



## HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY  
REP. GRAHAM FILLER  
CHAIR

### COMMITTEE MEETING MINUTES

Thursday, June 11, 2020                      9:00 AM                      Room 352, House Appropriations, State Capitol Building

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

The Chair requested attendance be called:

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

Absent: Reps. LaFave, Howell.

Excused: Reps. LaFave, Howell.

Representative Rendon moved to adopt the meeting minutes from June 3, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5051 before the committee:

HB 5051 (Rep. Sowerby)

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending sections 4, 35, and 36 (MCL 408.1004, 408.1035, and 408.1036), section 4 as amended by 2012 PA 416 and sections 35 and 36 as amended by 1991 PA 105.

Rep. Sowerby testified on HB 5051. Questions and discussion followed.

The following person submitted a card in support of HB 5051, but did not wish to speak:

Tim Greimel, representing AFSCME Council 25.

Representative LaGrand moved to adopt substitute (H-1) to HB 5051. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative LaGrand moved to report out HB 5051 with recommendation, as substitute (H-1). The motion prevailed 8-2-1:

#### FAVORABLE ROLL CALL

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

Nays: Reps. Steven Johnson, Wozniak.

Pass: Rep. Berman.

The Chair laid HB 5153 before the committee:

HB 5153 (Rep. Glenn)

A bill to amend 1982 PA 250, entitled "Child abuse and neglect prevention act," by amending section 2 (MCL 722.602), as amended by 2018 PA 60.

The following person submitted a card in opposition to HB 5153, but due to the time constraints was unable to speak:

John Tuinstra, representing Citizens for Parental Rights.

Representative Farrington moved to report out HB 5153 with recommendation. The motion prevailed 9-0-2:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: Reps. Berman, Bolden.

The Chair laid HB 5795 before the committee:

HB 5795 (Rep. Filler)

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 2502 (MCL 700.2502) and by adding section 2504a.

The Elder Rights and Disability Section of the State Bar submitted a card in opposition to HB 5795, but did not wish to speak.

Representative Steven Johnson moved to adopt substitute (H-1) to HB 5795. The motion prevailed 10-0-1:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. Yancey.

Representative Steven Johnson moved to report out HB 5795 with recommendation, as substitute (H-1). The motion prevailed 9-0-2:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: Reps. Yancey, Bolden.

The Chair laid HB 5837 and SB 945 before the committee:

HB 5837 (Rep. Peterson)	A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," by amending the title and sections 9, 9b, 9c, and 9d (MCL 28.609, 28.609b, 28.609c, and 28.609d), the title as amended by 1998 PA 237 and sections 9, 9b, 9c, and 9d as amended by 2018 PA 552, and by adding section 9f.
SB 945 (Sen. Irwin)	A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," by amending the title and sections 9, 9b, 9c, and 9d (MCL 28.609, 28.609b, 28.609c, and 28.609d), the title as amended by 1998 PA 237, sections 9, 9b, 9c, and 9d as amended by 2018 PA 552, and by adding sections 9f and 9g.

At 9:25 AM, the Chair laid the committee at ease.

At 9:26 AM, the Chair called the committee back to order.

Senator Irwin testified on SB 945. Questions and discussion followed.

The following people submitted a card in support of SB 945, but did not wish to speak:

M. Roy Wilson, representing Wayne State University.

Tom Hickson, representing the Michigan Catholic Conference.

Sergeant Nicole McGhee, representing the Michigan State Police.

Ken Grabowski, representing the Police Officers Association of Michigan.

Mike Sauger, representing the Michigan Fraternal Order of Police.

Julie Rowe, representing AFT Michigan.

Alexa Kramer, representing the Grand Rapids Chamber of Commerce.

The following person submitted a card in opposition to SB 945, but did not wish to speak:

Ben Bodkin, representing the Michigan Sheriff's Association.

Director Tim Bourgeois, representing the Michigan Commission on Law Enforcement Standards, testified on HB 5837 and SB 945. Questions and discussion followed.

Bob Stevenson, representing the Michigan Association of Chiefs of Police, testified in support of HB 5837 and SB 945. Questions and discussion followed.

Mark Fancher, representing the ACLU, testified in support of HB 5837 and SB 945.

Representative Peterson testified on HB 5837.

The Chair laid HB 5684, HB 5685, HB 5686, HB 5687, HB 5688, HB 5689, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB 5695, HB 5696, HB 5697, HB 5698, HB 5699, HB 5802, HB 5803 and HB 5804 before the committee:

