



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

THE MINUTES OF THE HOUSE STANDING COMMITTEE  
ON  
FINANCIAL LIABILITY REFORM

Wednesday, March 9, 2016

11:45 a.m.

Room 327 House Office Building

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The House Standing Committee on Financial Liability Reform was called to order by **Representative Pat Somerville**, Chair.

**MEMBERS PRESENT:** Representatives Somerville, Leutheuser, Farrington, LaFontaine, Lyons, Poleski, Wittenberg, Byrd and Chirkun.

**MEMBERS ABSENT/EXCUSED:** None.

**Chair Somerville** laid **HB 4338** before the committee:

HB 4338 (Forlini) Retirement; public school employees; reporting unit designating its own Tier 2 contract and account plan; allow.

**Representative Farrington** moved to adopt the substitute (**H-1**) to **HB 4338**.

The motion prevailed by a vote of **9-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Somerville, Leutheuser, Farrington, LaFontaine, Lyons, Poleski, Wittenberg, Byrd and Chirkun,  
Nays: None,  
Pass: None.

**TESTIMONY**

**Representative Forlini**, sponsor of HB 4338, explained his bill to the committee.

Questions and discussion followed.

**Kerrie Vanden Bosch** and **Anthony Estell**, representing the Michigan Department of Technology, Management & Budget (DTMB) – Office of Retirement Services, testified and submitted written testimony in opposition to the bill.

Questions and discuss followed.

**Mike Haggerty**, Assistant Superintendent for the Kent Intermediate School District (ISD), representing the Michigan Retirement Investment Consortium, testified in support of the bill.

**Michael Pesendorfer**, representing M3 Investment Services and **Richard Williams**, representing Williams & Co., LLC, testified in support of the bill.

Questions and discussion followed.

**Stephen Banks** and **Chris DeGrassi**, representing the National Tax Deferred Savings Association (NTSA), testified and submitted handouts in support of the bill.

**David Muilenberg**, representing the Michigan Association of Insurance and Financial Advisors, testified in support of the bill.

Questions and discussion followed.

*The following people submitted a card but did not wish to speak:*

Don Olendorf, representing the ESA Legislative Group, opposes the bill.  
Matt Kurta, representing Voya, opposes the bill.

**Chair Somerville** laid **HR 223** before the committee:

HR 0223	(Forlini)	A resolution to memorialize the Congress of the United States to enact the Retail Investor Protection Act and also to enact legislation that prohibits the United States Department of Labor from amending fiduciary duty regulations to define retirement savings brokers and agents as fiduciaries, including those previously not deemed fiduciaries.
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## **TESTIMONY**

**Representative Forlini**, sponsor of HR 0223, explained his resolution to the committee.

**Representative Leutheuser** moved to adopt the minutes from the **November 4, 2015**, meeting. There being no objection, the motion prevailed by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 12:49 p.m.

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**Representative Pat Somerville, Chair**  
**House Standing Committee on Financial Liability Reform**  
Malika Abdul-Basir  
Committee Clerk  
517-373-7256  
1 Hour and 4 Minutes