



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. KELLY A BREEN

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, March 1, 2023

10:30 AM

Room 521, House Office Building

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

The Chair requested attendance be called:

Present: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Absent: None.

Excused: None.

Representative Edwards moved to adopt the meeting minutes from February 15, 2023. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4006, HB 4031 and HB 4032 before the committee:

HB 4006 (Rep. Pohutsky)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 14 (MCL 750.14).

HB 4031 (Rep. Brabec)

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 33b (MCL 791.233b), as amended by 2019 PA 16.

HB 4032 (Rep. Young)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2010 PA 97.

Representative Pohutsky testified in support of HB 4006, HB 4031 and HB 4032.

Merissa Kovach, representing the ACLU of Michigan, testified in support of HB 4006, HB 4031 and HB 4032.

Dr. Sarah Wallet, representing Planned Parenthood of Michigan, testified in support of HB 4006, HB 4031 and HB 4032.

Stephanie Lovan, representing Planned Parenthood of Michigan, testified in support of HB 4006, HB 4031 and HB 4032.

Nomi Joyrich, representing Jews for a Secular Democracy and Michigan Unitarian Universalist Social Justice Network, testified in support of HB 4006, HB 4031 and HB 4032.

Rebecca Mastee, representing the Michigan Catholic Conference, testified in opposition to HB 4006, HB 4031 and HB 4032.

Amy Belfer, representing herself, testified in support of HB 4006, HB 4031 and HB 4032.

Representative Pohutsky, Representative Young, Representative Brabec, Merissa Kovach, and Dr. Sarah Wallet, returned to the table for questions and further discussion.

The following people submitted a card in support of HB 4006, HB 4031 and HB 4032, but did not wish to speak:

Mitch Albers, representing the Michigan Department of Attorney General.

Dominic Coschino, representing NARAL Pro-Choice America.

Beverly Wolf, representing herself.

Kim Jorgensen Gane, representing NARAL Pro-Choice America and Planned Parenthood Advocates of Michigan.

Amy Tavidian, representing herself.

Mary O'Neill, representing herself.

Daniel McNeil, representing NARAL Pro-Choice America.

Shanayl Bennett, representing Black Maternal Health and Reproductive Justice Organizer for Mothering Justice.

Kurtis Fernandez, representing APIAVOTE-Michigan.

Madison Atkins, representing NARAL Pro-Choice America.

Kathryn Leibert, representing NARAL Pro-Choice America.

Christine Schroeder, representing NARAL Pro-Choice America.

Amanda Swedorski, representing NARAL Pro-Choice America.

Raquel Collins, representing NARAL Pro-Choice America.

Maria Comninou, representing NARAL Pro-Choice America.

Emily Jones, Organizing Director, representing the Michigan Student Power Alliance.

Amy Zaagman, representing the Michigan Council for Maternal and Child Health.

Mary Kay Makarewicz, representing the Michigan Society of Hematology and Oncology.

Matt Black, representing the Michigan Academy of Family Physicians.

Yousef Rabhi, representing the Michigan Nurses Association.

Rachel Richards, representing the Michigan League for Public Policy.

Judy Karandjeff, representing the League of Women Voters of Michigan.

Dr. Halley Crissman, representing the American College of Obstetricians and Gynecologists.

The following people submitted a card in opposition to HB 4006, HB 4031 and HB 4032, but did not wish to speak:

Lisa Barrone, representing Michigan and God's Children.

Danielle Laurion, representing Unborn Babies.

Sharon Conklin, representing MI God Will No Abortion.

Karen Andrews, representing Jesus Christ, the unborn, and Pro-Life Citizens.

The following people submitted a card in support of HB 4006, but did not wish to speak:

Kate Dorsey, representing the Michigan State Medical Society.

Chardae Burton, Director of Legislative Affairs, representing the Michigan Department of Health and Human Services.

The following people submitted a card in opposition to HB 4006, HB 4031 and HB 4032, but due to the time constraints were unable to speak:

Rebecca Kiessling, representing Save the 1.

Genevieve Marnon, representing Right to Life of Michigan.

Austin T. Kreutz, representing himself.

Katherine Bussard, representing Salt and Light Global.

Marilyn Wagner, representing Salt and Light Global.

Representative Hoskins moved to adopt substitute (H-1) to HB 4006. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Fink offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4103 of the 102nd Legislature is enacted into law."

Representative Fink moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Johnsen offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4104 of the 102nd Legislature is enacted into law."

Representative Johnsen moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.
Pass: None.

Representative Johnsen offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4105 of the 102nd Legislature is enacted into law.".

Representative Johnsen moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Outman offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4106 of the 102nd Legislature is enacted into law.".

Representative Outman moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Johnsen offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4107 of the 102nd Legislature is enacted into law.".

Representative Johnsen moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Fink offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4108 of the 102nd Legislature is enacted into law.".

Representative Fink moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Wendzel offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4109 of the 102nd Legislature is enacted into law.".

Representative Wendzel moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Wozniak offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4110 of the 102nd Legislature is enacted into law.".

Representative Wozniak moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Wozniak offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4111 of the 102nd Legislature is enacted into law.".

Representative Wozniak moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Wendzel offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4112 of the 102nd Legislature is enacted into law.".

Representative Wendzel moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Wendzel offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4113 of the 102nd Legislature is enacted into law.".

Representative Wendzel moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Outman offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4114 of the 102nd Legislature is enacted into law.".

Representative Outman moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Fink offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4115 of the 102nd Legislature is enacted into law.".

Representative Fink moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Outman offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4116 of the 102nd Legislature is enacted into law.".

Representative Outman moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Wozniak offered the following amendment to HB 4006:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4117 of the 102nd Legislature is enacted into law.".

Representative Wozniak moved to adopt the amendment to HB 4006. The motion did not prevail 5-8-0:

UNFAVORABLE ROLL CALL

Yeas: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Pass: None.

Representative Hope moved to report out HB 4006 with recommendation, as substitute (H-1). The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Arbit moved to report out HB 4031 with recommendation. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Dievendorf moved to report out HB 4032 with recommendation. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

There being no further business before the committee, Chair Breen adjourned the meeting at 11:30 AM.

Representative Kelly Breen, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov