

# Senate Watch

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



8/27/09

## MOTIONS AND RESOLUTIONS

[HB 4922](#)

(Clemente)

The bill would amend the Michigan Economic Growth Authority Act to:

- Increase the number of MEGA tax credits that may be awarded
- Eliminate a current investment requirement for certain high technology businesses which would make it easier for eligible businesses to receive the tax credit.

- Motion to discharge from committee
- Motion to call the previous question [RC 409: 15 yes, 18 no, 3 excused, 1 not voting]
- Motion to discharge not adopted [RC 410: 16 yes, 19 no, 1 excused]

## MESSAGES FROM THE GOVERNOR

Advise and consent to the appointment of Cynthia J. Knoll to the Michigan Tax Tribunal.

- The appointment was consented to [RC 411: 35 yes, 0 no, 2 excused]

Advise and consent to the appointment of Patricia L. Halm to the Michigan Tax Tribunal.

- The appointment was consented to [RC 412: 35 yes, 0 no, 2 excused]

## MESSAGES FROM THE HOUSE

[SB 411](#)

(Switalski)

Senate Bill 411 (S-1) would enact the "Uniform Prudent Management of Institutional Funds Act" and repeal the Uniform Management of Institutional Funds Act. The proposed Act would do the

following:

- Require an institution managing and investing an institutional fund to consider the institution's charitable purposes and the purposes of the fund.
- Establish a good faith and prudent person standard for each person responsible for managing and investing an institutional fund.
- Specify factors that would have to be considered, and rules that would apply, in the management and investment of an institutional fund.
- Allow an institution to appropriate for expenditure or accumulate amounts of an endowment fund that were prudent for its uses, benefits, purposes, and duration.
- Require an institution to consider specific factors in determining to appropriate or accumulate amounts in an endowment fund.
- Specify circumstances under which an institution could delegate the management and investment of an institutional fund to an external agent.
- Allow an institution or a court to release or modify a restriction contained in a gift instrument on the management, investment, or purpose of an institutional fund, under certain circumstances.
- Require the Attorney General to be notified and given an opportunity to be heard on the matter of releasing or modifying a restriction in a gift instrument.
- Outline provisions regarding compliance with, and the scope of, the Act.

- IE was ordered

#### **SB 412**

**(Kuipers)**

Senate Bill 412 (S-1) would amend the Nonprofit Corporation Act to refer to the proposed Uniform Prudent Management of Institutions Funds Act, rather than the Uniform Management of Institutional Funds Act.

- IE was ordered

#### **SB 430**

**(Van Woerkom)**

The bill specifies that in circumstances when a tall structure has the approval of the Federal Aviation Administration and the Michigan Department of Transportation, then a permit or variance for the construction, establishment, alteration, or repair of a tall structure near an airport would not require the approval of an Airport Zoning Board (many of which have disbanded since their creation in the 1950's).

- IE was ordered

## **THIRD READING**

#### **HB 4199**

**(Lahti)**

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

- Prohibit the placement of a boat, boating equipment, or boat trailer in Michigan waters with an aquatic plant attached.
- Require the owner of a public boating access site to post a notice of the prohibition.
- Prescribe a civil fine for a violation of the aquatic plant prohibition and the notice requirement.

- HB 4199 was passed [RC 415: 35 yes, 0 no, 2 excused]
- IE was ordered

## **SB 597**

**(Gilbert)**

The bill would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to permit the Secretary of State to assess a fee for the issuance of a duplicate or corrected enhanced driver license or enhanced official State personal identification card. The fees would have to be deposited into the Enhanced Driver License and Enhanced Official State Personal Identification Card Fund. The Act prescribes a maximum fee of \$50 for an original enhanced driver license or State personal identification card or for the renewal of an enhanced license or ID card, and provides for the distribution of fee revenue. The State Treasurer must deposit \$4 into the Traffic Law Enforcement and Safety Fund for each person examined for an original enhanced driver license. The bill would require the same amount to be deposited into the Fund for each person examined for a renewal enhanced driver license. In addition, \$2.5 million from the Enhanced Driver License and Enhanced Official State Personal Identification Card Fund must be deposited in the State Treasury and credited to the General Fund, except that not more than \$1.0 million must be credited to the Gasoline Inspection and Testing Fund. The bill would remove those provisions.

