



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
JUDICIARY

Tuesday, May 26, 2015 12:00 p.m. Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Irwin moved to adopt the minutes of May 19, 2015. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bills before the committee:

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| HB 4499 | (Glenn) | Civil procedure; civil actions; evidentiary standard to establish and abate a public nuisance; modify. |
| HB 4500 | (Runestad) | Consumer protection; identity theft; identity theft prevention act; modify to include uniform forfeiture reporting act requirements. |
| HB 4503 | (Cole) | Law enforcement; reports; reports of disposition of certain forfeited property; require, and provide a penalty for failing to report. |
| HB 4504 | (Kesto) | Criminal procedure; forfeiture; uniform forfeiture reporting act; enact. |
| HB 4505 | (Lucido) | Criminal procedure; forfeiture; evidentiary standard for certain drug forfeitures; modify. |
| HB 4506 | (Sheppard) | Criminal procedure; forfeiture; reports of disposition of certain forfeited property; amend public health code to require, and provide a penalty for failing to report. |
| HB 4507 | (Iden) | Criminal procedure; forfeiture; seizure and forfeiture of property for abatement of nuisance to be reported to the department of state police under the uniform forfeiture reporting act; require. |

HB 4508 (Irwin) Criminal procedure; forfeiture; forfeiture of vehicle used by individual to purchase or possess 1 ounce or less of marihuana; create exception.

Representative Lucido moved to adopt substitute (H-1) to HB 4505. The substitute (H-1) to HB 4505 was adopted, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Lucido moved to adopt substitute (H-1) to HB 4499. The substitute (H-1) to HB 4499 was adopted, the vote being 9-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Johnson, Howrylak, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: Rep. Heise.

Representative Irwin moved to adopt substitute (H-2) to HB 4508. The substitute (H-2) to HB 4508 was adopted, the vote being 10-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: Rep. Howrylak.

Representative Lucido moved to adopt substitute (H-1) to HB 4504. The substitute (H-1) to HB 4504 was adopted, the vote being 10-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: Rep. Heise.

The following individuals submitted cards on the bills but did not wish to speak:

Dakota Serna, representing Sons and Daughters United, support.

Charles David, Assistant Prosecutor, Wayne County Prosecutor's Office, support of HB 4499, HB 4504, HB 4505, and HB 4508.

Stephanie Jones, representing Michigan Moms United, support of HB 4500, HB 4503, HB 4504, HB 4506, and HB 4507 and neutral on HB 4499, HB 4505 and HB 4508.

Josey Scoggin, representing Sons and Daughters United, support.
Shelli Weisberg, representing the American Civil Liberties Union, support.
Christina Highfield, representing Sons and Daughters United, support.

Charles Owens, State Director, National Federation of Independent Business, testified in support of the bills. Questions and discussion followed.

Charmie Gholson, Ginnifer Hency, and Annette Shattuck, all representing Michigan Moms United, testified together in support of HB 4500, HB 4503, HB 4504, HB 4506, and HB 4507 and neutral on HB 4499, HB 4505 and HB 4508.

Steve Miller, representing Law Enforcement Against Prohibition (LEAP), testified in support of HB 4500, HB 4503, HB 4504, HB 4506, HB 4507, HB 4508 and neutral on HB 4499, HB 4505.

Michael Komorn, representing the Michigan Medical Marijuana Association, testified in support of HB 4500, HB 4503, HB 4504, HB 4506, and HB 4507 and neutral on HB 4499, HB 4505 and HB 4508.

Chairman Kesto laid the following bills before the committee:

HB 4547 (Hooker)	Children; protection; electronic video recording of child interrogations in child protection cases; require.
HB 4548 (Kosowski)	Criminal procedure; evidence; consideration of videorecorded statements in certain proceedings; allow.
HB 4549 (Santana)	Children; protection; videorecorded statements; allow to be used in child protective services hearings, increase fines for improper release of, and require to be retained for certain period of time.

Representatives Hooker, Kosowski and Santana gave an overview of the bills. Questions and discussion followed.

The following individuals submitted cards on the bills but did not wish to speak:

Janet Kissling, representing herself, support.
Dakota Serna, representing The Green Union, neutral on HB 4549.
Christina Highfield, representing Sons and Daughters United, neutral on HB 4549.
Paulette Brock, representing herself, support HB 4547.
Cami Pendell, representing the Michigan Judges Association, oppose as introduced.

John Tuinstra, representing Citizens for Parental Rights, testified in support of the bills and submitted written testimony.

Chairman Kesto returned to HB 4499, HB 4500, HB 4503, HB 4504, HB 4505, HB 4506, HB 4507, and HB 4508.

Representative Lucido moved to report out HB 4499 with recommendation as substitute (H-1).
The motion prevailed 7-2-2.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Johnson, Cole, Runestad, Irwin, Chang.
Nays: Reps. Robinson, Guerra.
Pass: Reps. Heise, Howrylak.

Representative Runestad moved to report out HB 4500 with recommendation. The motion
prevailed 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson,
Chang, Guerra.
Nays: None.
Pass: None.

Representative Cole moved to report out HB 4503 with recommendation. The motion prevailed
11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson,
Chang, Guerra.
Nays: None.
Pass: None.

Representative Lucido moved to report out HB 4504 with recommendation as substitute (H-1).
The motion prevailed 10-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang,
Guerra.
Nays: None.
Pass: Rep. Heise.

Representative Lucido moved to report out HB 4505 with recommendation as substitute (H-1).
The motion prevailed 9-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang.
Nays: Rep. Guerra.
Pass: Rep. Heise.

Representative Runestad moved to report out HB 4506 with recommendation. The motion
prevailed 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Heise moved to report out HB 4507 with recommendation. The motion prevailed 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

Representative Irwin moved to report out HB 4508 with recommendation as substitute (H-2). The motion prevailed 10-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: Rep. Heise.

Pass: None.

Chairman Kesto returned for testimony to HB 4547, HB 4548, and HB 4549.

Mona Armstrong, representing the St. Clair County Prosecutor's Office, testified in opposition to the bills.

The following individuals submitted cards wishing to speak but were not able due to time constraints:

Josey Scoggin, representing the Sons and Daughters United, neutral on HB 4549.

Elizabeth Warner, attorney of child law, support.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:58 p.m.

Representative Klint Kesto, Chair_____

Melissa Weipert, Committee Clerk
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