; prohibit.
Amends 1970 PA 91 (MCL 722.21 - 722.31) by adding sec. 5a.
Reported by Committee on Judiciary.
Committee recommended I.E.

19

SB 229 Sen. Moolenaar
Natural resources; funding; natural resources trust fund; clarify that money may be expended for dredging of harbors for use by recreational watercraft.
Amends sec. 1903 of 1994 PA 451 (MCL 324.1903).
Reported by Committee on Outdoor Recreation and Tourism.
Committee recommended I.E.

20

SB 269 Sen. Kowall
State financing and management; funds; 21st century jobs trust fund; modify.
Amends secs. 7 & 8 of 2000 PA 489 (MCL 12.257 & 12.258).
Reported by Committee on Economic Development.
Committee recommended I.E.

21

SB 278 Sen. Kowall
Economic development; Michigan strategic fund; investment fund; modify.
Amends sec. 88h of 1984 PA 270 (MCL 125.2088h).
Reported by Committee on Economic Development.
Committee recommended I.E.

GENERAL ORDERS

22

SB 136 Sen. Moolenaar
Health; other; religious liberty and conscience protection act; enact to allow health care payers, health facilities, and health providers a right to decline to provide or pay for certain objectionable health care services.
Creates new act.
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

23

SB 155 Sen. Brandenburg
Michigan business tax; administration; gross receipts, certain credit, and unitary filing provisions; modify to clarify original intent.
Amends secs. 111, 113, 403 & 511 of 2007 PA 36 (MCL 208.1111 et seq.).
Reported by Committee on Finance.
Committee recommended I.E.

24

SB 2 Sen. Jansen
Occupations; nurses; advanced practice registered nurse (a.p.r.n.); establish license for nurse midwives, nurse practitioners, and clinical nurse specialists and provide other general amendments.
Amends secs. 2701, 5119, 16125, 16161, 16163, 16216, 16231, 16231a, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, 18301 & 20201 of 1978 PA 368 (MCL 333.2701 et seq.) & adds secs. 17202, 17210a, 17211a, 17214 & 17221a.
Reported by Committee on Reforms, Restructuring and Reinventing.
Senate substitute (S-1).
Committee recommended I.E.

25

SB 211 Sen. Rocca
Worker's compensation; disabilities; occupational cancer; provide presumption for certain firefighters regarding.
Amends sec. 405 of 1969 PA 317 (MCL 418.405).
Reported by Committee on Judiciary.
Committee recommended I.E.

26

HB 4139 Rep. McMillin
Criminal procedure; other; provision relating to proceedings to prevent crime; repeal.
Repeals ch. XII of 1927 PA 175 (MCL 772.1 - 772.15).
I.E. House, April 11, 2013.
Reported by Committee on Judiciary.
Committee recommended I.E.

27

HB 4138 Rep. McMillin
Military affairs; other; restriction of activities by Michigan national guard and state and local employees; provide for under certain circumstances.
Creates new act.
I.E. House, April 18, 2013.
House substitute (H-1).
Reported by Committee on Veterans, Military Affairs and Homeland Security.
Committee recommended I.E.

GENERAL ORDERS

28

SB 104 Sen. Anderson
Property tax; exemptions; tax exemption for certain disabled veterans; provide for.
Amends 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 7II.
Reported by Committee on Finance.
Senate substitute (S-3).
Committee recommended I.E.

29

SB 343 Sen. Jones
Weapons; other; exemption for retired federal law enforcement officers to carry weapon in weapon-free zones; provide for.
Amends secs. 1 & 5o of 1927 PA 372 (MCL 28.421 & 28.425o).
Reported by Committee on Judiciary.
Committee recommended I.E.

30

HB 4382 Rep. Cotter
Health; emergency response; do-not-resuscitate orders; authorize guardians to execute and provide other general amendments.
Amends title & secs. 2, 3, 4, 5, 6, 8, 9, 10, 11 & 14 of 1996 PA 193 (MCL 333.1052 et seq.) & adds sec. 3a.
I.E. House, April 18, 2013.
For House amendment, see House Journal No. 34, page 467.
Reported by Committee on Judiciary.
Committee recommended I.E.