- SB 597 was passed [RC 416: 35 yes, 0 no, 2 excused]

## **GENERAL ORDERS – (TO PASSAGE)**

### **SB 95**

**(Jelinek)**

Supplemental appropriations for fiscal year 2008-2009. The bill (S-1) would provide for \$33.4 million of Gross supplemental appropriations and a negative \$863.6 million of General Fund/General Purpose (GF/GP) appropriations in FY 2008-09 to the Departments of Community Health, Human Services, and Natural Resources. The appropriations are funded with Federal funds available from the American Recovery and Reinvestment Act of 2009 (ARRA). All of the appropriations in the bill have been recommended for approval to the Legislature by the Office of the State Budget in requests dated June 10, 2009, June 23, 2009, July 8, 2009, and July 31, 2009.

- Committee substitute S-1 adopted
- SB 95 advanced to 3<sup>rd</sup> Reading
- SB 95 was passed [RC 414: 35 yes, 0 no, 2 excused]

**SB 503****(Brown)**

Senate Bill 503 would amend the History, Arts, and Libraries Act to do all of the following:

-- Abolish the Department of History, Arts, and Libraries (HAL) and transfer all of its powers, duties, functions, and responsibilities to the Department of State.

-- Transfer the Michigan Council for the Arts Fund from HAL to the State Treasury and designate the Department of State as the Fund's administrator.

-- Transfer the Michigan Council for the Arts and Cultural Affairs (MCACA) from HAL to the Department of State and require the Secretary of State, rather than the HAL Director, to assign staff to assist the MCACA.

In addition, the bill would repeal Sections 3, 4, 6, and 7 of the HAL Act. Section 3 created the Department, and Section 4 provides for HAL to be headed by a director, appointed by and serving at the pleasure of the Governor. Section 6 provided for the transfer to HAL upon its creation of records, personnel, property, grants, and unspent balances of appropriations, allocations, and other funds. Section 7 allows HAL to enter into cooperative agreements, contracts, or other agreements with one or more governmental entities. The bill also would rename the HAL Act the "Council for Arts and Cultural Affairs Act".

- SB 503 advanced to 3<sup>rd</sup> Reading
- SB 503 was passed [RC 417: 21 yes, 14 no, 2 excused]

**SB 504****(Jelinek)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 504 would amend the Freedom of Information Act.

- SB 504 advanced to 3<sup>rd</sup> Reading
- SB 504 was passed [RC 418: 21 yes, 14 no, 2 excused]

**SB 505****(Brown)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 505 would amend the Management and Budget Act.

- SB 505 advanced to 3<sup>rd</sup> Reading
- SB 505 was passed [RC 419: 21 yes, 14 no, 2 excused]

**SB 506****(Jansen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 506 would amend the Records Reproduction Act.

- SB 506 advanced to 3<sup>rd</sup> Reading
- SB 506 was passed [RC 420: 21 yes, 14 no, 2 excused]

**SB 507****(Cassis)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 507 would amend the Charter Township Act.

- SB 507 advanced to 3<sup>rd</sup> Reading
- SB 507 was passed [RC 421: 21 yes, 14 no, 2 excused]

**SB 508****(Van Woerkom)**

The bill would eliminate HAL and transfer responsibilities to Dept of State: Senate Bill 508 would amend the downtown development authority Act.

- SB 508 advanced to 3<sup>rd</sup> Reading
- SB 508 was passed [RC 422: 21 yes, 14 no, 2 excused]

**SB 509****(Allen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 509 would amend the Michigan Strategic Fund Act.

- SB 509 advanced to 3<sup>rd</sup> Reading
- SB 509 was passed [RC 423: 21 yes, 14 no, 2 excused]

**SB 510****(Thomas)**

The bill would eliminate HAL and transfer responsibilities to Dept of State: Senate Bill 510 would amend the Corridor Improvement Authority Act.

- SB 510 advanced to 3<sup>rd</sup> Reading
- SB 510 was passed [RC 424: 21 yes, 14 no, 2 excused]

**SB 511****(Allen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 511 would amend the General Sales Tax Act.

- SB 511 advanced to 3<sup>rd</sup> Reading
- SB 511 was passed [RC 425: 21 yes, 14 no, 2 excused]

**SB 512****(Allen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 512 would amend the Income Tax Act.

- SB 512 advanced to 3<sup>rd</sup> Reading
- SB 512 was passed [RC 426: 21 yes, 14 no, 2 excused]

**SB 513****(Brown)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 513 would amend the Michigan Business Tax Act.

- SB 513 advanced to 3<sup>rd</sup> Reading
- SB 513 was passed [RC 427: 21 yes, 14 no, 2 excused]

**SB 514****(Kuipers)**

The bill would eliminate HAL and transfer responsibilities to Dept of State: Senate Bill 514 would amend the Michigan Vehicle Code.

- SB 514 advanced to 3<sup>rd</sup> Reading
- SB 514 was passed [RC 428: 21 yes, 14 no, 2 excused]

**SB 515****(Birkholz)**

The bill would eliminate HAL and transfer responsibilities to Dept of State: SB 515 would amend the Natural Resources and Environmental Protection Act.

- SB 515 advanced to 3<sup>rd</sup> Reading
- SB 515 was passed [RC 429: 22 yes, 13 no, 2 excused]

**SB 516****(Kuipers)**

The bill would eliminate HAL and transfer responsibilities to Dept of State: Senate Bill 516 would amend the State School Aid Act.

- SB 516 advanced to 3<sup>rd</sup> Reading
- SB 516 was passed [RC 430: 21 yes, 14 no, 2 excused]

**SB 517****(Allen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: SB 517 would amend the Natural Resources and Environmental Protection Act.

- SB 517 advanced to 3<sup>rd</sup> Reading
- SB 517 was passed [RC 431: 21 yes, 14 no, 2 excused]

**SB 518****(George)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 518 would amend the Library of Michigan Act

- SB 518 advanced to 3<sup>rd</sup> Reading
- SB 518 was passed [RC 432: 21 yes, 14 no, 2 excused]

**SB 519****(Van Woerkom)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 519 would amend the District Library Establishment Act

- SB 519 advanced to 3<sup>rd</sup> Reading
- SB 519 was passed [RC 433: 21 yes, 14 no, 2 excused]

**SB 520****(Jansen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 520 would amend the State Aid to Public Libraries Act.

- SB 520 advanced to 3<sup>rd</sup> Reading
- SB 520 was passed [RC 434: 21 yes, 14 no, 2 excused]

**SB 521****(Brown)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 521 would amend the Michigan Historical Commission law.

- SB 521 advanced to 3<sup>rd</sup> Reading
- SB 521 was passed [RC 435: 21 yes, 14 no, 2 excused]

**SB 522****(Jelinek)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 522 would amend Public Act 69 of 1976, which permits HAL to acquire and operate State historic sites.

- SB 522 advanced to 3<sup>rd</sup> Reading
- SB 522 was passed [RC 436: 21 yes, 14 no, 2 excused]

**SB 523****(Jelinek)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 523 would amend the Michigan Iron Industry Museum Advisory Board Act.

- SB 523 advanced to 3<sup>rd</sup> Reading
- SB 523 was passed [RC 437: 21 yes, 14 no, 2 excused]

**SB 524****(Thomas)**

The bill would eliminate HAL and transfer responsibilities to Dept of State: Senate Bill 524 would amend the Michigan Freedom Trail Commission Act.

- SB 524 advanced to 3<sup>rd</sup> Reading
- SB 524 was passed [RC 438: 21 yes, 14 no, 2 excused]

**SB 525****(Brown)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 525 would amend the Michigan Historical Markers Act.

- SB 525 advanced to 3<sup>rd</sup> Reading
- SB 525 was passed [RC 439: 21 yes, 14 no, 2 excused]

**SB 526****(Jansen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 526 would amend the Local Historic Districts Act;

- SB 526 advanced to 3<sup>rd</sup> Reading
- SB 526 was passed [RC 440: 21 yes, 14 no, 2 excused]

**SB 527****(Allen)**

The bill would eliminate HAL and transfer responsibilities to Department of State: Senate Bill 527 would amend the Revised Judicature Act.

- SB 527 advanced to 3<sup>rd</sup> Reading
- SB 527 was passed [RC 441: 21 yes, 14 no, 2 excused]

## GENERAL ORDERS

**SB 589****(Kahn)**

The bill would allow for an interim billboard permit for a specific billboard in Saginaw County.

- Kahn substitute S-2 adopted
- SB 589 advanced to 3<sup>rd</sup> Reading

# RESOLUTIONS

## SCR 18

(Brown)

A concurrent resolution to disapprove Executive Order No. 2009-36, setting forth changes in the organization of the executive branch.

- SCR 18 was adopted [RC 413: 22 yes, 13 no, 2 excused]