



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, April 30, 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, Kesto, Oakes, Robinson, Kivela, and Banks. (10/11)**  
Member absent and excused was **Representative O'Brien. (1/11)**  
The Clerk announced that a quorum was present.

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

**Representative Callton moved to adopt the minutes of March 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 5363 and 5364.

**HB 5363 (Price)** Crimes; controlled substances; purchasing or possessing ephedrine or pseudoephedrine knowing or having reason to know it is intended to be used to manufacture methamphetamine; prohibit, and provide a penalty.

**HB 5364 (Price)** Criminal procedure; sentencing guidelines; sentencing guidelines for crime of purchasing or possessing ephedrine or pseudoephedrine knowing that it is intended to be used to manufacture methamphetamine; enact.

Representative Price, the bill sponsor, explained the bill package. Following the completion of her explanation of the bills, Representative Price addressed various questions from committee members.

Kevin J. Kraushaar, Esq, Vice-President of Government Relations for Consumer Healthcare Products Association, testified in support of the bill packages. Mr. Kraushaar answered questions from committee members.

James Acquisto, Vice-President of Government Affairs at Appriss, Incorporated, testified in support of the legislation. Mr. Acquisto responded to questions following his testimony.

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

Christine Shearer, Michigan Association of Health Plans;  
Sargent Dwayne Gill, Legislative Liaison for the Department of State Police;  
Amy Drumm, Michigan Retailers Association;  
Dave Hiller, Michigan Fraternal Order of Police; (written testimony)  
Brian Barle, Deputy Sheriff's Association of Michigan;  
Megan Noland, Oakland County Sheriff's Office;  
Del Chenault, Johnson and Johnson;  
Tom Tiderington, Plymouth Township Police Department;  
Jim Millin, Niles Police Department;  
Carl Berry, retired Police Chief for Plymouth Township Police;  
Thomas J. Tiderington, Chief of Police for Plymouth Township Police; and  
Hank Fuhs, Pharmacist and Chair of the Pharmacist Pac.

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The Chair laid before the committee Senate Bills House Bills 535, 756, 563, and 564.

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| <b>SB 535</b> | <b>(Proos)</b> | Criminal procedure; other; methamphetamine offenders registry; create, and require offenders to obtain a prescription to purchase ephedrine or pseudoephedrine products for a period of 10 years.  |
| <b>SB 756</b> | <b>(Proos)</b> | