



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

Minutes of the House Standing Committee
On
Criminal Justice

Wednesday, February 26, 2014

10:30 a.m.

327 House Office Building

The House Standing Committee on Criminal Justice was called to order by Representative Kurt Heise, Chair.

The Clerk called the roll; members present were **Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Robinson, Kivela, and Banks. (11/11)**
The Clerk announced that a quorum was present.

The Chair laid before the committee the minutes of February 19, 2014 as printed.

Representative Callton moved to adopt the minutes of February 19, 2014 as printed. There being no objection, the motion prevailed by unanimous consent of the members present; the minutes were adopted as printed.

The Chair laid before the committee House Bills 5237 and 5240.

HB 5237 (Cavanagh) Criminal procedure; sentencing; William Van Regenmorter crime victim's rights act; amend human trafficking restitution provisions.

HB 5240 (Banks) Criminal procedure; statute of limitations; limitation of actions related to human trafficking; extend.

Kelly A. Carter, Assistant Attorney General in the Detroit Criminal division of the Michigan Department of Attorney General, explained the bills to committee members. Representative Banks, the bill sponsor for House Bill 5240, joined Ms. Carter for questions from committee members.

Rebecca Mastee, Policy Advocate in Public Policy for the Michigan Catholic Conference, submitted a testimony card in support of the bills, but did not wish to speak.

Representative Kurtz moved to report House Bill 5237 with the recommendation that the bill pass.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Robinson, Oakes, Kivela, and Banks, (11/11)

Nays: None. (0)

The bill was referred to the full House.

Representative Banks moved to report House Bill 5240 with the recommendation that the bill pass.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Kivela, and Banks, (10/11)

Nays: Representative Robinson None. (1/11)

The bill was referred to the full House.

The Chair laid before the committee House Bill 5110.

HB 5110 (Heise) Law enforcement; investigations; disclosure of call location information by wireless providers to requesting law enforcement agency; require.

The Chair, the bill sponsor, explained the substitute (H-1) to the committee members. Following his explanation of the bill, the Chair responded to various questions from a committee member.

The following individuals submitted testimony cards in support of the bills, but did not wish to speak:

David Vehslage, Director of State Government Relations for Verizon Wireless;
Brian O'Connell, Regional Director of State Government Relations for General Motors;
and Ben Bodkin, representing the Michigan Sheriffs Association.

The Chair offered a substitute (H-1) for House Bill 5110.

Representative Graves moved to adopt the substitute (H-1) for House Bill 5110

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Kivela, and Banks, (10/11)

Nays: Representative Robinson. (1/11)

The substitute was adopted.

Representative Oakes offered and moved to adopt the following amendment to House Bill 5110 (H-1):

1. Amend page 2, line 26, after "the" by inserting "imminent".

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Oakes, Kivela, and Banks, (10/11)

Nays: Representative Robinson. (1/11)

The amendment was adopted.

Representative Oakes offered and moved to adopt the following amendment to House Bill 5110 (H-1):

1. Amend page 3, following line 18, by inserting:

“Sec. 7. A person who requests disclosure of device location information in violation of this act is guilty of a misdemeanor punishable by imprisonment for not more than 91 days or a fine of not more than \$500.00 or both.”.

The motion did not prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives McBroom, Oakes, Kivela, and Banks, (4/11)

Nays: Representative Heise, Graves, Kurtz, Callton and Robinson. (5/11)

Pass: Representatives O'Brien and Kesto. (2/11)

The amendment was not adopted.

Representative Graves moved to report House Bill 5131 with the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Heise, Graves, Kurtz, Callton, Kesto, Oakes, Kivela, and Banks, (8/11)

Nays: Representative Robinson, (1/11)

Pass: Representatives McBroom and O'Brien. (2/11)

The bill and substitute were referred to the full House.

There being no other business before the committee; **Representative Banks moved to adjourn the meeting.**

The motion prevailed by unanimous consent of the members present, the time being 10:50 a.m.
The Chair declared the Committee was adjourned.

Kurt Heise, Chair
House Standing Committee on Criminal Justice

Joy Brewer, Committee Clerk

Date approved by the committee