

MINUTES OF THE STANDING COMMITTEE ON ENERGY AND TECHNOLOGY

Thursday, December 4, 2014 8:30 a.m. Room 519 House Office Building, Lansing

Representative Nesbitt, Chair, called the meeting to order.

MEMBERS PRESENT: Representatives Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Howrylak, Stallworth, Hobbs, LaVoy, Lane, Brunner, Yanez, Lamonte, Phelps.

ABSENT/EXCUSED: Representative Nathan.

Representative Shirkey made a motion to adopt the minutes of the meeting of December 2, 2014. No objections being offered, the minutes were accepted as presented.

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

The Chair laid the following bill before the Committee.

SB 493 (Jones) Communications; broadcasting; local zoning restrictions for amateur radio; require to conform to federal regulations.

Senator Jones reviewed the provisions of SB 493 with the Committee.

Edward Hude, representing the American Radio Relay League, spoke to the Committee in support of SB 493.

Cards for SB 493 were submitted by:

Tom Frazier, representing the Michigan Townships Association, in support
Derek Tisler, representing the Michigan Municipal League, in support
Sgt. Amy Dehner, representing the Michigan State Police, in support
Larry Camp, representing the American Radio Relay League, in support

The Chair laid the following bill before the Committee.

HB 4237 (Haines) Communications; other; authorized use of Michigan public safety communications system; expand.

Representative Franz made a motion to adopt HB 4237 (H-3).

FAVORABLE ROLL CALL:

Yeas: Representatives Nesbitt, Shirkey, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Stallworth, Hobbs, Lane, Brunner, Yanez, Lamonte, Phelps. (18/22)

Nays: None. (0/22)

Pass: None. (0/22) (18/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Stallworth made a motion to amend HB 4237 (H-3) as follows.

1. Amend page 4, line 9, after “**BUDGET**” by striking out “**MAY**” and inserting “**SHALL**”.

FAVORABLE ROLL CALL:

Yeas: Representatives Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Howrylak, Stallworth, Hobbs, LaVoy, Lane, Brunner, Yanez, Lamonte, Phelps. (21/22)

Nays: None. (0/22)

Pass: None. (0/22) (21/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Stallworth made a motion to report HB 4237 (H-4) with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Howrylak, Stallworth, Hobbs, LaVoy, Brunner, Yanez, Lamonte, Phelps. (20/22)

Nays: None. (0/22)

Pass: Representative Lane. (1/22) (20/0/1)

A sufficient number of members voting in the affirmative, the motion prevailed.

Cards for HB 4237 were submitted by:

- Jim Kirsch, representing AT&T, in support of HB 4237 (H-3)
- Deanna Hemmila, representing Northern Michigan University, in support
- Kent Wood, representing the Traverse City Area Chamber Alliance, in support
- Chairman Aaron Payment, representing the Sault Ste. Marie Tribe of Chippewa Indians, in support as written
- Sgt. Amy Dehner, representing the Michigan State Police, neutral on the bill
- Nicole Nystrom, representing Highland Copper, in support

The Chair laid the following bill before the Committee.

HB 5951 (Kelly) Transportation; other; regulations for transportation network companies; establish.

HB 5951 (H-2) was adopted on December 2, 2014.

Matthew Oddy, representing Checker Cab, spoke to the Committee in opposition to HB 5951.

John Heed, representing SelectRide, spoke in opposition to HB 5951.

Cards for HB 5951 were submitted by:

Jeff McAlvey, representing the Michigan Insurance Coalition, neutral on the bill

George Carr, representing PCI, in opposition (unless amended)

Scott Hummel, representing the Michigan Association of Insurance Agents, in opposition
as written

Peter Kuhnmuench, representing the Insurance Institute of Michigan, in opposition

Representative Lane made a motion to amend HB 5951 (H-2) as follows:

1. Amend page 11, line 8, after "company." by inserting "A local unit of government may issue a civil infraction to a transportation network company driver for a violation of section 5(1), 5(3), or 5(5) (a) or (c).".

FAVORABLE ROLL CALL:

Yeas: Representatives Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Howrylak, Stallworth, Hobbs, LaVoy, Lane, Brunner, Yanez, Lamonte, Phelps. (21/22)

Nays: None. (0/22)

Pass: None. (0/22) (21/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Yanez made a motion to amend HB 5951 (H-2) as follows:

1. Amend page 9, following line 6, by inserting:

"(g) Notify a transportation network company driver if that driver's vehicle is subject to a recall. If the transportation network company driver does not repair the vehicle within 30 days after being notified by the transportation network company that the vehicle is subject to a recall, the transportation network company shall remove the transportation network company driver from its roster."

UNFAVORABLE ROLL CALL:

Yeas: Representatives Howrylak, Stallworth, Hobbs, LaVoy, Lane, Brunner, Yanez, Lamonte, Phelps. (9/22)

Nays: Representatives Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers. (12/22)

Pass: None. (0/22) (9/12/0)

An insufficient number of members voting in the affirmative, the motion did not prevail.
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Representative Stallworth made a motion to amend HB 5951 (H-2) as follows:

1. Amend page 11, line 7, after "11." by striking out "A" and inserting "Except as otherwise provided in this subsection, a".
2. Amend page 11, line 8, after "company." by inserting "A city with a population of 500,000 or more may enact and enforce a local ordinance regulating a transportation network company or a transportation network company driver."

UNFAVORABLE ROLL CALL:

Yeas: Representatives Stallworth, Hobbs, LaVoy, Lane, Brunner, Yanez, Lamonte, Phelps. (8/22)

Nays: Representatives Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Schmidt, Zorn, Graves, Lauwers, Howrylak. (13/22)

Pass: None. (0/22) (8/13/0)

An insufficient number of members voting in the affirmative, the motion did not prevail.

Representative Farrington made a motion to report HB 5951 (H-3) with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Nesbitt, Shirkey, Farrington, Franz, Jacobsen, Outman, Pettalia, Price, Graves, Lauwers, Hobbs, Lane, Lamonte. (13/22)

Nays: Representatives Zorn, Yanez. (2/22)

Pass: Representatives Schmidt, Howrylak, Stallworth, LaVoy, Brunner, Phelps. (6/22) (13/2/6)

A sufficient number of members voting in the affirmative, the motion prevailed.

There being no additional business before the Committee, Chair Nesbitt declared the meeting adjourned, the time being 9:00 a.m.

Representative Aric Nesbitt, Chair

Catherine Petroskey, Committee Clerk (517) 373-8538