

Senate Committee on Commerce and Tourism

A meeting of the Senate Committee on Commerce and Tourism was held Tuesday, August 24, 2010 at 2:30 p.m. in room 100 of the Farnum Building.

The meeting was called to order at 2:32 p.m.

Members present: Senators Allen, Nofs, Stamas, Clarke and Hunter

Members excused: None

Senator Allen called the meeting to order.

Senator Allen laid before the committee Senate Bills 1234 (Senator Jacobs) and 1237 (Senator Birkholz).

Senator Allen announced to the committee that they would delay action on Senate Bill 1237 as Senator Birkholz wished to testify on the bill. Citing previous hearings on Senate Bill 1234, Senator Allen asked for a motion to report out the bill.

Andy Schor, representing the Michigan Municipal League, supported the legislation and did not wish to testify.

Senator Clarke moved that Senate Bill 1234 be reported out of committee with the recommendation that the bill then pass. Senator Hunter supported the motion. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Allen, Stamas, Clarke and Hunter (4/5)

Nays: none (0)

Pass: none (0)

Excused: Senator Nofs (1)

Senator Stamas moved that Senate Bill 1234 be given immediate effect. Senator Hunter supported the motion.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Allen, Stamas, Clarke and Hunter (4/5)

Nays: none (0)

Pass: none (0)

Excused: Senator Nofs (1)

Senator Allen laid before the committee House Bills 5716 (Rep. Hansen) and 5717 (Rep. Clemente).

Anna Staperfenne, legislative assistant for Representative Hansen, and Randy Slikkers, representing the Goodwill Association of Michigan, testified in support of the bills. Ms. Staperfenne explained that Rep. Hansen was in House session at the time, but would join the committee if possible. Ms. Staperfenne explained that the bills would require that donation boxes disclose the charitable organization and amount of the proceeds going to charity. Mr. Slikkers explained that this legislation came about due to a Better Business Bureau report that certain box operators were claiming to be charitable when in fact they were not considered so by definition. This legislation would allow donors to make an informed choice when donating items.

Representative Hansen joined those testifying, and Senator Allen welcomed him and thanked him for attending the committee.

Senator Allen asked about the position of the Better Business Bureau on this legislation. Mr. Slikkers explained that he didn't think they had taken a position, but that the organization is monitoring this situation. Senator Allen further asked about other charitable groups and their role in this legislation. Mr. Slikkers stated that Goodwill has taken the lead on this issue. Ms. Staperfenne stated that other groups testified in support of this legislation in the House.

Senator Stamas stated he appreciated the efforts on this issue, but worried about unintended consequences. Senator Stamas asked about how this legislation would impact small organizations and churches which might set out a box to help a family or collect goods for a food pantry. Mr. Slikkers responded that this issue was one that their organization looked into, and stated that the size requirements of the box (at least 27 cubic feet) would preclude smaller boxes most likely used by these organizations from qualifying for these regulations. Mr. Slikkers stated that they had also reached out to local charities and no one that they spoke to used boxes 27 cubic feet or larger. Mr. Slikkers also stated that if such an incident did occur, the remedy is to simply apply a sticker with the information to the box. Senator Stamas asked if that information required of the charitable organization to place on the box would be information that they already have on hand, to which Mr. Slikker responded yes.

Senator Nofs entered the committee meeting.

Senator Allen stated the committee's intention to take up this legislation at the next committee meeting. He expressed his desire to hear from smaller charitable organizations on this matter.

Senator Allen adjourned the committee 2:47 p.m.

Respectfully Submitted,

Lauren K. Michalak
Committee Clerk

Jason E. Allen
Chairman

Date Approved by Committee