

No. 92  
**MICHIGAN SENATE**  
**DAILY CALENDAR**

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WEDNESDAY, OCTOBER 19, 2005  
10:00 a.m.

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**MOTIONS**

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1

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**SB 246** Sen. Emerson  
School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for.  
Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.  
**Motion to discharge Committee on Appropriations pending.**

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2

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**SB 318** Sen. Basham  
Labor; hours and wages; minimum wage; increase.  
Amends sec. 4 of 1964 PA 154 (MCL 408.384).  
**Motion to discharge Committee on Commerce and Labor pending.**

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**MESSAGES FROM THE GOVERNOR**

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3

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**SB 272** Sen. Switalski  
Appropriations; general government; general government; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Wednesday, September 28.**  
**For veto message, see Senate Journal No. 87, page 1760.**  
**Vetoed line items pending.**

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4

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**SB 271** Sen. Scott  
Appropriations; human services; department of human services; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Wednesday, September 28.**  
**For veto message, see Senate Journal No. 87, page 1760.**  
**Vetoed line items pending.**

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5

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**SB 264** Sen. Barcia  
Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Wednesday, September 28.**  
**For veto message, see Senate Journal No. 87, page 1761.**  
**Vetoed line items pending.**

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**MESSAGES FROM THE GOVERNOR**

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6

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**SB 274** Sen. Clarke  
Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Thursday, September 29.**  
**For veto message, see Senate Journal No. 87, page 1762.**  
**Vetoed line items pending.**

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7

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**SB 281** Sen. Barcia  
Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006.  
Creates appropriation act.  
**Approved by Governor, with line items vetoed, Friday, September 30.**  
**For veto message, see Senate Journal No. 87, page 1762.**  
**Vetoed line items pending.**

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**MESSAGES FROM THE HOUSE**

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8

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**SB 298** Sen. Kuipers  
Businesses; business corporations; fee reduction for early stage technology companies; provide for.  
Amends sec. 1062 of 1972 PA 284 (MCL 450.2062).  
**I.E. House, September 28, 2005.**  
**Returned from House with House substitute (H-3), Thursday, September 29; laid over under the rules.**  
**Committee recommended I.E.**

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9

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**SB 359** Sen. Garcia  
Economic development; other; biosciences research and commercialization center; establish.  
Amends 1984 PA 270 (MCL 125.2001 - 125.2093) by adding ch. 7A.  
**I.E. House, September 28, 2005.**  
**Returned from House with House substitute (H-3), Thursday, September 29; laid over under the rules.**  
**Committee recommended I.E.**

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**MESSAGES FROM THE HOUSE**


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10

- SB 521** Sen. Bishop  
Income tax; deductions; deduction for certain investments; provide for.  
Amends sec. 30 of 1967 PA 281 (MCL 206.30).  
**I.E. House, September 28, 2005.**  
**Returned from House with House substitute (H-1), Thursday, September 29; laid over under the rules.**  
**Committee recommended I.E.**

11

- SB 533** Sen. Garcia  
Economic development; other; the strategic economic investment board and the strategic economic investment bond fund; create in Michigan strategic fund act.  
Amends title & secs. 4 & 13 of 1984 PA 270 (MCL 125.2004 & 125.2013) & adds sec. 94 & ch. 8A.  
**I.E. House, September 28, 2005.**  
**Returned from House with House substitute (H-4), Thursday, September 29; laid over under the rules.**  
**Committee recommended I.E.**

12

- SB 74** Sen. Goschka  
Crimes; kidnapping; reporting a false "Amber alert"; prohibit and provide penalties.  
Amends title of 2002 PA 712 (MCL 28.751 - 28.753) & adds sec. 4.  
**I.E. House, October 6, 2005.**  
**Returned from House with amendment, Tuesday, October 11; laid over under the rules.**  
**For House amendment, see Senate Journal No. 89, page 1794.**  
**Committee recommended I.E.**

13

- SB 134** Sen. Cassis  
Criminal procedure; sentencing guidelines; sentencing guidelines for crime of intentionally falsely reporting the abduction of a child to authorities; provide for.  
Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).  
**I.E. House, October 6, 2005.**  
**Returned from House with amendment, Tuesday, October 11; laid over under the rules.**  
**For House amendment, see Senate Journal No. 89, page 1794.**  
**Committee recommended I.E.**

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**THIRD READING OF BILLS**


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14

- SB 102** Sen. Cropsey  
Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.  
Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

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**THIRD READING OF BILLS**


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15

- SB 337** Sen. Allen  
Single business tax; credit; tax credit for historical buildings; create and limit issuance of.  
Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.  
**Reported by Committee on Commerce and Labor.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

16

- HB 4108** Rep. Mayes  
Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.  
Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.  
**I.E. House, June 9, 2005.**  
**House substitute (H-3).**  
**Reported by Committee on Agriculture, Forestry and Tourism.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

17

- SB 662** Sen. Sanborn  
State; purchasing; competitive bidding; require in most circumstances.  
Amends sec. 261 of 1984 PA 431 (MCL 18.1261).  
**Reported by Committee on Economic Development, Small Business and Regulatory Reform.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

18

- HB 5048** Rep. Huizenga  
State; funds; securitization of tobacco funds; provide for. Creates new act.  
**I.E. House, September 28, 2005.**  
**House substitute (H-3).**  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

19

- HB 5109** Rep. Baxter  
State; funds; Michigan trust fund act; modify to accommodate securitization of tobacco revenue.  
Amends title & sec. 2 of 2000 PA 489 (MCL 12.252); adds sec. 7 & repeals secs. 3 & 5 of 1999 PA 94 (MCL 390.1453 & 390.1455).  
**I.E. House, September 28, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

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**THIRD READING OF BILLS**


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20

- HB 5047** Rep. Huizenga  
Economic development; other; jobs for Michigan fund; create and fund the commercialization of competitive edge technologies.  
Amends title & secs. 3, 4 & 13 of 1984 PA 270 (MCL 125.2003 et seq.) & adds secs. 94 & 95 & ch. 8A.  
**I.E. House, September 28, 2005.**  
**House substitute (H-7).**  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

21

- HB 5215** Rep. Hildenbrand  
Single business tax; other; Michigan early stage venture investment act; provide for tax voucher alternative to tax credit.  
Amends sec. 37e of 1975 PA 228 (MCL 208.37e).  
**I.E. House, September 28, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

22

- HB 5216** Rep. David Law  
Income tax; other; Michigan early stage venture investment act; provide for tax voucher alternative to tax credit.  
Amends sec. 270 of 1967 PA 281 (MCL 206.270).  
**I.E. House, September 28, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

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**GENERAL ORDERS**


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23

- SB 233** Sen. Bishop  
Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.  
Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.  
**Referred to Committee of the Whole pursuant to MCL 24.245a.**

24

- SB 196** Sen. Jelinek  
Legislature; legislators; legislator to substitute teach in public schools without pay; allow.  
Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).  
**Reported by Committee on Education.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

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**GENERAL ORDERS**


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25

- SB 448** Sen. Cropsey  
Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.  
Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).  
**Reported by Committee on Judiciary.**  
**For Senate amendment, see Senate Journal No. 48, page 708.**  
**Committee recommended I.E.**

26

- HB 4481** Rep. Gaffney  
Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.  
Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).  
**I.E. House, April 19, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Government Operations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

27

- SB 43** Sen. Thomas  
Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.  
Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

28

- SB 472** Sen. Kuipers  
Energy; other; Michigan superconducting super collider commission; eliminate.  
Amends sec. 11 of 1987 PA 26 (MCL 3.821).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

29

- SB 475** Sen. Hardiman  
Higher education; research; state research fund feasibility review panel; eliminate.  
Amends sec. 2 of 1982 PA 175 (MCL 125.1952).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

30

- SB 476** Sen. Sanborn  
State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.  
Amends sec. 77 of 1984 PA 270 (MCL 125.2077).  
**Reported by Committee on Local, Urban and State Affairs.**  
**Committee recommended I.E.**

## GENERAL ORDERS

31

**SB 633** Sen. Cassis  
Single business tax; rate; rate reduction; provide for.  
Amends sec. 31 of 1975 PA 228 (MCL 208.31) & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115.  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

32

**SB 634** Sen. Cassis  
Single business tax; apportionment; sales factor; increase to 100%.  
Amends sec. 45a of 1975 PA 228 (MCL 208.45a).  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

33

**HB 4555** Rep. Pearce  
Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.  
Amends sec. 10k of 1951 PA 51 (MCL 247.660k).  
**I.E. House, June 9, 2005.**  
**House substitute (H-2).**  
**Reported by Committee on Commerce and Labor.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

34

**SJR E** Sen. Stamas  
Land use; condemnation; taking of private property by eminent domain for the primary benefit of private entities; prohibit.  
Amends sec. 54, art. X of the state constitution.  
**Reported by Committee on Transportation.**  
**Senate substitute (S-2).**

35

**SB 693** Sen. Brown  
Land use; condemnation; use of eminent domain to transfer private property to private entities; prohibit.  
Amends sec. 3 of 1911 PA 149 (MCL 213.23).  
**Reported by Committee on Transportation.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

36

**SB 736** Sen. Goschka  
Corrections; jails; expense of inmate medical care; require sheriff to draw on inmate's health care policy before county is charged.  
Amends secs. 4 & 4a of 1846 RS 171 (MCL 801.4 & 801.4a).  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

37

**SB 789** Sen. Birkholz  
Environmental protection; water pollution; strategic water quality initiatives fund; allow to be used for grant program.  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Committee recommended I.E.**

38

**SB 790** Sen. Van Woerkom  
Environmental protection; water pollution; strategic water quality initiatives fund; allow to be used for grant program.  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Committee recommended I.E.**

39

**HB 4572** Rep. Stakoe  
Environmental protection; water pollution; Great Lakes water quality bonds; create fund to be expended for grants for engineering and consulting costs associated with sewage treatment projects.  
Amends 1985 PA 227 (MCL 141.1051 - 141.1076) by adding sec. 16c.  
**I.E. House, May 3, 2005.**  
**House substitute (H-5).**  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Senate substitute (S-5).**  
**Committee recommended I.E.**

40

**HB 4573** Rep. Nitz  
Environmental protection; water pollution; Great Lakes water quality bonds; transfer a portion of the money to the wastewater application grant fund.  
Amends sec. 19708 of 1994 PA 451 (MCL 324.19708).  
**I.E. House, May 3, 2005.**  
**House substitute (H-5).**  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

41

**HB 5110** Rep. Kooiman  
Children; child care; before- and after-school programs; provide procedures for deemed status.  
Amends sec. 1 of 1973 PA 116 (MCL 722.111).  
**I.E. House, September 21, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Families and Human Services.**  
**Committee recommended I.E.**

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**GENERAL ORDERS**


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42

**SB 308** Sen. Olshove  
Crimes; obscenity; parent displaying sexually explicit material to minor; establish as a crime.  
Amends sec. 6 of 1978 PA 33 (MCL 722.676).  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

43

**HB 4133** Rep. Mortimer  
Civil procedure; service of process; prohibition of process service on Sunday and election day; repeal.  
Repeals sec. 1831 of 1961 PA 236 (MCL 600.1831).  
**I.E. House, June 21, 2005.**  
**House substitute (H-3).**  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

44

**SB 799** Sen. Brater  
Environmental protection; water pollution; state water pollution control revolving fund; allow to be used for project planning.  
Amends sec. 5301 of 1994 PA 451 (MCL 324.5301).  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Committee recommended I.E.**

45

**SB 800** Sen. Basham  
Environmental protection; water pollution; grants for water pollution control activities; authorize grant agreements.  
Amends 1985 PA 227 (MCL 141.1051 - 141.1076) by adding sec. 16d.  
**Reported by Committee on Natural Resources and Environmental Affairs.**  
**Committee recommended I.E.**

46

**HB 4997** Rep. Hunter  
Financial institutions; savings banks; duplicate suspicious activity report filing; eliminate.  
Repeals sec. 514 of 1996 PA 354 (MCL 487.3514).  
**I.E. House, September 7, 2005.**  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

47

**HB 4998** Rep. Clemente  
Financial institutions; savings and loan associations; duplicate suspicious activity report filing; eliminate.  
Repeals sec. 1135 of 1980 PA 307 (MCL 491.1135).  
**I.E. House, September 7, 2005.**  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

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**GENERAL ORDERS**


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48

**HB 4999** Rep. Hune  
Financial institutions; credit unions; duplicate suspicious activity report filing; eliminate.  
Repeals sec. 307 of 2003 PA 215 (MCL 490.307).  
**I.E. House, September 7, 2005.**  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

49

**HB 5000** Rep. Green  
Financial institutions; banks; duplicate suspicious activity report filing; eliminate.  
Repeals sec. 4406 of 1999 PA 276 (MCL 487.14406).  
**I.E. House, September 7, 2005.**  
**Reported by Committee on Banking and Financial Institutions.**  
**Committee recommended I.E.**

50

**HB 4325** Rep. Mortimer  
Occupations; physicians; performance of needle electromyography and the performance and interpretation of nerve conduction studies; clarify who is authorized to perform.  
Amends secs. 17001 & 17501 of 1978 PA 368 (MCL 333.17001 & 333.17501) & adds secs. 17018 & 17518.  
**I.E. House, April 20, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Health Policy.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

