

Senate Watch

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



9/30/09

CONFERENCE REPORTS

[SB 253](#)

(Garcia)

State Police appropriations for fiscal year 2009-2010.

- The conference report was not adopted [RC 487: 17 yes, 17 no, 3 not voting]
- Vote reconsidered
- The conference report was not adopted [RC 497 17 yes, 10 no, 10 not voting]
- Vote reconsidered

[HB 4435](#)

(Miller)

Community Colleges appropriations for fiscal year 2009-2010.

- The conference report was adopted [RC 488: 37 yes, 0 no]
- Vote reconsidered and passed temporarily
- Motion to reconsider withdrawn [Bill already given IE]

[HB 4438](#)

(Brown)

Department of Education budget for the Fiscal Year 2009-2010.

- The conference report was adopted [RC 489: 22 yes, 15 no]
- Vote reconsidered and passed temporarily
- Motion to reconsider withdrawn [Bill already given IE]

[HB 4446](#)

(Lahti)

Department of Natural Resources and Department of Environmental Quality appropriations for fiscal year 2009-2010.

- The conference report was adopted [RC 490: 21 yes, 16 no]
- Vote reconsidered and passed temporarily
- Motion to reconsider withdrawn
- IE was ordered

HB 4436 (McDowell)

Department of Community Health appropriations for fiscal year 2009-2010.

- The conference report was adopted [RC 491: 20 yes, 17 no]
- Vote reconsidered and postponed temporarily
- Motion to reconsider withdrawn
- **IE was not ordered [RC 501: 22 yes, 15 no]**
- Motion for IE and passed temporarily

HB 4441 (Bauer)

Higher Education appropriations for fiscal year 2009-2010.

- The conference report was adopted [RC 492: 19 yes, 18 no]
- Vote reconsidered and postponed temporarily
- Motion to reconsider withdrawn
- **IE was not ordered [RC 500: 22 yes, 15 no]**
- Motion for IE and passed temporarily

HB 4437 (Smith)

Department of Corrections budget for fiscal year 2009-2010.

- The conference report was adopted [RC 493: 23 yes, 14 no]
- Vote reconsidered and postponed temporarily
- Motion to reconsider withdrawn
- IE was ordered

MESSAGES FROM THE HOUSE

SB 237 (Brown)

Department of Agriculture appropriations for fiscal year 2009-2010.

- IE was ordered

SB 243 (Jansen)

Department of Labor, Energy, and Economic Growth appropriations for fiscal year 2009-2010.

- **IE was not ordered [RC 498: 21 yes, 16 no]**
- **Motion for IE and passed temporarily**

SB 249 (Cropsey)

Judiciary appropriations for fiscal year 2009-2010.

- **IE was ordered**

SB 250 (Garcia)

Department of Military and Veterans Affairs appropriations for fiscal year 2009-2010.

- **IE was ordered**

SB 254 (Hardiman)

Department of Transportation appropriations for fiscal year 2009-2010.

- **IE was ordered**

SB 248 (Hardiman)

Department of Human Services appropriations for fiscal year 2009-2010.

- **IE was not ordered [RC 499: 21 yes, 16 no]**
- **Motion for IE and passed temporarily**

THIRD READING

SB 798 (Gleason)

Income tax increase to 4.8%.

- **Discharged from committee to 3rd Reading**
- **Move the previous question**
- **SB 798 was not passed [RC 502: 2 yes, 33 no, 2 not voting]**

GENERAL ORDERS – (TO PASSAGE)

HB 5126

(McDowell)

Under the Mental Health Code, Community Mental Health Services Programs (CMHSPs) are permitted to carry forward up to 5% of the State portion of their budgets. The carry-forward provision has a sunset of September 30, 2008. House Bill 5126 (as passed by the House) would eliminate the sunset provision, thus allowing the CMHSPs to carry forward funds in FY 2008-09, FY 2009-10, and subsequent fiscal years.

