

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, JANUARY 28, 2004

10:00 a.m.

MESSAGES FROM THE GOVERNOR

1

SB 195 Sen. Toy
Local government; public services; certain city managed water and sewer systems; provide for regionalization of.
Creates new act.
Vetoed by Governor, Friday, March 21, 2003.
For text of veto message, see Senate Journal No. 30 of 2003, page 341.
Veto pending.

2

SB 364 Sen. Garcia
School aid; penalties; requirement of 180 days of pupil instruction and penalty for holding less than that number; eliminate and replace with minimum hours of instruction, and require certain procedures to change to 4-day school week.
Amends sec. 101 of 1979 PA 94 (MCL 388.1701).
Vetoed by Governor, Monday, June 30, 2003.
For text of veto message, see Senate Journal No. 65 of 2003, page 1110.
Veto pending.

3

SB 293 Sen. Bishop
Law enforcement; other; public safety commissions; allow use of state radio towers by local units of government.
Amends sec. 3 of 1929 PA 152 (MCL 28.283).
Vetoed by Governor, Friday, July 11, 2003.
For text of veto message, see Senate Journal No. 68 of 2003, page 1222.
Veto pending.

4

SB 265 Sen. Johnson
Appropriations; zero budget; department of transportation; provide for fiscal year 2003-2004.
Approved by Governor with line items vetoed, Tuesday, August 12, 2003.
For text of veto message, see Senate Journal No. 71 of 2003, page 1587.
Vetoed line items pending.

5

SB 288 Sen. Johnson
Appropriations; zero budget; department of agriculture; provide for fiscal year 2003-2004.
Approved by Governor with line items vetoed, Thursday, August 7, 2003.
For text of veto message, see Senate Journal No. 71 of 2003, page 1588.
Vetoed line items pending.

MESSAGES FROM THE GOVERNOR

6

SB 540 Sen. Johnson
Appropriations; supplemental; supplemental appropriations; provide for.
Creates new act & repeals sec. 308 of 2003 PA 161.
Approved by Governor, with line items vetoed, Tuesday, August 12, 2003.
For text of veto message, see Senate Journal No. 72 of 2003, page 1614.
Vetoed line items pending.

7

SB 283 Sen. Johnson
Appropriations; other; family independence agency; provide for fiscal year 2003-2004.
Creates new act & repeals sec. 413 of 2002 PA 529.
Approved by Governor with line items vetoed, Tuesday, August 12, 2003.
For text of veto message, see Senate Journal No. 72 of 2003, page 1615.
Vetoed line items pending.

8

SB 464 Sen. Allen
Transportation; funds; Mackinac bridge authority; amend to provide toll rate cap.
Amends sec. 2 of 1952 PA 214 (MCL 254.312).
Vetoed by Governor, Monday, August 25, 2003.
For text of veto message, see Senate Journal No. 72 of 2003, page 1616.
Veto pending.

9

SB 466 Sen. Barcia
Transportation; motor fuel tax; advancements to Mackinac bridge authority; amend.
Amends sec. 163 of 2000 PA 403 (MCL 207.1163).
Vetoed by Governor, Monday, August 25, 2003.
For text of veto message, see Senate Journal No. 72 of 2003, page 1616.
Veto pending.

10

SB 395 Sen. McManus
Health; abortion; definition of legal birth; clarify.
Creates new act.
Vetoed by Governor, Friday, October 10, 2003.
For text of veto message, see Senate Journal No. 84 of 2003, page 1835.
Veto pending.

MESSAGES FROM THE GOVERNOR

11

SB 687 Sen. Bishop
 Counties; employees and officers; procedures for the vacancy in a county executive office; clarify.
 Amends secs. 9 & 10 of 1973 PA 139 (MCL 45.559 & 45.560) & adds sec. 9a.
Vetoed by Governor, Tuesday, December 2, 2003.
For text of veto message, see Senate Journal No. 99 of 2003, page 2114.
Veto pending.

12

SB 474 Sen. Garcia
 Financial institutions; other; regulation and licensing of deferred presentment service providers and transactions; provide for.
 Creates new act.
Vetoed by Governor, Friday, January 9.
For text of veto message, see Senate Journal No. 1, page 4.
Veto pending.

MESSAGES FROM THE HOUSE

13

SB 506 Sen. Patterson
 Environmental protection; landfills; out-of-state or out-of-country waste; prohibit unless prohibited waste has been removed or the other state or province has solid waste stream standards as stringent as Michigan's.
 Amends sec. 11507a of 1994 PA 451 (MCL 324.11507a) & adds sec. 11513a.
I.E. House, November 13, 2003.
Returned from House with House substitute (H-2), Thursday, November 13, 2003; laid over under the rules.
Committee recommended I.E.

14

SB 557 Sen. Brater
 Environmental protection; landfills; construction permits; provide for department to issue based upon capacity need.
 Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11511a.
I.E. House, November 13, 2003.
Returned from House with amendment, Thursday, November 13, 2003; laid over under the rules.
For House amendment, see Senate Journal No. 97 of 2003, page 2065.
Committee recommended I.E.

15

SB 806 Sen. George
 Environmental protection; cleanups; transfer of certain clean Michigan initiative brownfield cleanup revenue into the brownfield revitalization loan fund; provide for.
 Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 19608a.
I.E. House, November 13, 2003.
Returned from House with amendments, Thursday, November 13, 2003; laid over under the rules.
For House amendments, see Senate Journal No. 97 of 2003, page 2066.
Committee recommended I.E.

MESSAGES FROM THE HOUSE

16

SB 502 Sen. Cassis
 Environmental protection; solid waste; importing solid waste; provide for regulation.
 Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11513a.
I.E. House, December 10, 2003.
Returned from House with House substitute (H-2), Thursday, December 11, 2003; laid over under the rules.
Committee recommended I.E.

17

SB 334 Sen. Switalski
 Transportation; funds; transferring funds from major street fund to local street fund without limitation of matching funds from local entity; allow.
 Amends sec. 13 of 1951 PA 51 (MCL 247.663).
I.E. House, January 21, 2004.
Returned from House with House substitute (H-2), Thursday, January 22; laid over under the rules.
Committee recommended I.E.

18

HB 4236 Rep. Ehardt
 Occupations; individual licensing and regulation; respiratory therapists; provide for registration and title protection.
 Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16344 & pt. 187.
I.E. House, April 8, 2003.
I.E. Senate, December 17, 2003.
Returned from House with amendments to Senate substitute (S-1), Tuesday, January 27; laid over under the rules.
For House amendments, see Senate Journal No. 6, page 66.

THIRD READING OF BILLS

19

HB 4340 Rep. Caswell
 Retirement; public school employees; eligibility date for employment of retiree in a reporting unit; revise.
 Amends sec. 61 of 1980 PA 300 (MCL 38.1361).
I.E. House, June 17, 2003.
House substitute (H-1).
Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

20

HB 4804 Rep. Shulman
 State; funds; budget stabilization fund expenditures; modify.
 Amends secs. 353c, 353e & 358 of 1984 PA 431 (MCL 18.1353c et seq.).
I.E. House, June 19, 2003.
For House amendment, see House Journal No. 54 of 2003, page 924.
Reported by Committee on Appropriations.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

21

SB 158 Sen. Patterson
 Civil procedure; costs and fees; statutory attorney fees in landlord-tenant eviction and land contract forfeiture actions; revise.
 Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).
Reported by Committee on Judiciary.
For Senate amendment, see Senate Journal No. 80 of 2003, page 1742.
Committee recommended I.E.

22

SB 479 Sen. Basham
 Transportation; school vehicles; local school district authority to determine location and number of school bus stops within a manufactured housing park; allow.
 Amends sec. 9 of 1990 PA 187 (MCL 257.1809).
Reported by Committee on Education.
Committee recommended I.E.

23

HJR G Rep. Garfield
 State; employees and officers; hiring for civil service position; provide preferential treatment to veterans.
 Amends sec. 5, art. XI of the state constitution.
House substitute (H-1).
Reported by Committee on Senior Citizens and Veterans Affairs.

24

SB 774 Sen. Bernero
 Economic development; local development financing; certified technology parks; revise deadline for designation.
 Amends sec. 21a of 1986 PA 281 (MCL 125.2162a).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

25

SB 296 Sen. Gilbert
 Insurance; health; direct reimbursement to provider of medical transportation services; provide for.
 Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406l.
Reported by Committee on Health Policy.
Senate substitute (S-3).
Committee recommended I.E.

26

SB 297 Sen. Gilbert
 Insurance; health care corporations; direct reimbursement to provider of medical transportation services; provide for.
 Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 418a.
Reported by Committee on Health Policy.
Senate substitute (S-2).
Committee recommended I.E.

27

SB 846 Sen. Cassis
 Economic development; downtown development authorities; definition of other protected obligations; revise.
 Amends sec. 1 of 1975 PA 197 (MCL 125.1651).
Reported by Committee on Finance.
Committee recommended I.E.

GENERAL ORDERS

28

HB 4458 Rep. Rocca
 Liquor; other; discount on liquor to licensees; increase.
 Amends sec. 122 of 1998 PA 58 (MCL 436.1233).
I.E. House, October 29, 2003.
House substitute (H-2).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

29

HB 4508 Rep. McConico
 Education; board members; 5-year waiting period for ballot proposal regarding the retention of the appointed reform board; eliminate and place on August 2003 primary election ballot in a qualifying district.
 Amends sec. 375 of 1976 PA 451 (MCL 380.375).
I.E. House, December 3, 2003.
House substitute (H-7).
Reported by Committee on Education.
Committee recommended I.E.

30

SB 532 Sen. Van Woerkom
 Environmental protection; litter; illegal dumping informant program; create.
 Amends sec. 8901 of 1994 PA 451 (MCL 324.8901) & adds secs. 8905d & 8905e.
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-2).
Committee recommended I.E.

31

SB 533 Sen. Van Woerkom
 Environmental protection; litter; civil infraction fines; direct portion of to reward fund.
 Amends sec. 8831 of 1961 PA 236 (MCL 600.8831).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

32

SB 653 Sen. Leland
 Environmental protection; funding; sunset on the baseline environmental assessment fee; extend.
 Amends sec. 20129a of 1994 PA 451 (MCL 324.20129a).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

33

SB 853 Sen. Brown
 Environmental protection; litter; volunteers under adopt-a-river program to report nature and amount of litter collected; provide for.
 Amends sec. 35903 of 1994 PA 451 (MCL 324.35903).
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

34

SB 854 Sen. Birkholz
 Environmental protection; recycling; office of the statewide recycling coordinator; establish in statute.
 Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 174.
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-1).
Committee recommended I.E.

35

SB 855 Sen. Basham
 Environmental protection; litter; volunteers under adopt-a-shoreline program to report nature and amount of litter collected; provide for.
 Amends sec. 35803 of 1994 PA 451 (MCL 324.35803).
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-2).
Committee recommended I.E.

36

SB 856 Sen. Cropsey
 Environmental protection; recycling; comprehensive study of state's litter problem and marketing program to reduce littering; create.
 Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 8911, 8913 & 8915.
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-2).
Committee recommended I.E.

37

SB 857 Sen. Bishop
 Environmental protection; litter; use of data compiled by adopt-a-trail program; provide for.
 Amends sec. 72105a of 1994 PA 451 (MCL 324.72105a).
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-1).
Committee recommended I.E.

38

SB 858 Sen. Gilbert
 Environmental protection; litter; use of data acquired by adopt-a-park program regarding litter problem in Michigan; provide for.
 Amends sec. 74104 of 1994 PA 451 (MCL 324.74104).
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-2).
Committee recommended I.E.

39

SB 860 Sen. Kuipers
 Environmental protection; litter; department of environmental quality to maintain toll-free hotline for reporting littering; require.
 Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 8905f.
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-2).
Committee recommended I.E.

GENERAL ORDERS

40

SB 861 Sen. Patterson
 Environmental protection; recycling; statewide goals for recycling rates; create.
 Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 17305.
Reported by Committee on Natural Resources and Environmental Affairs.
Senate substitute (S-1).
Committee recommended I.E.

