



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. GRAHAM FILLER

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, February 18, 2020

9:00 AM

Room 519, House Office Building

The House Standing Committee on Judiciary was called to order by Chair Filler.

The Chair requested attendance be called:

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Absent/Excused: None.

The Chair laid HB 5336, HB 5490 and HB 5491 before the committee:

HB 5336 (Rep. Iden) A bill to amend 2018 PA 16, entitled "Uniform commercial real estate receivership act," by amending the title and sections 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 24, and 25 (MCL 554.1011, 554.1012, 554.1013, 554.1014, 554.1015, 554.1016, 554.1021, 554.1022, 554.1023, 554.1024, 554.1025, 554.1026, 554.1028, 554.1029, 554.1030, 554.1031, 554.1034, and 554.1035).

HB 5490 (Rep. Iden) A bill to amend 2016 PA 281, entitled "Medical marijuana facilities licensing act," by amending sections 102 and 206 (MCL 333.27102 and 333.27206), section 102 as amended by 2019 PA 3 and section 206 as amended by 2018 PA 648, and by adding section 206a.

HB 5491 (Rep. Iden) A bill to amend 2018 IL 1, entitled "Michigan Regulation and Taxation of Marihuana Act," by amending sections 3 and 8 (MCL 333.27953 and 333.27958) and by adding section 9a.

Representative Iden and Christopher Yates, representing the Michigan Judges Association, testified together in support of HB 5336, HB 5490 and HB 5491.

Michael Leib and Judy Calton, both representing the Business Law Section, testified in support of HB 5336.

The Chair laid SB 68 before the committee:

SB 68 (Sen. Wojno) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6452 (MCL 600.6452).

Senator Wojno testified in support of SB 68. Questions and discussion followed.

The following people submitted a card in support of SB 68, but did not wish to speak:

Peter Cunningham, representing the State Bar of Michigan.
Algeria Wilson, representing the National Association of Social Workers.
Noah Smith, representing the Criminal Defense Attorneys of Michigan.
Kimberly Buddin, representing the ACLU of Michigan.

Representative Bolden moved to report out SB 68 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

The Chair laid HB 5421 before the committee:

HB 5421 (Rep. Filler) A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 539c (MCL 750.539c).

The following people submitted a card in support of HB 5421, but did not wish to speak:

Stephanie Johnson, representing the Michigan Association of Chiefs of Police.

Representative Steven Johnson moved to adopt substitute (H-1) to HB 5421. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Representative LaFave moved to report out HB 5421 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

The Chair laid HR 227 before the committee:

HR 227	(Rep. Eisen) A resolution to reaffirm the right of Michigan residents to keep and bear arms under the Constitution of the State of Michigan of 1963 and the Constitution of the United States.
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The following people submitted a card in support of HR 227, but did not wish to speak:

Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners.

Representative LaGrand offered the following amendments to HR 227:

1. Amend page 1, line 1, after "of" by inserting "every person in".
2. Amend page 1, line 1, after "Michigan" by striking out "residents".
3. Amend page 1, line 8, after "allows" by inserting "every person in".
4. Amend page 1, line 8, after "Michigan" by striking out "citizens".
5. Amend page 2, line 5, after "of" by inserting "every person in".
6. Amend page 2, line 5, after "Michigan" by striking out "residents".
7. Amend page 2, line 8, after the first "the" by striking out "citizens" and inserting "people".
8. Amend page 2, line 13, after "of" by inserting "every person in".
9. Amend page 2, line 13, after "Michigan" by striking out "residents".

Representative LaGrand moved to adopt the amendments to HR 227. The motion did not prevail 5-7-1:

UNFAVORABLE ROLL CALL

Yeas: Reps. LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Wozniak.

Pass: Rep. Berman.

At 9:32 AM, the Chair laid the committee at ease.

At 9:35 AM, the Chair called the committee back to order.

Representative LaGrand offered the following amendments to HR 227:

1. Amend page 1, line 3, after "States" by inserting a comma and "and to encourage the Congress of the United States to propose an amendment to the *Constitution of the United States*".

2. Amend page 2, line 15, after "States" by inserting a comma and "and be it further Resolved, That we encourage the Congress of the United States to propose an amendment to the *Constitution of the United States* which repeals the portion of the Second Amendment stating "A well regulated Militia, being necessary to the security of a free State", and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the House of Representatives, and the members of the Michigan congressional delegation.".

Representative LaGrand moved to adopt the amendments to HR 227. The motion did not prevail 4-8-1:

UNFAVORABLE ROLL CALL

Yeas: Reps. LaGrand, Guerra, Yancey, Bolden.

Nays: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak.

Pass: Rep. Elder.

Representative LaFave moved to report out HR 227 with recommendation. The motion prevailed 9-3-1:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, Elder.

Nays: Reps. LaGrand, Guerra, Bolden.

Pass: Rep. Yancey.

There being no further business before the committee, Chairman Filler adjourned the meeting at 9:37 AM.

Representative Graham Filler, Chair

Melissa Sweet
Committee Clerk
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