31

HB 4383 Rep. LaFontaine
Human services; adult foster care; citation to do-not-resuscitate orders; revise.
Amends sec. 4 of 1979 PA 218 (MCL 400.704).
I.E. House, April 18, 2013.
For House amendment, see House Journal No. 34, page 467.
Reported by Committee on Judiciary.
Committee recommended I.E.

32

HB 4384 Rep. Kurtz
Probate; guardians and conservators; guardian's authority to consent to a do-not-resuscitate order; clarify, and provide procedure.
Amends secs. 1103, 5303, 5305 & 5314 of 1998 PA 386 (MCL 700.1103 et seq.).
I.E. House, April 18, 2013.
For House amendment, see House Journal No. 34, page 467.
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

33

- SB 176** Sen. Hildenbrand
Mental health; guardians; guardianship petitions for developmentally disabled individual; allow the court to schedule a hearing before the individual turns 18 years of age.
Amends secs. 609, 614 & 618 of 1974 PA 258 (MCL 330.1609 et seq.).
Reported by Committee on Families, Seniors and Human Services.
Committee recommended I.E.

34

- HB 4002** Rep. Shirkey
Taxation; administration; interest rate for certain refunds; increase.
Amends sec. 30 of 1941 PA 122 (MCL 205.30).
I.E. House, April 18, 2013.
House substitute (H-3).
Reported by Committee on Finance.
Committee recommended I.E.

35

- SB 418** Sen. Hune
Occupations; insurance; travel agents; exempt from being licensed as insurance agents.
Amends sec. 1202 of 1956 PA 218 (MCL 500.1202).
Reported by Committee on Insurance.
Committee recommended I.E.

36

- SB 105** Sen. Schuitmaker
Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in DNA identification profiling system.
Amends title & sec. 2, 3, 3a & 6 of 1990 PA 250 (MCL 28.172 et seq.).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

37

- SB 106** Sen. Schuitmaker
Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in probate code of 1939.
Amends sec. 18k, ch. XA of 1939 PA 288 (MCL 712A.18k).
Reported by Committee on Judiciary.
Committee recommended I.E.

38

- SB 107** Sen. Jones
Criminal procedure; DNA; collection of DNA samples at time of arrest for committing a felony or attempting to commit a felony offense; provide for in Michigan penal code.
Amends sec. 520m of 1931 PA 328 (MCL 750.520m).
Reported by Committee on Judiciary.
Committee recommended I.E.

GENERAL ORDERS

39

- HB 4262** Rep. Foster
Crimes; weapons; prohibitions against carrying certain weapons; revise.
Amends secs. 226, 227 & 231 of 1931 PA 328 (MCL 750.226 et seq.).
I.E. House, April 9, 2013.
For House amendments, see House Journal No. 25, page 302, and House Journal No. 30, page 409.
Reported by Committee on Judiciary.
Committee recommended I.E.

40

- SB 410** Sen. Schuitmaker
Law enforcement; other; certain records of probation to be provided to the Michigan commission on law enforcement standards; require.
Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

41

- SB 411** Sen. Schuitmaker
Law enforcement; other; Michigan commission on law enforcement standards (MCOLES); create, and provide for powers and duties of that commission.
Amends secs. 1, 2, 3, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 10, 11, 13, 14 & 15 of 1965 PA 203 (MCL 28.601 et seq.); adds secs. 16a, 16b & 16c & repeals secs. 4 & 16 of 1982 PA 302 (MCL 28.604 & 28.616).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

42

- SB 412** Sen. Schuitmaker
Law enforcement; funds; administration of Michigan justice training fund; revise to reflect changes made under the Michigan commission on law enforcement standards act.
Amends secs. 1, 2, 3, 4, 5, 6 & 8 of 1982 PA 302 (MCL 18.421 et seq.); adds sec. 7 & repeals sec. 9 of 1982 PA 302 (MCL 18.429).
Reported by Committee on Judiciary.
Committee recommended I.E.

43

- SB 323** Sen. Caswell
Public employees and officers; compensation and benefits; public employer contribution to medical benefit plan; modify limitation on coverage amount.
Amends sec. 3 of 2011 PA 152 (MCL 15.563).
Reported by Committee on Reforms, Restructuring and Reinventing.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

44

- SB 275** Sen. Hune
Human services; services or financial assistance; suspicion-based drug testing for public assistance recipients; require.
Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57y.
Reported by Committee on Families, Seniors and Human Services.
Senate substitute (S-1).
Committee recommended I.E.

45

- HB 4118** Rep. Farrington
Human services; services or financial assistance; suspicion-based substance abuse screening and testing; include in eligibility criteria for family independence assistance program benefits.
Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57y.
House substitute (H-2).
Reported by Committee on Families, Seniors and Human Services.
Senate substitute (S-1).
Committee recommended I.E.

46

- SB 324** Sen. Marleau
Occupations; insurance; licensing and regulation for navigators; provide for.
Amends secs. 102, 249a, 1201, 1238 & 1242 of 1956 PA 218 (MCL 500.102 et seq.) & adds secs. 1229, 1230, 1231, 1231a & 1231b.
Reported by Committee on Health Policy.
Senate substitute (S-4).
Committee recommended I.E.

47

- SB 254** 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.

48

- SB 318** Sen. Jones
Corrections; parole; parole of certain juvenile offenders; allow under certain circumstances.
Amends sec. 34 of 1953 PA 232 (MCL 791.234).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

49

- SB 319** Sen. Jones
Criminal procedure; sentencing; procedures for determining whether juvenile convicted of murder should be sentenced to imprisonment without parole eligibility; provide for.
Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding secs. 32 & 33 to ch. IX.
Reported by Committee on Judiciary.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

50

- SB 358** Sen. Meekhof
Occupations; electricians; electrical work for which licensure is required; exclude certain work in manufacturing or mining operations.
Amends sec. 7 of 1956 PA 217 (MCL 338.887).
Reported by Committee on Reforms, Restructuring and Reinventing.
Senate substitute (S-1).
Committee recommended I.E.

51

- SB 372** Sen. Caswell
Property tax; assessments; sale of certain agricultural property; exclude from sales ratio studies under certain circumstances.
Amends secs. 8 & 27 of 1893 PA 206 (MCL 211.8 & 211.27).
Reported by Committee on Finance.
Committee recommended I.E.

52

- SB 396** Sen. Casperson
Property tax; assessments; retention of taxable value for property improvements required due to certain natural disaster losses; provide for.
Amends sec. 34d of 1893 PA 206 (MCL 211.34d).
Reported by Committee on Finance.
Committee recommended I.E.

53

- SB 473** Sen. Brandenburg
Individual income tax; withholding requirements; flow-through entities that have entered into certain housing agreements; eliminate withholding requirement.
Amends sec. 703 of 1967 PA 281 (MCL 206.703).
Reported by Committee on Finance.
Committee recommended I.E.

54

- HB 4586** Rep. Somerville
State financing and management; other; voluntary disclosure agreement; revise.
Amends sec. 30c of 1941 PA 122 (MCL 205.30c).
I.E. House, May 14, 2013.
Reported by Committee on Finance.
Committee recommended I.E.

55

- HB 4334** Rep. McMillin
Businesses; limited liability companies; ownership requirements for professional limited liability companies engaged in practice of public accounting; revise.
Amends sec. 904 of 1993 PA 23 (MCL 450.4904).
I.E. House, May 23, 2013.
Reported by Committee on Banking and Financial Institutions.
Committee recommended I.E.

GENERAL ORDERS

56

HB 4654 Rep. Poleski
 Businesses; business corporations; ownership requirements for professional corporations engaged in practice of public accounting; revise.
 Amends sec. 284 of 1972 PA 284 (MCL 450.1284).
I.E. House, May 23, 2013.
Reported by Committee on Banking and Financial Institutions.
Committee recommended I.E.