41

SB 432 Sen. Hammerstrom
 Elections; other; provisions governing training election officials, names on ballots, challenging certain electors, rejected ballots, stray marks on ballots, and canvassing certain elections; revise and enact additional misdemeanors.
 Amends secs. 31, 73, 283, 393, 509t, 509y, 509aa, 561a, 624, 624a, 686, 727, 745, 761, 769, 797a, 798c, 799a, 803, 842 & 931 of 1954 PA 116 (MCL 168.31 et seq.) & repeals sec. 509 of 1954 PA 116 (MCL 168.509).
Reported by Committee on Government Operations.
Senate substitute (S-2).

42

SB 350 Sen. Brown
 Elections; ballots; printed instructions on ballots, voting devices, and placards clarifying assistance available from election officials; require.
 Amends secs. 560, 666, 706 & 777 of 1954 PA 116 (MCL 168.560 et seq.).
Reported by Committee on Government Operations.
Senate substitute (S-2).
Committee recommended I.E.

43

SB 862 Sen. Toy
 Single business tax; credit; start-up business; exempt from tax for tax years in which the business does not make a profit.
 Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 31a.
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Senate substitute (S-1).
Committee recommended I.E.

44

SB 863 Sen. Hardiman
 Income tax; exemptions; start-up business; exempt from tax for tax years in which the business does not make a profit.
 Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 51f.
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

45

SB 864 Sen. George
 Property tax; exemptions; start-up businesses; exempt from taxes for 5 years.
 Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 7gg.
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

GENERAL ORDERS

46

SB 727 Sen. Sanborn
 Children; parenting time; grandparent visitation; revise to place burden of proof on the petitioning grandparent and require the court to give deference to a fit parent's actions and decisions.
 Amends secs. 2 & 7b of 1970 PA 91 (MCL 722.22 & 722.27b).
Reported by Committee on Senior Citizens and Veterans Affairs.
Senate substitute (S-2).
Committee recommended I.E.

47

SB 564 Sen. Bernero
 State; purchasing; state contracts; require certain percentage to be awarded to businesses owned by persons with disabilities.
 Amends title & sec. 3 of 1988 PA 112 (MCL 450.793).
Reported by Committee on Local, Urban and State Affairs.
Committee recommended I.E.

48

SB 565 Sen. Bernero
 State; purchasing; state contracts that cross-reference in management and budget act; require that certain percentage be awarded to businesses owned by persons with disabilities.
 Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 297a.
Reported by Committee on Local, Urban and State Affairs.
Committee recommended I.E.

49

SB 865 Sen. Bernero
 Property tax; other; start-up businesses; exempt from tax under 1953 PA 189 for 5 years.
 Amends 1953 PA 189 (MCL 211.181 - 211.182) by adding sec. 1a.
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

50

SB 867 Sen. Van Woerkom
 Taxation; specific property; start-up businesses in commercial forests; exempt for a certain period of time.
 Amends sec. 51105 of 1994 PA 451 (MCL 324.51105).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

51

SB 868 Sen. Sanborn
 Economic development; enterprise zones; start-up businesses in an enterprise zone; exempt for a certain period of time.
 Amends sec. 21c of 1985 PA 224 (MCL 125.2121c).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

GENERAL ORDERS

52

SB 870 Sen. Cropsey
 Economic development; obsolete property; start-up businesses; exempt for a certain period of time.
 Amends sec. 10 of 2000 PA 146 (MCL 125.2790).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

53

SB 871 Sen. Jelinek
 Economic development; enterprise zones; start-up businesses in neighborhood enterprise zone; exempt for certain period of time.
 Amends sec. 9 of 1992 PA 147 (MCL 207.779).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

54

SB 872 Sen. Patterson
 Economic development; other; start-up businesses in a technology park development; exempt for a certain period of time.
 Amends sec. 12 of 1984 PA 385 (MCL 207.712).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

55

SB 875 Sen. Gilbert
 Taxation; utility users; start-up businesses; exempt from tax for tax years in which the business does not make a profit.
 Amends sec. 5, ch. 1 of 1990 PA 100 (MCL 141.1155).
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

56

SB 866 Sen. Brown
 Income tax; city; start-up business; exempt from tax for tax years in which the business does not make a profit.
 Amends 1964 PA 284 (MCL 141.501 - 141.787) by adding sec. 635a.
Reported by Committee on Economic Development, Small Business and Regulatory Reform.
Committee recommended I.E.