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**RESOLUTIONS**


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51

**SCR 28** Sen. Johnson  
A concurrent resolution to increase the total project cost of the Department of Corrections Riverside Correctional Facility Power Plant Automation project.  
**Reported by Committee on Appropriations.**  
**For text of resolution, see Senate Journal No. 78, page 1289.**  
**Adoption pending.**

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**COMMITTEE REPORTS**


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52

**HB 4315** Rep. Hoogendyk  
Counties; boards and commissions; county road commission; provide option to expand membership or eliminate.  
Amends sec. 6 of 1909 PA 283 (MCL 224.6).  
**I.E. House, June 29, 2005.**  
**House substitute (H-2).**  
**Reported by Committee on Transportation.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**COMMITTEE REPORTS**


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53

**HB 4316** Rep. Gaffney  
 Counties; charter; county road commission; provide option to expand membership or eliminate.  
 Amends sec. 14 of 1966 PA 293 (MCL 45.514).  
**I.E. House, June 29, 2005.**  
**House substitute (H-2).**  
**Reported by Committee on Transportation.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

54

**HB 4317** Rep. Lipsey  
 Counties; other; county road commission; provide option to expand membership or eliminate.  
 Amends sec. 12 of 1973 PA 139 (MCL 45.562).  
**I.E. House, June 29, 2005.**  
**Reported by Committee on Transportation.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

55

**HB 4718** Rep. Gleason  
 Highways; name; portion of M-54 in Genesee county; re-name the "Marine Corps League Memorial Highway", and a portion of M-54 in part of Genesee county rename "UAW Sitdown Strike Memorial Highway".  
 Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 78.  
**I.E. House, September 15, 2005.**  
**House substitute (H-1).**  
**Reported by Committee on Transportation.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

56

**SB 120** Sen. Johnson  
 Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.  
 Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 27a to ch. VIII.  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

57

**SB 263** Sen. Hammerstrom  
 Crime victims; statements; hearsay rule; exempt certain statements of domestic violence victims.  
 Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding secs. 27a & 27b to ch. VIII.  
**Reported by Committee on Judiciary.**  
**Senate substitute (S-4).**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**COMMITTEE REPORTS**


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58

**HB 4968** Rep. Schuitmaker  
 Probate; wills and estates; miscellaneous amendments to the estates and protected individuals code; enact.  
 Amends secs. 1104, 2301, 2908, 3715, 3804, 3919, 5202, 5217, 5423, 7401, 7502 & 7508 of 1998 PA 386 (MCL 700.1104 et seq.).  
**I.E. House, September 27, 2005.**  
**House substitute (H-2).**  
**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**  
**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**SCHEDULED MEETINGS**


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**Appropriations** - Wednesday, October 19, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Subcommittees -**

**Agriculture, Joint Senate/House** - Tuesday, October 25, 9:00 a.m., Room 426, Capitol Building (373-5932)

**Capital Outlay** - Thursday, October 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Higher Education** - Wednesday, November 2, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Banking and Financial Institutions** - Thursday, October 20, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-2417)

**Economic Development, Small Business and Regulatory Reform** - Wednesday, October 19, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Education** - Thursday, October 20, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Legislative Retirement Board of Trustees -****Subcommittee -**

**Investment** - Thursday, October 20, 2:30 p.m., Room 929, South Tower, House Office Building (373-0575)

**Local, Urban and State Affairs** - Thursday, October 20, 1:00 p.m., Room 110, Farnum Building (373-1707)

**Senate Fiscal Agency Board of Governors** - Thursday, October 27, 9:00 a.m., Room S-101, Capitol Building (373-0797)

**Senior Citizens and Veterans Affairs** - Wednesday, October 19, 1:00 p.m., Room 100, Farnum Building (373-1707)

**Technology and Energy** - Wednesday, October 19, 3:00 p.m., Room 210, Farnum Building (373-7350)

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**BILLS IN CONFERENCE**

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<b>Bill No.</b>	<b>Brief Title</b>	<b>Conferees</b>		<b>Report Agreed To</b>	
		<b>Senate</b>	<b>House</b>	<b>Senate</b>	<b>House</b>
HB 4834	Financial institutions; other; regulation and licensing of deferred presentment service providers and transactions; provide for.	Sanborn Gilbert Jacobs	Robertson Palsrok McConico		

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