RESOLUTIONS

57

SR 34 Sen. Pappageorge
 A resolution to declare any statement or comment by the Governor on legislative intent or enforceability that is expressed in a veto message that applies to a portion of law that is not vetoed to have no legal effect.
Reported by Committee on Appropriations.
For text of resolution, see Senate Journal No. 31, page 397.
Adoption pending.

58

HCR 9 Rep. Lori
 A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.
Reported by Committee on Appropriations.
For text of resolution, see Senate Journal No. 73, page 1420.
Adoption pending.

COMMITTEE REPORTS

59

SB 539 Sen. Nofs
 Torts; governmental immunity; underground facility damage prevention; define as proprietary function.
 Amends sec. 7 of 1964 PA 170 (MCL 691.1407).
Reported by Committee on Energy and Technology.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

60

SB 540 Sen. Nofs
 Public utilities; consumer services; MISS DIG underground facility damage prevention and safety act; create.
 Creates new act & repeals 1974 PA 53 (MCL 460.701 - 460.718).
Reported by Committee on Energy and Technology.
Senate substitute (S-1).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

61

SB 471 Sen. Kahn
 Criminal procedure; records; dissemination of juvenile criminal history record information; prohibit under certain circumstances.
 Amends sec. 2a of 1925 PA 289 (MCL 28.242a).
Reported by Committee on Judiciary.
Senate substitute (S-3).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

62

HB 4636 Rep. Leonard
 Crime victims; rights; requirement for paying restitution to deceased crime victim; clarify.
 Amends secs. 16, 44 & 76 of 1985 PA 87 (MCL 780.766 et seq.).
I.E. House, September 19, 2013.
For House amendments, see House Journal No. 76, page 1454.
Reported by Committee on Judiciary.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

63

SB 277 Sen. Hune
 Vehicles; trucks; requirement that commercial vehicles weighing over 5,000 pounds display certain identification information; revise to apply to vehicles weighing over 26,000 pounds.
 Amends sec. 723 of 1949 PA 300 (MCL 257.723).
Reported by Committee on Transportation.
Senate substitute (S-1).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

64

SB 391 Sen. Green
 Vehicles; registration; electronic insurance and registration verification; allow.
 Amends secs. 223 & 328 of 1949 PA 300 (MCL 257.223 & 257.328).
Reported by Committee on Transportation.
Senate substitute (S-3).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

65

SB 392 Sen. Hune
 Insurance; non-fault; proof of insurance; allow electronic verification.
 Amends secs. 3101a & 3102 of 1956 PA 218 (MCL 500.3101a & 500.3102).
Reported by Committee on Transportation.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations -**Subcommittees -**

Human Services Department - Wednesday, October 2, 2:00 p.m., Rooms 402 and 403, and Tuesdays, October 8, October 22, and November 5, 2:00 p.m., Room 405, Capitol Building (373-2768)

K-12, School Aid, Education and Education Committee - Wednesday, October 2, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

State Police and Military Affairs - Thursday, October 3, 8:00 a.m. and Thursday, October 10, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Banking and Financial Institutions - Thursday, October 3, 1:30 p.m., Room 100, Farnum Building (373-5314)

Economic Development - Wednesday, October 2, 1:30 p.m., Room 110, Farnum Building (373-5312)

Education - Wednesday, October 2, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

SCHEDULED MEETINGS

Education and K-12, School Aid, Education Appropriations Subcommittee - Wednesday, October 2, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Finance - Wednesday, October 2, 12:30 p.m., Room 210, Farnum Building (373-5307)

Health Policy - Thursday, October 3, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

Legislative Council - Thursday, October 3, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Local Government and Elections - Wednesday, October 2, 3:00 p.m., Room 100, Farnum Building (373-5314)

Outdoor Recreation and Tourism - Thursday, October 3, 12:30 p.m., Room 110, Farnum Building (373-5312)

Reforms, Restructuring and Reinventing - Wednesday, October 2, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)