57

HB 4802 Rep. Koetje
 Communications; telecommunications; prohibited conduct with regard to telecommunications access; clarify a potential unintended consequence.
 Amends sec. 540c of 1931 PA 328 (MCL 750.540c).
I.E. House, July 1, 2003.
Reported by Committee on Judiciary.
Committee recommended I.E.

58

HB 4916 Rep. Koetje
 Criminal procedure; sentencing guidelines; prohibited conduct with regard to telecommunications access; amend.
 Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z).
I.E. House, October 8, 2003.
Reported by Committee on Judiciary.
Committee recommended I.E.

GENERAL ORDERS

59

HB 5120 Rep. Van Regenmorter
 Crimes; drunk driving; crime of operating a vehicle with bodily content of certain controlled substances; revise to reflect.
 Amends secs. 310d, 319b, 321a, 625, 625b, 727 & 732 of 1949 PA 300 (MCL 257.310d et seq.).
I.E. House, October 29, 2003.
House substitute (H-2).
Reported by Committee on Judiciary.
Senate substitute (S-2).
Committee recommended I.E.

60

HB 5129 Rep. Howell
 Courts; juries; procedures for selecting persons for jury service; revise.
 Amends secs. 1301a, 1303a, 1304, 1305, 1307a, 1308, 1309, 1310, 1312, 1313, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323, 1324, 1326, 1327, 1328, 1329, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1345, 1346, 1347, 1372, 1374 & 1375 of 1961 PA 236 (MCL 600.1301a et seq.).
I.E. House, November 12, 2003.
For House amendments, see House Journal No. 86 of 2003, page 2150.
Reported by Committee on Judiciary.
For Senate amendment, see Senate Journal No. 5, page 61.
Committee recommended I.E.

61

HB 4693 Rep. Palmer
 Education; other; educational flexibility and empowerment contracts waiving certain requirements as part of performance contract; allow.
 Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1294.
I.E. House, June 19, 2003.
House substitute (H-1).
Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.

62

HB 4724 Rep. Emmons
 School aid; other; school aid requirements; make subject to educational flexibility and empowerment contracts.
 Amends 1979 PA 94 (MCL 388.1601 - 388.1772) by adding sec. 9.
I.E. House, June 19, 2003.
Reported by Committee on Education.
Committee recommended I.E.

RESOLUTIONS

63

SR 175 Sen. Barcia
 A resolution urging United States trade negotiators to support our nation's sugar industry.
Reported by Committee on Agriculture, Forestry and Tourism.
For text of resolution, see Senate Journal No. 86 of 2003, page 1866.
Adoption pending.

64

SR 139 Sen. Hardiman
 A resolution to express support for the creation of the Office of Faith-Based Initiative in the state of Michigan.
Reported by Committee on Families and Human Services.
For text of resolution, see Senate Journal No. 71 of 2003, page 1597.
Adoption pending.

SCHEDULED MEETINGS

Appropriations -

Subcommittees -

Higher Education, Joint Senate/House - Wednesday, January 28, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760) (CANCELED)

K-12, School Aid, Education and House School Aid and Department of Education - Tuesday, February 10, 4:00 p.m., State Board of Education Room, 4th Floor, Hannah Building (373-6960)

Natural Resources Department - Tuesday, February 10, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

State Police and Military Affairs - Tuesday, February 3, 2:00 p.m., Room 405, Capitol Building (373-5932)

Education - Thursday, January 29, 2:00 p.m., Room 210, Farnum Building (373-6920) (CANCELED)

Health Policy - Wednesday, January 28, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Local, Urban and State Affairs - Thursday, January 29, 1:00 p.m., Room 110, Farnum Building (373-1707)

Technology and Energy - Wednesday, January 28, 3:00 p.m., Room 210, Farnum Building (373-7350)

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed To	
		Senate	House	Senate	House
SB 252	Environmental protection; water pollution; annual wastewater discharge environmental fee; provide for.	McManus Birkholz Brater	Koetje Howell Tobocman		
SB 560	Environmental protection; groundwater contamination; groundwater discharge permit fees; enact.	McManus Birkholz Brater	Koetje Howell Tobocman		