



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

Minutes of the House Standing Committee  
On  
**Criminal Justice**

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Wednesday, March 12, 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.

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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.

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The Chair laid before the committee the minutes of February 26, 2014 as printed.

**Representative Callton moved to adopt the minutes of February 26, 2014 as printed. There being no objection, the motion prevailed by unanimous consent of the members present; the minutes were adopted as printed.**

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The Chair laid before the committee House Bills 5239 and 5241.

**HB 5239 (Kurtz)** Children; protection; department of human services to report suspected child abuse or child neglect involving human trafficking to law enforcement; require.

**HB 5241 (Kivela)** Crimes; sex offender registration; registration as sex offender for committing certain prostitution and human trafficking violations; require.

Representative Kurtz, the bill sponsor, explained the need for this bill.

**Representative Kurtz offered and moved to adopt the substitute (H-1) for House Bill 5239. 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, Kivela, and Banks, (9/11)**

**Nays: None. (0)**

The substitute was adopted.

Kelly A. Carter, Assistant Attorney General in the Detroit Criminal Division of the Michigan Department of Attorney General, provided a brief summary of the bill and substitute (H-1) for the bill to the committee members.

The following individuals submitted a testimony card in support of the bill, but did not wish to speak:

Christine Shearer, Director of Legislation for the Michigan Association on Health Plans; and

Rebecca Mastee, Policy Advocate in Public Policy for the Michigan Catholic Conference.

**Representative Kurtz moved to report House Bill 5239 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, O'Brien, Kesto, Kivela, and Banks, (8/11)**

**Nays: None. (0)**

The bill and substitute were referred to the full House.

Representative Kivela, the bill sponsor for House Bill 5241, explained the bill.

Kelly A. Carter, Assistant Attorney General in the Detroit Criminal Division of the Michigan Department of Attorney General, explained the substitute (H-2) to the committee members.

**Representative Kivela offered and moved to adopt the substitute (H-2) for House Bill 5241. 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: None. (0)**

The substitute was adopted.

The following individuals submitted a testimony card in support of the bill, but did not wish to speak:

Christine Shearer, Director of Legislation for the Michigan Association on Health Plans;

Rebecca Mastee, Policy Advocate in Public Policy for the Michigan Catholic Conference; and

Sergeant Amy Dehner, Legislative Liaison for the Michigan State Police.

**Representative Kivela moved to report House Bill 5241 with the recommendation that the substitute (H-2) 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, McBroom, O'Brien, Kesto, Oakes, Kivela, and Banks, (10/11)**

**Nays: None. (0)**

The bill and substitute were referred to the full House.

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The Chair laid before the committee House Bills 5234, 5235, and 5236.

**HB 5234 (Jenkins)** Crimes; definitions; human trafficking provisions; modify.

**HB 5235 (Hovey-Wright)** Criminal procedure; sentencing guidelines; sentencing guidelines for human trafficking crimes; amend to reflect changes in human trafficking laws.

**HB 5236 (McBroom)** Crimes; other; criminal forfeiture provisions in the revised judicature act of 1961; amend to reflect changes in human trafficking law.

Kelly A. Carter, Assistant Attorney General in the Detroit Criminal Division of the Michigan Department of Attorney General, explained the bill package and the substitutes to the committee members. Following the explanation of the bills, Ms. Carter addressed questions from the committee members.

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The Chair laid before the committee House Bills 5239.

**HB 5239 (Kurtz)** Children; protection; department of human services to report suspected child abuse or child neglect involving human trafficking to law enforcement; require.

**Representative Oakes moved to reconsider the previous vote to report House Bill 5239 (H-1) with recommendation.**

**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: None. (0)**

The motion to reconsider was adopted.

**Representative Oakes moved to report House Bill 5239 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, McBroom, O'Brien, Kesto, Oakes, Kivela, and Banks, (10/11)**

**Nays: None. (0)**

The bill and substitute were referred to the full House.

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The Chair laid before the committee House Bills 5234, 5235, and 5236.

- HB 5234 (Jenkins)** Crimes; definitions; human trafficking provisions; modify.
- HB 5235 (Hovey-Wright)** Criminal procedure; sentencing guidelines; sentencing guidelines for human trafficking crimes; amend to reflect changes in human trafficking laws.
- HB 5236 (McBroom)** Crimes; other; criminal forfeiture provisions in the revised judicature act of 1961; amend to reflect changes in human trafficking law.

Kelly A. Carter, Assistant Attorney General in the Detroit Criminal Division of the Michigan Department of Attorney General, addressed questions from the committee members.

Michael Penty, representing the Prosecuting Attorneys Association of Michigan, submitted a testimony card in support of House Bill 5235, but did not wish to testify.

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

Christine Shearer, Director of Legislation for the Michigan Association on Health Plans; and

Rebecca Mastee, Policy Advocate in Public Policy for the Michigan Catholic Conference.

The Chair offered the substitute (H-1) for House Bill 5234.

**Representative Callton moved to adopt the substitute (H-1) for House Bill 5234.**

**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 Graves moved to report House Bill 5234 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, McBroom, O'Brien, Kesto, and Kivela, (8/11)**

**Nays: Representatives Robinson and Banks, (2/11)**

**Pass: Representative Oakes. (1/11)**

The bill and substitute were referred to the full House.

The Chair offered the substitute (H-1) for House Bill 5235.

**Representative Kesto moved to adopt the substitute (H-1) for House Bill 5235.**

**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, and Kivela, (8/11)**

**Nays: Representative Robinson, (1/11)**

**Pass: Representatives Oakes and Banks. (2/11)**

The substitute was adopted.

**Representative Graves moved to report House Bill 5235 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, McBroom, O'Brien, Kesto, Oakes, Kivela, and Banks, (10/11)**

**Nays: Representative Robinson. (1/11)**

The bill and substitute were referred to the full House.

The Chair offered the substitute (H-1) for House Bill 5236.

**Representative Kesto moved to adopt the substitute (H-1) for House Bill 5236.**

**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 Graves moved to report House Bill 5236 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, McBroom, O'Brien, Kesto, Oakes, Kivela, and Banks, (10/11)**

**Nays: Representative Robinson. (1/11)**

The bill and substitute were referred to the full House.

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The Chair recognized Representative Robinson; Representative Robinson stated if she had been present for the roll call votes, she would have voted Yea to report out House Bill 5239 (H-1) with recommendation and Nay to report House Bill 5241 (H-2) with recommendation.

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

**The motion prevailed by unanimous consent of the members present,** the time being 11:37 a.m.  
The Chair declared the Committee was adjourned.

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Kurt Heise, Chair  
House Standing Committee on Criminal Justice

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Joy Brewer, Committee Clerk

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Date approved by the committee