



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
COMMERCE AND TRADE

Tuesday, May 19, 2015

10:30 a.m.

Room 519 House Office Building

The House Standing Committee on Commerce and Trade was called to order by **Representative Joseph Graves**, Chair.

MEMBERS PRESENT: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn, Leutheuser, Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss.

MEMBERS ABSENT/EXCUSED: None.

Representative Sheppard moved to adopt the minutes from the **May 12, 2015**, meeting. There being no objection, the motion prevailed by unanimous consent.

Chair Graves laid **HB 4052** before the committee:

HB 4052 (Poleski) Labor; benefits; mandatory wage, benefit, or leave time requirements; prohibit local units of government from establishing for employers.

TESTIMONY

Representative Poleski, sponsor of HB 4052, explained the substitute **(H-3)** to **HB 4052**.

Representative Sheppard moved to adopt the substitute **(H-3)** to **HB 4052**.

The motion prevailed by a vote of **18-1-0**.

FAVORABLE ROLL CALL

Yeas: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn, Leutheuser, Schor, Townsend, Byrd, Garrett, Geiss and Moss,

Nays: Representative Love,

Pass: None.

Chair Graves placed the committee at ease @ 10:45 a.m.

The committee reconvened at 10:51 a.m.

*The committee returned to the consideration of **HB 4052 (H-3)**.*

TESTIMONY

Bart Carrigan, representing the Associated General Contractors, testified in opposition to the bill.

Tim Hughes, representing the UAW, testified in opposition to the bill.

Chris Hackbarth, representing the Michigan Municipal League and **Judy Allen**, representing the Michigan Townships Association, testified in opposition to the bill.

Justin Winslow, representing the Michigan Restaurant Association, testified in support of the bill.

Danielle Atkinson, representing Mothering Justice, testified in opposition to the bill.

Mayor Pro Tem Kelly Garrett, representing the City of Lathrup Village, testified in opposition to the bill.

Charlie Owens, representing the National Federation of Independent Business (NFIB), testified in support of the bill.

Peggy Adams, 9th District Commissioner, representing Genesee County, testified in opposition to the bill.

David Woodward, 18th District Commissioner, representing Oakland County, testified in opposition to the bill.

Chair Graves announced that due to time constraints the remaining testimony cards would go into the committee's official record and not read in.

The following individuals submitted a card and/or written testimony and did not speak:

Lee Schwartz, representing the Michigan Home Builders Association, supports the bill.

Jeffrey Jones, representing D4 (Doing Development Differently in Detroit), opposes the bill.

Lee Gonzales, Legislative Liaison, representing the Michigan Department of Civil Rights, opposes the bill.

Bobbie Walton, representing Citizens Against Government Overreach, opposes the bill.

Hattie Mahone, representing the Mothers of Inmates Support Team, opposes the bill.

Aaron Thomas Kinzel, representing the Medal of Honor Consulting Corporation, opposes the bill.

Jonathan Byrd, representing the Michigan Laborers District Council, opposes the bill.

Linda Gobler, representing the Michigan Grocers Association, supports the bill.

Erin Schor, representing the Michigan Community College Association, opposes the bill.

James Clift, representing the Michigan Environmental Council, opposes the bill.

Dawn Kettinger, representing the Michigan Nurses Association, opposes the bill.

Michael Marzano, representing the Small Business Association of Michigan (SBAM), supports the bill.

Tim Daman, representing the Lansing Regional Chamber of Commerce, supports the bill.

Sommer Foster, representing Equality Michigan, opposes the bill.

Julie Rowe, representing the AFT-MI, opposes the bill.

Allan Wachendorfer, representing the National Association of Social Workers – Michigan, opposes the bill.

Rodd Monts, representing the ACLU of Michigan, opposes the bill.

Derek Dobies, Vice-Mayor for the City of Jackson, opposes the bill.

Sharon Curson, representing the UAW, opposes the bill.

Dave Worthams, representing the Michigan Bankers Association, supports the bill.

Amy Drumm, representing the Michigan Retailers Association, supports the bill.
Delaney McKinley, representing the Michigan Manufacturers Association, supports the bill.
Peter Riddell, representing the City of Kalamazoo, opposes the bill.
Monica Jahner, representing Advocacy, Re-entry, Resources and Outreach (ARRO), opposes the bill.
Mary Pollock, representing the Michigan National Organization for Women, opposes the bill.
Josefina Galleyos, representing St. Gabriel Church, opposes the bill.
Luis Valencia, representing St. Gabriel Church, opposes the bill.
Brother Thomas Zerafa, representing the Michigan Coalition for Human Rights (MCHR), opposes the bill.
Reverend Marcia Ledford, representing the Episcopal Diocese of Michigan, opposes the bill.
Quantina Riwesley, representing the Detroit Action Commonwealth (DAC), opposes the bill.
Khary Johnson, representing the (DAC), opposes the bill.
Sonya Billings, representing the (DAC), opposes the bill.
Carole Kronberg, representing Neighbors Building Brightmoor and the Detroit Eviction Defense, opposes the bill.
Mayor Bobby Hopewell, representing the City of Kalamazoo, opposes the bill.
Kenneth Mahoney, District #9 Commissioner, representing Muskegon County, opposes the bill.
Donald Tilley, District #6 Commissioner, representing Bay County, opposes the bill.
Steven Sneiderman, Canton Township Trustee, opposes the bill.
Sarah Warbelow, Legal Director, representing the Human Rights Campaign, opposes the bill.
Jesusa Vasquez, RN, BSN, MPAH, representing Michigan Nurses Association, opposes the bill.
Acting Mayor Donald Fracassi and the Southfield City Council members, representing the City of Southfield, opposes the bill.
Melanie Halas, Royal Oak City Clerk, representing the Royal Oak City Commission, submitted a resolution opposing the bill.
Niya Reed, representing Michigan United, opposes the bill.
RuShann Long, representing Michigan United, opposes the bill.
Artis Palmore, representing Michigan United, opposes the bill.
Margie Stinson, representing Michigan United, opposes the bill.
Erik Shelley, representing Michigan United, opposes the bill.
Adonis Flores, representing Michigan United, opposes the bill.
D'Andre Dewberry, representing Michigan United, opposes the bill.
Elisheva Johnson, representing Michigan United, opposes the bill.
Elizabeth Banda, representing Michigan United, opposes the bill.
Branden Snyder, representing Michigan United, opposes the bill.
Genevieve Wilson, representing Michigan United, opposes the bill.
Rebecca Hatley, representing Michigan United, opposes the bill.
Earl Booker, representing Michigan United, opposes the bill.
Candice Luits, representing Michigan United, opposes the bill.
Maureen McGinnell-Martin, representing Michigan United, opposes the bill.
Leonor Kromis, representing Michigan United, opposes the bill.
Connor Meston, representing Michigan United, opposes the bill.
Antoinette McDaniel, representing Michigan United, did not indicate a position on the bill.
Valerie Wilks, representing Michigan United, did not indicate a position on the bill.
Marcia Black, representing Michigan United, opposes the bill.
Glenn Winters, representing the UAW and Michigan United, opposes the bill.
Naomi Barajas, representing Michigan United, opposes the bill.
Martha Reyes, representing Michigan United, opposes the bill.
Deborah LeSone, representing Michigan United, opposes the bill.

Nate Burton, representing Michigan United, opposes the bill.
Loretta Binion, representing Michigan United, opposes the bill.
Dwight Whiteside, representing Michigan United, did not indicate a position on the bill.
Nichole Weststrate, representing Michigan United, opposes the bill.
Harvey Presberry, representing Michigan United, opposes the bill.
Ms. A. Pearce, representing Michigan United, opposes the bill.
Majyck D, representing Michigan United, opposes the bill.
LeeMari Whechy, representing Michigan United, opposes the bill.
Tyvion Anderson, representing Michigan United, opposes the bill.
Paul Perez, representing Michigan United, opposes the bill.
Roland Leggett opposes the bill.
James Boyd opposes the bill.
Jamie Rykse opposes the bill.
Devereaux Hennedy opposes the bill.
Kathryn Corbin opposes bill.
Rachel Leider opposes the bill.
David Kingsley opposes the bill.
Malissa Luckett indicated neutrality on the bill.
Katie Kelly opposes the bill.
Pamela Owens did not indicate a position on the bill.
Rene Moreno opposes the bill.
Darius Reed opposes the bill.
Catherine Hurley, representing Margaret O'Brien, opposes the bill.
Quintarius Gregory opposes the bill.
Barry Lewis opposes the bill.
Nicolette Leigh opposes the bill.
Gloria Rivera opposes the bill.
Shelley Ketcham-Bates opposes the bill.
Kaylee Moren opposes the bill.
Reverend Sharon Buttry opposes the bill.
Porsche Morrison opposes the bill.
Sara Cardoza opposes the bill.
Reyna Hinojosa opposes the bill.
Izawar Contreras opposes the bill.
Alyssa Hernandez opposes the bill.
Jasmine Ruiz, Jessy Ruiz and Jerry Bustos opposes the bill.
Denzel Massey opposes the bill.
Noor Ahmad opposes the bill.
Reynalda Hinojosa-Patriao opposes the bill.
Jordan Rivers opposes the bill.
Richid Elgbed opposes the bill.
Shannon Graham opposes the bill.
Diego Bonesatti opposes the bill.
Al Buwater opposes the bill.
Willie Bell opposes the bill.
Keyen Jones opposes the bill.

Representative Schor offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 4, following line 18, by inserting:

"Sec. 14. This act does not prohibit a local governmental body from adopting, enforcing, or administering an ordinance, local policy, or local resolution that places conditions on the award of a contract for services, a tax abatement, a grant, or other form of discretionary benefit. The conditions may include, but are not limited to, the awardee's agreement to pay employees a specified wage or fringe benefit package, to abide by a nondiscrimination policy, or to otherwise abide by local governmental body regulations affecting the relationship between the awardee and its employees." and renumbering the remaining sections.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,

Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,

Pass: None.

Representative Townsend offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 4, following line 18, by inserting:

"Sec. 14. Sections 4 to 13 do not prohibit the adoption, enforcement, and administration of a local ordinance that has been approved by a majority vote of the electors voting on the ordinance." and renumbering the remaining sections.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,

Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,

Pass: None.

Representative Love offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 2, line 5, by striking out all of subparagraph (ii).

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,

Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,

Pass: None.

Representative Moss offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 2, line 21, by striking out all of section 4.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,

Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,
Pass: None.

Representative Love offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 2, line 26, by striking out all of section 5.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,
Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,
Pass: None.

Representative Garrett offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 3, line 4, by striking out all of section 6.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,
Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,
Pass: None.

Representative Byrd offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 3, line 13, by striking out all of section 7.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,
Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,
Pass: None.

Representative Geiss offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 3, line 23, by striking out all of section 9.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,
Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville, Hughes, Barrett, Garcia, Glenn and Leutheuser,
Pass: None.

Representative Geiss offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 3, line 27, by striking out all of section 10.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,
Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville,
Hughes, Barrett, Garcia, Glenn and Leutheuser,
Pass: None.

Representative Schor offered and moved the following amendment to **HB 4052 (H-3)**:

1. Amend page 4, line 4, by striking out all of section 11.

The motion did not prevail by a vote of **7-12-0**.

UNFAVORABLE ROLL CALL

Yeas: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,
Nays: Representatives Graves, Sheppard, Callton, Jenkins, Johnson, Rendon, Somerville,
Hughes, Barrett, Garcia, Glenn and Leutheuser,
Pass: None.

Representative Sheppard moved to report **HB 4052** with recommendation as substitute **(H-3)**.

The motion prevailed by a vote of **11-7-1**.

FAVORABLE ROLL CALL

Yeas: Representatives Graves, Sheppard, Jenkins, Johnson, Rendon, Somerville, Hughes,
Barrett, Garcia, Glenn and Leutheuser,
Nays: Representatives Schor, Townsend, Byrd, Garrett, Geiss, Love and Moss,
Pass: Representative Callton.

There being no further business to come before the committee, the Chair adjourned the meeting at 11:48 a.m.

Representative Joseph Graves, Chair
House Standing Committee on Commerce and Trade
Malika Abdul-Basir
Committee Clerk
517-373-7256
1 Hour and 18 Minutes