



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY
REP. GRAHAM FILLER
CHAIR

COMMITTEE MEETING MINUTES

Wednesday, May 6, 2020 10:00 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, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Absent/Excused: Rep. LaFave.

Representative Howell moved to adopt the meeting minutes from March 10, 2020. There being no objection, the motion prevailed by unanimous consent.

Representative Howell moved to excuse Representative LaFave from the meeting. There being no objection the motion prevailed by unanimous consent.

The Chair laid HB 5488 before the committee:

HB 5488 (Rep. Lightner)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1k of chapter IX (MCL 769.1k), as amended by 2017 PA 64.

Representative Sarah Lightner testified in support of HB 5488. Questions and discussion followed.

Judge Tom Boyd, representing Trial Court Funding Commission, testified in support of HB 5488.

The following people submitted a card in support of HB 5488, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

Meghann Keit, representing the Michigan Association of Counties.

Michael Bosanac, representing the Monroe County Finance Department.

Herasanna Richards, representing the Michigan Municipal League.

The Chair laid SB 718 before the committee:

SB 718 (Sen. MacGregor) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625t (MCL 257.625t), as added by 2016 PA 243.

Leah Maher, representing Senator McGregor, testified in support of SB 718.

The following people submitted a card in support of SB 718, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.
Michigan State Police.

The Chair laid HB 5411 before the committee:

HB 5411 (Rep. Garza) A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217i.

Representative Garza testified in support of HB 5411. Questions and discussion followed.

The following people submitted a card in support of HB 5411, but did not wish to speak:

Judy Allen, representing the Michigan Township Association.

The Chair laid HB 5368 and HB 5369 before the committee:

HB 5368 (Rep. Carter) A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 2016 PA 289.

HB 5369 (Rep. Filler) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 42, 46, 48, 49, 63, 69, 618a, 634, 660, 660a, 660d, 673, 674, 675d, and 676b (MCL 257.42, 257.46, 257.48, 257.49, 257.63, 257.69, 257.618a, 257.634, 257.660, 257.660a, 257.660d, 257.673, 257.674, 257.675d, and 257.676b), section 42 as amended by 2016 PA 304, section 618a as amended by 2014 PA 303, section 634 as amended by 1988 PA 346, sections 660 and 660d as amended by 2018 PA 394, section 660a as added by 2006 PA 339, section 674 as amended by 2000 PA 268, section 675d as amended by 2010 PA 211, and section 676b as amended by 2018 PA 75, and by adding sections 63a, 64a, 64b, and chapter VIA.

The following people submitted a card with a support of HB 5368 and HB 5369, but did not wish to speak:

Todd Tennis, representing the The Amalgamated Transit Union - Michigan Legislative Conference.

Clark Harder, representing the Michigan Public Transit Agency.

Representative Howell moved to report out HB 5368 with recommendation. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative LaGrand offered the following amendment to HB 5369:

1. Amend page 22, following line 16, by inserting:

"(d) Performing an activity that the person is licensed to perform or is authorized to perform under a state permit.

(e) Waiting for up to 10 minutes for another passenger to disembark from a streetcar."

2. Amend page 22, line 20, after "to" by striking out "(c)." and inserting "(e).".

Representative LaGrand moved to adopt the amendment to HB 5369. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative LaGrand offered the following amendment to HB 5369:

1. Amend page 24, line 6, after "791g." by inserting "(1)".

2. Amend page 24, line 9, after "(a)" by striking out "Play" and inserting "Except as provided under subsection (2), play".

3. Amend page 24, line 19, by striking out "(c)" and inserting:

"(2) A street railway system may issue a permit for a person to play live music within a station. A person with a permit issued under this subsection may play live music as provided in the permit.

(3)".

Representative LaGrand moved to adopt the amendment to HB 5369. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative LaGrand offered the following amendment to HB 5369:

1. Amend page 23, line 5, after the second "animal" by inserting "or qualified animal".
2. Amend page 23, line 9, after "section" by striking out the comma and ""**service**" and inserting a colon and:
 - "(a) "Qualified animal" means an animal that is not more than 25 pounds and is controlled in a cage.
 - (b) "Service".

Representative LaGrand moved to adopt the amendment to HB 5369. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Farrington moved to report House Bill No. 5369 as amended, as substitute (H-1). The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The Chair laid HB 5417, HB 5418 and HB 5419 before the committee:

HB 5417 (Rep. Warren)

A bill to amend 1996 PA 193, entitled "Michigan do-not-resuscitate procedure act," by amending sections 2, 3a, 4, 8, 9, 10, and 11 (MCL 333.1052, 333.1053a, 333.1054, 333.1058, 333.1059, 333.1060, and 333.1061), sections 2 and 11 as amended by 2017 PA 157 and section 3a as added and sections 4, 8, 9, and 10 as amended by 2013 PA 155, and by adding section 3b.

HB 5418 (Rep. Warren)

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1180 and 1181.

HB 5419 (Rep. Rendon)

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5215 (MCL 700.5215), as amended by 2000 PA 469.

The following people submitted a card in support of HB 5417, HB 5418 and HB 5419, but did not wish to speak:

Rebecca Mastee, representing the Michigan Catholic Conference.

Representative Farrington moved to report out HB 5417 with recommendation. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Rendon moved to adopt substitute (H-4) to HB 5418. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Rendon moved to report out HB 5418 with recommendation, as substitute (H-4). The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Farrington moved to report out HB 5419 with recommendation. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The Chair laid HB 5679 before the committee:

HB 5679 (Rep. Lower)

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3, 3a, 4, 4a, 5, 5a, 7, 8, 9, 33, and 34 (MCL 28.722, 28.723, 28.723a, 28.724, 28.724a, 28.725, 28.725a, 28.727, 28.728, 28.729, 28.733, and 28.734), section 2 as amended by 2014 PA 328, sections 3, 3a, 4, 4a, and 5 as amended by 2011 PA

17, section 5a as amended by 2019 PA 82, sections 7 and 9 as amended by 2011 PA 18, section 8 as amended by 2013 PA 2, section 33 as added by 2005 PA 127, and section 34 as amended by 2005 PA 322, and by adding section 2a.

Representative Lower testified in support of HB 5679.

Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence, testified in support of HB 5679.

Jill Levenson, Professor of Social Work at Barry University in Miami, testified in opposition of HB 5679.

Larry Dubin, representing himself, testified in opposition of HB 5679.

Miriam Aukerman, representing the American Civil Liberties Union of Michigan, testified in opposition of HB 5679.

Jessica Zimbelman, representing the State Appellate Defender Office, testified in opposition of HB 5679.

Jack Wagner, representing himself, testified in opposition of HB 5679.

Brian Foreit, representing himself, testified in opposition of HB 5679.

Kim Anderson, representing himself, testified in opposition of HB 5679.

Kristen Burgess, representing herself, testified in opposition of HB 5679.

Dave Lubben, representing himself, testified in opposition of HB 5679.

Cory Bast, representing himself, testified in opposition of HB 5679.

John Gourlay, representing the Michigan Citizens for Justice, testified in opposition of HB 5679.

Vicki Hankins, representing herself, testified in opposition of HB 5679.

The following people submitted a card with a support of HB 5679, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 12:08 PM.

Representative Graham Filler, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov