



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY
REP. GRAHAM FILLER
CHAIR

COMMITTEE MEETING MINUTES

Tuesday, March 9, 2021 9:00 AM Room 519, House Office Building

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

The Chair requested attendance be called:

Present: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Absent: None.

Excused: None.

Representative Mueller moved to adopt the meeting minutes from March 2, 2021. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4132 and HB 4133 before the committee:

HB 4132 (Rep. Wendzel)	A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759 (MCL 168.759), as amended by 2020 PA 177.
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HB 4133 (Rep. Bollin)	A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as amended by 2018 PA 661.
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Representative Bollin and Representative Wendzel, testified in support of HB 4132 and HB 4133. Questions and discussion followed.

The following people submitted a card with a neutral position on HB 4132 and HB 4133, but did not wish to speak:

Herasanna Richards, representing the Michigan Municipal League.

The following people submitted a card in opposition to HB 4132 and HB 4133, but did not wish to speak:

Merissa Kovach, representing the American Civil Liberties Union of Michigan.

Representative Mueller moved to adopt substitute (H-1) to HB 4132. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Nays: None.

Pass: None.

Representative Mueller moved to report out HB 4132 with recommendation, as substitute (H-1). The motion prevailed 8-4-1:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements.

Nays: Reps. LaGrand, Yancey, Bolden, Breen.

Pass: Rep. Hope.

Representative Mueller moved to adopt substitute (H-1) to HB 4133. The motion prevailed 8-4-1:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements.

Nays: Reps. LaGrand, Yancey, Bolden, Breen.

Pass: Rep. Hope.

Representative Mueller moved to report out HB 4133 with recommendation, as substitute (H-1). The motion prevailed 8-4-1:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements.

Nays: Reps. LaGrand, Yancey, Bolden, Breen.

Pass: Rep. Hope.

The Chair laid HB 4211 and HB 4212 before the committee:

HB 4211 (Rep. Mueller)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 479b (MCL 750.479b), as added by 1994 PA 33.

HB 4212 (Rep. LaGrand)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

Representative Mueller and Representative LaGrand, testified in support of HB 4211 and HB

4212. Questions and discussion followed.

The following people submitted a card in support of HB 4211 and HB 4212, but did not wish to speak:

Ken Grabowski, representing the Police Officers Association of Michigan.
Stephanie Johnson, representing the Michigan Association of Chiefs of Police.
Matt Saxton, representing the Michigan Sheriffs Association.
John Cooper, representing Safe and Just Michigan.

The following people submitted a card in opposition to HB 4211 and HB 4212, but did not wish to speak:

Kimberly Buddin, representing the American Civil Liberties Union of Michigan.

The following people submitted a card in support of HB 4211, but did not wish to speak:

Jon Cool, representing the Railroads Association.

The Chair laid HB 4308 and HB 4309 before the committee:

HB 4308 (Rep. Hammoud)	A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), section 625 as amended by 2020 PA 383 and sections 625a, 625g, and 625m as amended by 2017 PA 153.
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HB 4309 (Rep. Filler)	A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2017 PA 152.
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The following people submitted a card in support of HB 4308 and HB 4309, but did not wish to speak:

Stephanie Johnson, representing the Michigan Association of Chiefs of Police.
Noah Smith, representing the Criminal Defense Attorneys of Michigan.
Matt Saxton, representing the Michigan Sheriffs Association.

Representative Steven Johnson offered the following amendment to HB 4308:

1. Amend page 29, line 24, by striking out all of enacting section 2 and inserting:
"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 101st Legislature are enacted into law:
(a) House Bill No. 4220.
(b) House Bill No. 4309."

Representative Steven Johnson moved to adopt the amendment to HB 4308. The motion prevailed 11-2-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Steven Johnson, Kahle, Rendon, Berman, Wozniak, LaGrand, Yancey, Bolden, Hope, Breen.
Nays: Reps. Mueller, Clements.
Pass: None.

Representative Steven Johnson moved to report House Bill No. 4308 as amended, as substitute (H-1). The motion prevailed 12-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Nays: None.

Pass: Rep. Berman.

Representative Steven Johnson moved to report out HB 4309 with recommendation. The motion prevailed 12-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Nays: None.

Pass: Rep. Berman.

The Chair laid HB 4142, HB 4149 and HB 4151 before the committee:

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| HB 4142 (Rep. Coleman) | A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82105, 82114, 82118, and 82119 (MCL 324.82105, 324.82114, 324.82118, and 324.82119), sections 82105 and 82114 as amended by 2012 PA 28, section 82118 as amended by 2010 PA 371, and section 82119 as amended by 2005 PA 307. |
| HB 4149 (Rep. Damoose) | A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48738 (MCL 324.48738), as amended by 2014 PA 541. |
| HB 4151 (Rep. Steven Johnson) | A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43560 (MCL 324.43560), as added by 1995 PA 57. |

The following people submitted a card in support of HB 4142, HB 4149 and HB 4151, but did not wish to speak:

Noah Smith, representing the Criminal Defense Attorneys of Michigan.

John Cooper, representing Safe and Just Michigan.

David Guenther, representing the Mackinac Center for Public Policy.

The following people submitted a card in support of HB 4142, but did not wish to speak:

Karen Middendorp, representing the Michigan Snowmobile and ORV Association.

Representative Mueller moved to report out HB 4142 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Nays: None.

Pass: None.

Representative Mueller moved to adopt substitute (H-1) to HB 4149. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Nays: None.

Pass: None.

Representative Mueller moved to report out HB 4149 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Nays: None.

Pass: None.

Representative Mueller moved to report out HB 4151 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Hope, Breen.

Nays: None.

Pass: None.

There being no further business before the committee, Chair Filler adjourned the meeting at 9:33 AM.

Representative Graham Filler, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov