



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. GRAHAM FILLER

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, August 27, 2019

9:00 AM

Room 519, House Office Building

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

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.

Representative Rendon moved to adopt the meeting minutes from June 18, 2019. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4315 and HB 4316 before the committee:

HB 4315 (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 4316 (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 4315 and HB 4316.

The following people submitted a card in support of HB 4315 and HB 4316, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.
Sgt. Nicole McGhee, representing the Michigan State Police.
Blaine Koops, representing the Michigan Sheriffs' Association.
Matt Sowash, representing the Police Officers Association of Michigan.

The following people submitted a card in opposition to HB 4315 and HB 4316, 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 4315, but did not wish to speak:

Jeff Kirkpatrick, representing the Michigan Court Officers, Deputy Sheriffs Association.

The Chair laid HR 0093 before the committee:

HR 0093 (Rep. Vaupel) A resolution to urge the Congress of the United States to allow jail and prison inmates to be eligible for Medicaid coverage.

Representative Vaupel, and Judge Harvey Hoffman, representing the Association of Treatment Courts, testified in support of HR 0093. Kyle Kaminski, representing the Michigan Department of Corrections, came forward to testify with no position on HR 0093.

The following people submitted a card in support of HR 0093, but did not wish to speak:

Meghan Keit, representing the Michigan Association of Counties.
Amber Bellazaire, representing the Michigan League for Public Policy.
Tom Hickson, representing the Michigan Catholic Conference.
Blaine Koops, representing the Michigan Sheriffs Association.
Kimberly Buddin, representing the American Civil Liberties Union of Michigan.

The Chair laid HB 4126 and HB 4127 before the committee:

HB 4126 (Rep. Albert) A bill to amend 2018 IL 1, entitled "Michigan regulation and taxation of marihuana act," by amending section 8 (MCL 333.27958).

HB 4127 (Rep. Rendon) A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending section 206 (MCL 333.27206), as amended by 2018 PA 10.

The following people submitted a card in support of HB 4126 and HB 4127, but did not wish to speak:

Frank Waters, representing the Michigan Department of Licensing and Regulatory Affairs.
Amy Zaagman, representing the Michigan Council for Maternal and Child Health.
Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.
Tom Hickson, representing the Michigan Catholic Conference.

The following people submitted a card with a neutral position on HB 4126 (H-2) and HB 4127 (H-2), but did not wish to speak:

Robin Schneieder, representing the Michigan Cannabis Industry Association.

Representative Rendon moved to adopt substitute (H-2) to HB 4126. 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.

At 9:28 AM, the Chair laid the committee at ease.

At 9:30 AM, the Chair called the committee back to order.

Representative Howell moved to report out HB 4126 with recommendation, as substitute (H-2). The motion prevailed 11-2-0:

FAVORABLE ROLL CALL

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

Nays: Reps. LaFave, Steven Johnson.

Pass: None.

Representative Farrington moved to adopt substitute (H-2) to HB 4127. 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 4127 with recommendation, as substitute (H-2). The motion prevailed 11-2-0.

FAVORABLE ROLL CALL

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

Nays: Reps. LaFave, Steven Johnson.

Pass: None.

The Chair laid HB 4372, HB 4373 and HB 4378 before the committee:

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| HB 4372 | (Rep. Glenn) A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16221 (MCL 333.16221), as amended by 2018 PA 463. |
| HB 4373 | (Rep. Rendon) A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16226 (MCL 333.16226), as amended by 2018 PA 463. |
| HB 4378 | (Rep. Pagan) A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2018 PA 68. |

The following people submitted a card in support of HB 4372, HB 4373 and HB 4378, but did not wish to speak:

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

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

The following people submitted a card in support of HB 4372 and HB 4373, but did not wish to speak:

Tom Hickson, representing the Michigan Catholic Conference.

Frank Waters, representing the Michigan Department of Licensing and Regulatory Affairs.

The following people submitted a card in support of HB 4378, but did not wish to speak:

Peter Cunningham, representing the State Bar of Michigan.

Representative Farrington moved to adopt substitute (H-1) to HB 4372. 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 Howell moved to report out HB 4372 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.

Representative LaFave moved to report out HB 4373 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.

Representative Farrington offered the following amendment to HB 4378:

1. Amend page 2, following line 16, by inserting:

"(vii) Disclose the identity of a party who, as described in subdivision (bb), proceeds anonymously in a civil action in which the party alleges that he or she was the victim of sexual misconduct. For the purpose of securing his or her anonymity, that party or his or her designee may provide written notification of the civil action and his or her wish to remain anonymous to any law enforcement agency that has investigating records subject to this subparagraph, and the law enforcement agency shall retain a copy of that notification in its files with those investigating records."

Representative Farrington moved to adopt the amendment to HB 4378. 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 Berman moved to report House Bill No. 4378 as amended, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 9:38 AM.

Representative Graham Filler, Chair

Melissa Weipert
Committee Clerk
mweipert@house.mi.gov