- Jelinek substitute S-1 adopted
- HB 5126 advanced to 3rd Reading
- HB 5126 was passed [RC 484: 36 yes, 0 no, 1 not voting]
- IE was ordered

HB 5100

(Clemente)

The bill (S-2) would amend Chapter 8A (21st Century Investment Programs and Activities) of the Michigan Strategic Fund (MSF) Act to delete a requirement that the Strategic Economic Investment and Commercialization Board (commercialization board) authorize certain minimum expenditures for competitive edge technology grants and loans; and require the MSF to grant \$9.0 million for a bioeconomy research and commercialization institute. Under Chapter 8A, the MSF board may not spend more than certain amounts each year from the 21st Century Jobs Trust Fund for specific purposes, including 70% for competitive edge technology grants and loans. The bill would delete a requirement that the commercialization board authorize the expenditure of at least \$25.0 million for that purpose in fiscal year (FY) 2008-09 through FY 2011-12. In addition, under the bill, beginning October 1, 2009, before entering into an agreement for the designation and operation of a Center of Energy Excellence, the MSF would have to execute a grant agreement with a "qualified economic development organization" for \$9.0 million for the development and operation of a bioeconomy research and commercialization institute. The grant would have to be payable in equal yearly installments over the three fiscal years. "Qualified economic development organization" would mean an entity that maintains a partnership with an institution of higher education located in another community to facilitate the reuse of life science facilities and equipment; received money in FY 2007-08 from the MSF to facilitate the reuse of life science facilities and equipment; and, in partnership with an institution of higher education, established a bioeconomy research and commercialization institute focused on research in biofuels, biomaterials, and biochemicals at a facility donated to an institution of higher education by a private company.

- Committee substitute S-2 not adopted
- Allen substitute S-3 adopted
- HB 5100 was passed [RC 485: 22 yes, 15 no]
- IE was ordered

[HB 5223](#)

(Bennett)

The bill would amend Part 31 (Water Resources Protection) of the Natural Resources and Environmental Protection Act to delay the expiration of water discharge fees from October 1, 2009, to October 1, 2011. The fees are for the following:

- A storm water discharge permit.
- An application for a new permit, a reissuance of a permit, or a modification of an existing permit authorizing a discharge into surface water, other than a storm water discharge.
- An annual permit authorizing a discharge into surface water, other than a storm water discharge.

- HB 5223 advanced to 3rd Reading
- HB 5223 was passed [RC 493: 37 yes, 0 no]
- IE was ordered

[HB 5127](#)

(Simpson)

The bill would amend the Animal Industry Act to prohibit a farm owner or operator from tethering or confining any "covered animal" for all or the majority of any day in a manner that prevented the animal from lying down, standing up, fully extending its limbs, or turning around freely. ("Covered animal" would mean any gestating sow, calf raised for veal, or egg-laying hen that is kept on a farm. "Egg-laying hen" would mean any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.) The prohibition would not apply to a covered animal during scientific or agricultural research; examination, testing, or treatment, for veterinary purposes; transportation; rodeo exhibitions, State or county fair exhibitions, 4-H programs, and similar exhibitions; the slaughter of a covered animal in accordance with applicable State law and rules; or, in the case of a gestating sow, the period beginning seven days before the sow's expected date of giving birth. The bill would not apply to veal calves until two years after its enactment date, and would not apply to egg-laying hens or gestating sows until 10 years after the enactment date. The Department of Agriculture or the Attorney General could bring a civil action in circuit court to restrain, by temporary or permanent injunction, any act or practice in violation of the bill.

- Committee substitute S-2 adopted
- Birkholz 1A adopted
- HB 5127 advanced to 3rd Reading
- HB 5127 was passed [RC 494: 36 yes, 0 no, 1 not voting]

[HB 5311](#)

(Smith)

The bill would enable eligible prisoners to continue to participate in the Special Alternative Incarceration program, otherwise known as the "boot camp program".

- Kuipers substitute S-2 adopted
- Whitmer 1A not adopted
- HB 5311 advanced to 3rd Reading

- Witmer-1 adopted
- HB 5311 was passed [RC 495: 34 yes, 2 no, 1 excused]
- IE was ordered

MOTIONS AND RESOLUTIONS

Motion to adjourn until 12:15 AM 10/1 adopted [RC 503: 20 yes, 16 no, 1 not voting]