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|------------------------|--|
| HB 5684 (Rep. Cherry)  | A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82105, 82113, 82114, and 82119 (MCL 324.82105, 324.82113, 324.82114, and 324.82119), sections 82105 and 82114 as amended by 2012 PA 28, section 82113 as amended by 1998 PA 297, and section 82119 as amended by 2005 PA 307.   |
| HB 5685 (Rep. Sneller) | A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 215, 226a, 233, 234, 243, and 907 (MCL 257.215, 257.226a, 257.233, 257.234, 257.243, and 257.907), section 226a as amended by 2006 PA 516, section 233 as amended by 2014 PA 290, section 234 as amended by 2002 PA 552, section 243 as amended by 1989 PA 299, and section 907 as amended by 2015 PA 126. |
| HB 5686 (Rep. Glenn)   | A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 802 and 907 (MCL 257.802 and 257.907), section 802 as amended by 2019 PA 88 and section 907 as amended by 2015 PA 126.   |
| HB 5687 (Rep. LaFave)  | A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80141 (MCL 324.80141), as amended by 2018 PA 400.  |
| HB 5688 (Rep. LaGrand) | A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 255, 256, and 907 (MCL 257.255, 257.256, and 257.907), section 255 as amended by 2018 PA 64, section 256 as amended by 1987 PA 34, and section 907 as amended by 2015 PA 126.  |
| HB 5689 (Rep. LaFave)  | A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82120 and 82126 (MCL 324.82120 and 324.82126), section 82120 as added by 1995 PA 58 and section 82126 as amended by 2008 PA 399.  |
| HB 5690 (Rep. LaGrand) | A bill to amend 1949 PA 300, entitled "Michigan  |

vehicle code," by amending section 306 (MCL 257.306), as amended by 2015 PA 11.

HB 5691 (Rep. Filler)

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 244 and 907 (MCL 257.244 and 257.907), section 244 as amended by 2013 PA 231 and section 907 as amended by 2015 PA 126.

HB 5692 (Rep. Markkanen)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82122 and 82123 (MCL 324.82122 and 324.82123), as added by 1995 PA 58.

HB 5693 (Rep. LaFave)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81122 (MCL 324.81122), as amended by 2013 PA 119.

HB 5694 (Rep. 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.

HB 5695 (Rep. Mueller)

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 5696 (Rep. Peterson)

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 15 (MCL 207.225).

HB 5697 (Rep. Howell)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40118 and 43558 (MCL 324.40118 and 324.43558), section 40118 as amended by 2017 PA 124 and section 43558 as amended by 2013 PA 108.

HB 5698 (Rep. Bolden)

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 801e and 907 (MCL 257.801e and 257.907), section 801e as amended by 1983 PA 91 and section 907 as amended by 2015 PA 126.

HB 5699 (Rep. Yancey)

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 311 and 907 (MCL 257.311 and 257.907), section 311 as amended by 1983 PA 63 and section 907 as amended by 2015 PA 126.

HB 5802 (Rep. Mueller)	A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 317, 904, and 907 (MCL 257.317, 257.904, and 257.907), section 317 as amended by 2018 PA 566, section 904 as amended by 2018 PA 212, and section 907 as amended by 2015 PA 126.
HB 5803 (Rep. Bolden)	A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2008 PA 508.
HB 5804 (Rep. Howell)	A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 3 (MCL 28.243), as amended by 2018 PA 67.

Jim Miller, representing the Michigan Sheriff's Association, testified in support of HB 5684, HB 5685, HB 5686, HB 5687, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB 5695, HB 5696, HB 5697, HB 5698, HB 5802, HB 5803 and HB 5804.

Dan Pfannes, representing the Michigan Association Chiefs of Police, testified in support of HB 5684, HB 5685, HB 5686, HB 5687, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB 5695, HB 5696, HB 5697, HB 5698, HB 5802, HB 5803 and HB 5804.

Craig DeRoche testified in support of HB 5684, HB 5685, HB 5686, HB 5687, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB 5695, HB 5696, HB 5697, HB 5698, HB 5802, HB 5803 and HB 5804.

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

Representative Mueller testified on the bills. Questions and discussion followed.

The following people submitted a card in support of HB 5684, HB 5685, HB 5686, HB 5687, HB 5688, HB 5689, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB 5695, HB 5696, HB 5697, HB 5698, HB 5699, HB 5802, HB 5803 and HB 5804, but did not wish to speak:

Algeria Wilson, representing the National Association of Social Workers.

Meghann Keit, representing the Michigan Association of Counties.

Paul Stankewitz, representing the Michigan Catholic Conference.

The following person submitted a card with a neutral position on HB 5684, HB 5685, HB 5686, HB 5687, HB 5688, HB 5689, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB

5695, HB 5696, HB 5697, HB 5698, HB 5699, HB 5802, HB 5803 and HB 5804, but due to the time constraints were unable to speak:

Geolfrey Leonard, representing the Detroit Justice Center.

The following people submitted a card in support of HB 5684, HB 5685, HB 5686, HB 5687, HB 5688, HB 5689, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB 5695, HB 5696, HB 5697, HB 5698, HB 5699, HB 5802, HB 5803 and HB 5804, but due to the time constraints were unable to speak:

Michael Van Beek, representing the Mackinac Center.

Tyler Ketesley, representing Americans For Prosperity.

Tom Boyd, representing the State Court Administrators Office.

Adam Reames, representing the Michigan Secretary of State.

The following people submitted a card with no position on HB 5684, HB 5685, HB 5686, HB 5687, HB 5688, HB 5689, HB 5690, HB 5691, HB 5692, HB 5693, HB 5694, HB 5695, HB 5696, HB 5697, HB 5698, HB 5699, HB 5802, HB 5803 and HB 5804, but due to the time constraints were unable to speak:

Erin Keith, representing the Detroit Justice Center.

Jayesh Patel, representing the Street Democracy.

Kamal Anderson.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 10:59 AM.

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Representative Graham Filler, Chair

Melissa Sweet

Committee Clerk

msweet@house.mi.gov