

HOUSE BILL No. 6213

June 15, 2006, Introduced by Reps. Huizenga, Condino, Dillon, Farrah, Kolb, Clemente, Sak, Wenke, Accavitti, Schuitmaker, Booher, Hansen, Sheen, Drolet, Hildenbrand, Robertson, Emmons, Proos, Pearce, Steil, Green, Jones, Walker, Newell, Gosselin, Amos, Van Regenmorter, Gaffney, Hune, Stakoe, Stewart, Vander Veen, Elsenheimer, Ward, Hummel, Palsrok, Hoogendyk, Shaffer, Palmer, McConico, Hunter, Kooiman, Pastor, Moolenaar, Stahl, Caswell, Garfield, LaJoy, Marleau, Acciavatti, Brandenburg and Taub and referred to the Committee on Commerce.

A bill to amend 1964 PA 154, entitled
"Minimum wage law of 1964,"
by amending section 14 (MCL 408.394), as amended by 1998 PA 37.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 14. **(1)** This act does not apply to an employer who is
2 subject to the minimum wage provisions of the fair labor standards
3 act of 1938, ~~chapter 676, 52 Stat. 1060, 29 U.S.C.~~ **29 USC** 201 to
4 ~~216 and 217 to~~ 219, unless ~~application of~~ those federal minimum
5 wage provisions would result in a lower minimum **HOURLY** wage than
6 provided in this act. ~~Additionally, this~~ **EACH OF THE FOLLOWING**
7 **APPLIES TO AN EMPLOYER WHO IS SUBJECT TO THIS ACT ONLY BY**
8 **APPLICATION OF THIS SUBSECTION:**

9 **(A) SECTION 4A DOES NOT APPLY.**

1 **(B) THIS ACT DOES NOT APPLY TO AN EMPLOYEE WHO IS EXEMPT FROM**
 2 **THE MINIMUM WAGE REQUIREMENTS OF THE FAIR LABOR STANDARDS ACT OF**
 3 **1938, 29 USC 201 TO 219.**

4 **(2) THIS** act does not apply to persons employed in summer
 5 camps for not more than 4 months ~~—, OR to employees with~~
 6 ~~disabilities who are covered by a blanket deviation certificate or~~
 7 ~~other special certificate issued under section 14(c) 14~~ of the
 8 fair labor standards act of 1938, ~~chapter 676, 52 Stat. 1068, 29~~
 9 ~~U.S.C. 29 USC 214. —, or to~~

10 **(3) THIS ACT DOES NOT APPLY TO** agricultural fruit growers,
 11 pickle growers and tomato growers, or other agricultural employers
 12 who traditionally contract for harvesting on a piecework basis, as
 13 to those employees ~~of such employers~~ used for ~~such~~ harvesting,
 14 until the board ~~shall have~~ **HAS** acquired sufficient data to
 15 determine an adequate basis ~~for the establishment of~~ **TO ESTABLISH**
 16 a scale of piecework and ~~shall determine such~~ **DETERMINES** a scale
 17 equivalent to the prevailing minimum wage for ~~such~~ **THAT**
 18 employment. ~~—, which determination shall occur no later than May 1,~~
 19 ~~1967. Such~~ **THE** piece rate scale shall be equivalent to the minimum
 20 hourly wage in that, ~~when~~ **IF** the payment by unit of production is
 21 applied to a worker of average ability and diligence in harvesting
 22 a particular commodity, he or she ~~shall receive~~ **RECEIVES** an
 23 amount not less than the hourly minimum wage.

24 Enacting section 1. This amendatory act takes effect October
 25 1, 2006.