

# Senate Watch

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



10/7/09

## MOTIONS AND RESOLUTIONS

Motion to move to the order of Conference Reports.

- Motion defeated [RC 513: 16 yes, 21 no]

## THIRD READING

[SB 553](#)

(Pappageorge)

The bill would amend the Michigan Low Income Heating Assistance and Shut-Off Protection Act to revise a requirement that the Department of Human Services (DHS) make information concerning public assistance recipients available to public utilities; and allow disclosure for the purpose of programs intended to prevent or delay utility disconnection. Under the Act, subject to restrictions prescribed by Federal regulations governing Temporary Assistance to Needy Families, rules of the DHS, or otherwise, for preventing the disclosure of confidential information to any person not authorized by law to receive it, the DHS is required to make available to a public utility regulated by the Public Service Commission (PSC) information concerning public assistance applicants and recipients, if the disclosure is necessary and use of the information is strictly limited to the purpose of the utility's administering a program created by statute or PSC order and intended to assist public assistance applicants or recipients with defraying their energy costs. The bill, instead, would require the DHS to make this information available on an annual basis to an energy provider, notwithstanding the provisions of the Social Welfare Act, and subject to current restrictions for preventing the disclosure of confidential information to an unauthorized person. The information would have to be made available for the purpose of a provider's administering a program intended to assist public assistance applicants or recipients with defraying their energy costs or preventing or delaying utility disconnection. The Act also requires the DHS to authorize use of weatherization resources among the dwellings of all assisted households in the State, giving first priority to those that exceed the annual consumption cap. The bill would delete this requirement.

- SB 553 was passed [RC 510: 37 yes, 0 no]

## **SB 555**

**(Richardville)**

The bill would amend the Michigan Low Income Heating Assistance and Shut-Off Protection Act to require the Department of Human Services (DHS) to operate an electronic payment process with participating energy providers to provide for the payment of low income customer energy bills that were subject to shut-off. The DHS would have to operate this process by April 1, 2010, or at a time it considered possible. Also, as the DHS considered appropriate, it would have to enter into agreements with energy providers in which they would agree to permit the Department to make direct payments to the providers on behalf of an eligible recipient. An agreement would have to authorize the energy provider to give customer information to the DHS. The DHS would have to determine the eligible recipients, program requirements, benefit levels, and funding levels.

- Thomas-1 not adopted [RC 511: 13 yes, 24 no]
- SB 555 was passed [RC 512: 37 yes, 0 no]

## **GENERAL ORDERS**

### **SB 338**

**(Jansen)**

The bill (as discharged) would amend the Public Service Commission (PSC) law, to authorize the PSC to review allegations of violations of utility shut-off procedures and order remedies and penalties. Upon a complaint or its own motion, the Commission could review allegations of violations of Section 9d, 9e, or 9f or rules promulgated under Section 9g of the law. If the PSC found that an electric or natural gas provider had committed a violation, it would have to order any remedies and penalties necessary to make a customer whole, including ordering the provider to pay a fine as determined by the Commission, and ordering a refund to the customer of any excess charges. Any fine assessed under the bill would have to be deposited into the Low Income and Energy Efficiency Fund.

- Patterson substitute S-1 adopted
- SB 338 advanced to 3<sup>rd</sup> Reading

### **SB 533**

**(Gleason)**

The bill would amend the Public Service Commission (PSC) law, to require a provider (a municipally owned utility) to make ongoing efforts to identify senior citizen customers

- Gleason substitute S-1 adopted
- SB 533 advanced to 3<sup>rd</sup> Reading

**SB 535****(Barcia)**

The bill would amend the Public Service Commission (PSC) law, to require a provider (a municipally owned utility) to comply with particular PSC rules concerning the shut-off of utility service.

- Substitute S-2 adopted
- SB 535 advanced to 3<sup>rd</sup> Reading

**SB 554****(Kahn)**

The bill would amend Public Act 3 of 1939, the Public Service Commission law, to prohibit a provider (a municipally owned utility) from shutting off electric or natural gas service to a customer who had failed to satisfy an obligation to the provider, unless the provider complied with the notice requirements of R 460.138 of the Michigan Administrative Code, as in effect on the bill's effective date.

- Kahn substitute S-4 adopted
- SB 554 advanced to 3<sup>rd</sup> Reading

**SB 557****(Patterson)**

The bill would amend the Public Service Commission (PSC) law, to allow the Attorney General or a customer to bring a civil action against a municipally owned electric utility that failed to meet the Act's requirements. Specifically, the Attorney General, on his or her own motion or upon a referral from the PSC in a case of serious injury or death, or any customer of a municipally owned electric utility, could commence a civil action for injunctive relief against the utility if it failed to meet the applicable requirements.

- Patterson substitute S-1 adopted
- SB 556 advanced to 3<sup>rd</sup> Reading