



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY
REP. GRAHAM FILLER
CHAIR

COMMITTEE MEETING MINUTES

Tuesday, May 19, 2020

8:30 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, Bolden.

Absent/Excused: Rep. Yancey.

Representative Howell moved to adopt the meeting minutes from May 13, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 420 before the committee:

SB 420 (Sen. Lucido)

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2559, 6002, and 6012 (MCL 600.2559, 600.6002, and 600.6012), section 2559 as amended by 2018 PA 261.

Justin Carpenter, representing Senator Lucido, testified in support of SB 420. Questions and discussion followed.

Tom Boyd, representing the State Court Administrative Office, testified in opposition to SB 420. Questions and discussion followed.

Deanna Swisher, representing Foster Swift, testified in support of SB 420. Questions and discussion followed.

Jeff Kirkpatrick, representing Court Officers, testified in support of SB 420.

The Chair laid SB 899 before the committee:

SB 899 (Sen. MacDonald)

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 11 (MCL 30.411), as amended by 2005 PA 321.

Amy Barkholz, representing the Michigan Hospital Association, testified in support of SB 899. Questions and discussion followed.

Kathleen Westfall, representing the Michigan State Medical Society, testified in support of SB 899.

The following people submitted a card in support of SB 899, but did not wish to speak:

Heather Nicholoff, representing the Michigan Council of Nurse Practitioners.

Heather Nicholoff, representing the Michigan Institute of Urology.

Rich Farran, representing the Health Care Association of Michigan.

The Chair laid HB 5700 before the committee:

HB 5700 (Rep. Alexander)

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending sections 102 and 402 (MCL 333.27102 and 333.27402), section 102 as amended by 2019 PA 3 and section 402 as amended by 2018 PA 582.

The following people submitted a card in support of HB 5700, but did not wish to speak:

Kevin McKinney, representing the Michigan Cannabis Industry Association.

Representative LaFave moved to report out HB 5700 with recommendation. The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. Elder.

The Chair laid SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76 before the committee:

SB 70 (Sen. Johnson)

A bill to create the address confidentiality program; to provide certain protections for victims of domestic violence, sexual assault, stalking, or human trafficking and for certain other individuals; to prescribe duties and responsibilities of certain state departments; to require the promulgation of rules; to create a fund; to prohibit the disclosure of certain information and obtaining a certification under this act by fraud; and to prescribe penalties.

- SB 71 (Sen. Barrett) A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509q, 759, and 761 (MCL 168.509q, 168.759, and 168.761), section 509q as amended by 2012 PA 586 and sections 759 and 761 as amended by 2018 PA 603, and by adding sections 499b and 735a.
- SB 72 (Sen. Johnson) A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1136 (MCL 380.1136), as added by 2016 PA 367.
- SB 73 (Sen. Chang) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 307, 310, and 314 (MCL 257.40b, 257.307, 257.310, and 257.314), section 40b as amended by 2012 PA 498, section 307 as amended by 2018 PA 604, section 310 as amended by 2018 PA 177, and section 314 as amended by 2011 PA 159, and by adding section 310f.
- SB 74 (Sen. Geiss) A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 4 (MCL 28.304), as amended by 2018 PA 47.
- SB 75 (Sen. Theis) A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), section 1 as amended by 2018 PA 605, section 1a as amended by 2008 PA 31, and section 2 as amended by 2018 PA 669, and by adding section 2a.
- SB 76 (Sen. LaSata) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 916 and 1307a (MCL 600.916 and 600.1307a), section 916 as amended by 2000 PA 112 and section 1307a as amended by 2012 PA 69.

Senator Johnson testified in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76.

The following people submitted a card in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76, but did not wish to speak:

Jess Averill Hammond, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

Miriam Jane Black O'Shea, representing herself and the Michigan State Council of Junior Leagues.

Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence.

Rebecca Shiemke, representing the Michigan Poverty Law Program Family Law Task Force.

The following people submitted a card in support of SB 72, but did not wish to speak:

Jennifer Smith, representing the Michigan Association of School Boards.

Representative Howell moved to adopt substitute (H-2) to SB 70. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Farrington moved to report out SB 70 with recommendation, as substitute (H-2). The motion prevailed 10-0-2:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Reps. LaFave, Berman.

Representative Rendon moved to report out SB 71 with recommendation. The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. LaFave.

Representative Farrington moved to report out SB 72 with recommendation. The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. LaFave.

Representative LaFave moved to adopt substitute (H-1) to SB 73. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Howell moved to report out SB 73 with recommendation, as substitute (H-1). The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. LaFave.

Representative LaFave moved to adopt substitute (H-1) to SB 74. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Farrington moved to report out SB 74 with recommendation, as substitute (H-1). The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. LaFave.

Representative Howell moved to adopt substitute (H-1) to SB 75. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Rendon moved to report out SB 75 with recommendation, as substitute (H-1). The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. LaFave.

Representative Farrington moved to report out SB 76 with recommendation. The motion prevailed 10-0-2:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Reps. LaFave, Berman.

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.

David Berghuis, representing the Association for the Treatment of Sexual Abusers, testified in opposition of HB 5679.

The following people submitted a card in opposition to HB 5679, but did not wish to speak:

Joshua Hoe, representing Safe and Just Michigan.

Natalie Holbrook, representing the American Friends Service Committee's Michigan Criminal Justice Program.

The following person submitted a card, wishing to speak, in opposition to HB 5679, but due to the time constraints was unable to speak:

JJ Prescott, representing the University of Michigan Law School.

The following person submitted a card, wishing to speak, with no position on HB 5679, but due to the time constraints was unable to speak:

Shirley Petersen, herself.

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

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 9:58 AM.

Representative Graham Filler, Chair

Melissa Sweet
Committee Clerk
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