

**THE MINUTES OF THE HOUSE STANDING COMMITTEE  
ON  
COMMERCE**

**Wednesday, March 19, 2014**

**10:30 a.m.**

**Room 519 House Office Building**

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The House Standing Committee on Commerce was called to order by **Representative Frank Foster**, Chair.

**MEMBERS PRESENT:** Representatives Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana, Oakes and Yanez.

**MEMBERS ABSENT/EXCUSED:** Representatives Schmidt and Driskell.

**Representative Nesbitt** moved to excuse Representatives Schmidt and Driskell. There being no objection, the motion prevailed by unanimous consent.

**Representative Glardon** moved to adopt the minutes of the **March 12, 2014**, meetings. There being no objection, the motion prevailed by unanimous consent.

**Chair Foster** laid **SB 387** before the committee:

SB 387 (Schuitmaker) Worker's compensation; definitions; worker's disability compensation act; expand employee definition to include reserve and auxiliary officers.

**TESTIMONY**

**Derrick Sova** from Senator Schuitmaker's office testified in support of the bill.

**Don Jarzambek**, representing the Kalamazoo County Sheriff Reserves, testified in support of the bill.

Questions and discussion followed.

**Chair Foster** laid **HB 5216**, **HB 5217** and **HB 5218** before the committee:

HB 5216 (Kesto) Corrections; parole; issuance by department of corrections of certificate of employability to certain prisoners; allow.

HB 5217 (Walsh) Labor; other; limited liability for employers that employ individuals issued a certificate of employability; provide for.

HB 5218 (Santana) Occupations; individual licensing and regulation; prerequisite of "good moral character"; eliminate for occupational licensing purposes.

### **TESTIMONY**

**Representative Kesto**, sponsor of HB 5216, explained his bill to the committee.

**Kyle Kaminski** and **Heather Gay**, representing the Michigan Department of Corrections, testified in support of the bills.

Questions and discussion followed.

*The following people submitted a card and/or written testimony but did not wish to speak:*

Kenyatta Brame, representing Cascade Engineering, submitted written testimony.

Monica Jahner, representing Advocacy, Re-entry, Resources and Outreach (ARRO)/Fair Chance, opposes HB 5216.

Allie Bush, representing the Grand Rapids Area Chamber of Commerce, supports the bills.

Representative Haveman, representing the 90<sup>th</sup> District, supports the bills.

Wendy Block, representing the Michigan Chamber of Commerce, supports the bills.

Jessica Zimbelman, representing the Prisons and Corrections Section – State Bar of Michigan, opposes the bills.

**Chair Foster** moved to adopt the substitute **(H-1)** to **HB 5216**.

The motion prevailed by a vote of **16-0-0**.

### **FAVORABLE ROLL CALL:**

Yeas: Representatives Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana and Yanez,

Nays: None,

Pass: None.

**Chair Foster** offered the following amendment to **HB 5216 (H-1)**:

1. Amend page 3, line 2, after "(3)." by inserting "**THE HEARING SHALL OCCUR WITHIN 60 DAYS AFTER THE INDIVIDUAL IS CONVICTED OF A CRIMINAL OFFENSE OR WITHIN 60 DAYS AFTER THE DEPARTMENT DETERMINES THAT THE INDIVIDUAL IS NO LONGER A PROPER CANDIDATE FOR A CERTIFICATE OF EMPLOYABILITY UNDER THIS SECTION.**".

**Chair Foster** moved to adopt the amendment.

The motion prevailed by a vote of **16-0-0**.

### **FAVORABLE ROLL CALL:**

Yeas: Representatives Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana and Yanez,

Nays: None,

Pass: None.

**Chair Foster** moved to report **HB 5216** with recommendation as substitute (**H-2**).

The motion prevailed by a vote of **16-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana and Yanez,

Nays: None,

Pass: None.

**Chair Foster** moved to adopt the substitute (**H-3**) to **HB 5217**.

The motion prevailed by a vote of **14-0-2**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Santana and Yanez,

Nays: None,

Pass: Representatives Barnett and Townsend.

**TESTIMONY**

**Bill Flory**, representing the Michigan Association for Justice, testified in opposition to **HB 5217**.

**Chair Foster** moved to report **HB 5217** with recommendation as substitute (**H-3**).

The motion prevailed by a vote of **12-0-5**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard and Santana,

Nays: None,

Pass: Representatives Switalski, Barnett, Townsend, Oakes and Yanez.

**Chair Foster** moved to report **HB 5218** with recommendation.

The motion prevailed by a vote of **16-0-1**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Foster, Zorn, Haines, Farrington, Glardon, Johnson, Nesbitt, Somerville, Outman, Kelly, Leonard, Switalski, Barnett, Townsend, Santana and Yanez,

Nays: None,

Pass: Representative Oakes.

There being no further business to come before the committee, the Chair adjourned the meeting at 11:21 a.m.

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**Representative Frank Foster, Chair**  
**House Standing Committee on Commerce**  
Malika Abdul-Basir  
Committee Clerk  
517-373-7256  
51 Minutes