



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

MINUTES OF THE COMMITTEE
ON
COMMERCE AND TRADE

Tuesday, October 31, 2017

10:30 a.m.

Room 519 House Office Building

The House Standing Committee on Commerce and Trade was called to order by the Chair.

Chairman Leutheuser requested attendance be called to establish a quorum of the appointed committee members:

Members present: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Schor, Greimel, Geiss, Camilleri and Scott.

Members absent/excused: Rep. Byrd

Representative Hughes moved to approve the minutes from the October 24th, 2017 meeting.

There being no objection, the motion was approved by unanimous consent.

The Chair laid Senate Bill No. 520 before the committee:

SB 520 (Booher) Commercial code; secured transactions; bulk sales of records by filing offices; revise requirements.

Monique Field-Foster, representing Randall Reilly Inc., submitted a card in support of the bill, but did not wish to speak.

Representative Garcia moved to report **Senate Bill No. 520** with recommendation. The motion prevailed **14-0-0**.

FAVORABLE ROLL CALL

Yeas: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Schor, Greimel, Geiss, Camilleri and Scott.

Nays: None

Pass: None

The Chair laid House Bill No. 5095 before the committee:

HB 5095 (Lauwers) Environmental protection; water pollution; permit for ballast water discharge from oceangoing vessels; adopt Coast Guard standards.

Representative Lauwers testified in support of the bill.

Representative Schor offered the following amendments to House Bill No. 5095:

1. Amend page 3, line 23, after "COMPLIES WITH" by striking out the balance of the line and inserting "THE FEDERAL AQUATIC NUISANCE RULE AS THEN IN EFFECT. HOWEVER, IF THE FEDERAL AQUATIC NUISANCE RULE IS AMENDED AFTER THE ENACTMENT DATE OF THE 2017

AMENDATORY ACT THAT ADDED SUBSECTION (8), AND THE DIRECTOR DETERMINES THAT THE AMENDED VERSION OF THE FEDERAL AQUATIC NUISANCE RULE IS LESS PROTECTIVE OF THE WATERS OF THIS STATE FROM AQUATIC NUISANCE SPECIES, THE APPLICANT SHALL DEMONSTRATE THAT THE OCEANGOING VESSEL COMPLIES WITH THE FEDERAL AQUATIC NUISANCE RULE AS IN EFFECT IMMEDIATELY BEFORE THE EFFECTIVE DATE OF THAT AMENDMENT TO THE FEDERAL AQUATIC NUISANCE RULE. FURTHERMORE, IF PURSUANT TO A COMPACT OF GREAT LAKES STATES OF WHICH THIS STATE IS A PART, THIS STATE ADOPTS STANDARDS MORE PROTECTIVE OF THE WATERS OF THIS STATE FROM AQUATIC NUISANCE SPECIES THAN THE VERSION OF THE FEDERAL AQUATIC NUISANCE RULE OTHERWISE APPLICABLE UNDER THIS SUBSECTION, THE STANDARDS ADOPTED PURSUANT TO THE COMPACT APPLY. THE INTENT OF THE LEGISLATURE IN ADOPTING THE FEDERAL AQUATIC NUISANCE RULE BY REFERENCE IS TO HELP HARMONIZE REGULATORY PROGRAMS IN GREAT LAKES STATES FOR PREVENTING THE INTRODUCTION AND SPREAD OF AQUATIC NUISANCE SPECIES IN THE GREAT LAKES, INCLUDING BALLAST WATER MANAGEMENT PROGRAMS, AND TO ALLOW REGULATORY AGENCIES TO COOPERATE IN DEVELOPING STRONGER PROGRAMS.

(7)".

2. Amend page 4, following line 5, by inserting:

"(8) AS USED IN THIS SECTION, "FEDERAL AQUATIC NUISANCE RULE" MEANS 33 CFR PART 151, SUBPART C, AND APPLICABLE REQUIREMENTS OF 33 CFR 151.2050, 151.2060, AND 151.2070."

Representative Schor discussed the proposed amendments before the committee.

Representative Frederick moved to amend House Bill No. 5095. The motion prevailed **14-0-0**.

FAVORABLE ROLL CALL

Yeas: Reps. Leutheuser, Garcia, Hughes, Kesto, McCready, Iden, Frederick, Hornberger, Rendon, Schor, Greimel, Geiss, Camilleri and Scott.

Nays: None

Pass: None

Sue Leeming, Jon Allen, and Sara LeSage, all representing the Michigan Department of Environmental Quality, testified with no position on the bill. Questions and discussion followed.

Charlotte Jameson, representing the Michigan League of Conservation Voters, testified in opposition to the bill. Questions and discussion followed.

Patrick Sutka, representing the Nicholson Terminal and Dock Company, testified in support of the bill.

Jim Byrum, representing the Michigan Agri-Business Association, testified in support of the bill.

The following individuals submitted a card in support of the bill, but did not wish to speak:

Kyle Bursleson, representing the Detroit Wayne County Port Authority.

John Lindley, representing the Great Lakes Bay Regional Alliance.

Joshua Lunger, representing the Grand Rapids Area Chamber of Commerce.

Ed Kuss, representing the International Association of Machinists and Aerospace Workers Task Force Coalition.

The Chair laid the committee at ease at 11:45 a.m.

The Chair reconvened the committee at 11:47 a.m.

Representative Hornberger moved to report **House Bill No. 5095** with recommendation, as amended. The motion prevailed **9-3-2**.

FAVORABLE ROLL CALL

Yeas: Reps. Leutheuser, Garcia, Kesto, Iden, Frederick, Hornberger, Rendon, Schor and Scott.

Nays: Reps. Hughes, McCready and Camilleri

Pass: Reps. Greimel and Geiss

Representative Schor made a motion to excuse absent members. No objections being offered, absent members were excused.

There being no further business before the committee, the Chair adjourned the meeting at 11:51 a.m.

Representative Eric Leutheuser, Chair _____

Sondra Gordon, Committee Clerk
House Commerce and Trade Committee
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