

Senate Watch

A summary of today's Senate actions;
published daily when the Senate is in session.



6/16/09

MESSAGES FROM THE HOUSE

[SB 264](#) (Hunter)

The bill would create the Fire Safety Standard and Firefighter Protection Act, which would restrict sales of cigarettes to only those meeting the standard for self-extinguishing cigarettes.

- IE was ordered

[SB 280](#) (Van Woerkom)

The bill (S-1) would amend Part 413 (Transgenic and Nonnative Species) of the Natural Resources and Environmental Protection Act to do the following:

- Remove yellow flag iris (*Iris pseudacorus*) and a hybrid or genetically engineered variant of yellow flag iris from the definition of "prohibited species".
- Expand the definition to include particular bird, crustacean, mammal, and mollusk species, in addition to fish, insect, and aquatic plant species.
- Add certain aquatic plant and fish species to the definition.
- Include in the definition of "restricted species" particular mollusk species.
- State legislative intent regarding criteria for listing an organism as a prohibited or restricted species.
- Delete a sunset date on annual reporting requirements.

- The Senate concurred in the House substitute H-2 [RC 247: 35 yes, 0 no, 2 excused]

GENERAL ORDERS – (TO PASSAGE)

[SB 245](#) (Pappageorge)

General Government appropriations for fiscal year 2009-2010.

- Committee substitute S-1 not adopted
- Pappageorge substitute S-2 adopted
- SB 245 advanced to 3rd Reading
- Anderson-1 not adopted [RC 249: 16 yes, 20 no, 1 excused]
- Jacobs-2 not adopted [RC 250: 17 yes, 19 no, 1 excused]
- Thomas-3 adopted [RC 251: 36 yes, 0 no, 1 excused]
- Anderson-4 not adopted [RC 252: 16 yes, 20 no, 1 excused]
- Whitmer-5 not adopted [RC 253: 16 yes, 20 no, 1 excused]
- Whimter-6 not adopted [RC 254: 16 yes, 20 no, 1 excused]
- Whitmer-7 not adopted [RC 255: 16 yes, 20 no, 1 excused]
- Pappageorge-8 adopted
- SB 256 was passed [RC 256: 20 yes, 16 no, 1 excused]

GENERAL ORDERS

SB 431

(Kuipers)

The bill would amend the Administrative Procedures Act do the following:

- Require a request for rule-making to include a cost-benefit analysis and to cite any substantially similar Federal standard.
- Require SOAHR to deny a request for rule-making if it sought standards that were more stringent than a substantially similar Federal standard.

- SB 431 advanced to 3rd Reading

SB 13

(Hardiman)

The bill would amend the Administrative Procedures Act do the following:

- Require a regulatory impact statement to indicate whether a proposed rule would exceed existing Federal standards, and estimate whether the rule would allow a governmental agency to compete against the private sector.
- Require SOAHR to post on its website information about administrative remedies or appeals, policy changes contained in a rule, and instructions regarding compliance.

- Hardiman substitute S-1 adopted
- SB 13 advanced to 3rd Reading

SB 435

(Pappageorge)

Senate Bill 435 would amend the Administrative Procedures Act to:

- Require agencies and legislative committees to review rules every five years to assess their impact on small businesses.
- Require an agency's annual regulatory plan to identify all existing rules and whether they should be continued, changed, or rescinded.

- Pappageorge-1 adopted
- SB 435 advanced to 3rd Reading

SB 436

(Gilbert)

The bill would add Section 1313 to Part 13 (Permits) of the Natural Resources and Environmental Protection Act to do the following:

- Allow a person to file a permit application or a proposed remedial action plan with a licensed professional engineer for review.
- Require the licensed professional engineer to report his or her findings and recommendations to the Department of Environmental Quality.
- Require the DEQ to process the application or proposed plan within 21 days after receiving the engineer's report or after a hearing or consultation; and provide that any processing fee would be 50% of the amount otherwise charged.
- Require the DEQ to maintain a list of licensed professional engineers eligible to review permit applications or proposed remedial action plans.
- Require the DEQ to promulgate rules implementing Section 1313.
- Require the DEQ Director to submit to the Legislature an annual report regarding application and plan reviews by licensed professional engineers.

The bill also would amend Part 13 to require a department, agency, or official to pay 50%, rather than 15%, of certain amounts if the department, agency, or official failed to approve or deny a permit application by the processing deadline.

- Gilbert substitute S-1 adopted
- SB 436 advanced to 3rd Reading

SB 438

(Richardville)

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to require the Department of Natural Resources (DNR), the Department of Environmental Quality (DEQ), or any other State department that performs routine inspections under the Act to use a "stratified random sampling process" to select persons to inspect.

- SB 438 advanced to 3rd Reading

SB 439

(Kahn)

The bill would add Part 27 (Program Review) to the Natural Resources and Environmental Protection Act (NREPA) to do all of the following:

- Require the Department of Natural Resources (DNR), the Department of Environmental Quality (DEQ), and other State departments to hire someone to perform benchmark analyses or arrange for independent peer review of programs administered under NREPA.
- Require each department to complete two analyses or reviews by February 1, 2010, and then annually, until all programs were analyzed or reviewed.
- Require the DEQ to complete an analysis or review of two specific programs by February 1,

2010.

-- Create the NREPA Program Review Panel to assist a person performing a benchmark analysis or peer review under the bill, and dissolve the panel as of July 1, 2014.

SB 439 advanced to 3rd Reading

- SB 439 advanced to 3rd Reading

RESOLUTIONS

SR 62

(Bishop)

A resolution to memorialize Congress to provide for waivers from requirements attached to stimulus funding that would hamper the state's efforts to meet its constitutional obligation to balance future budgets.

- SR 62 was adopted [RC 248: 25 yes, 10 no, 2 excused]

SCR 13

(Bishop)

A concurrent resolution to memorialize Congress to provide waivers from federal obligations and requirements for stimulus funding that would hamper the state's constitutional obligation to balance its future budgets.

- SCR 13 was adopted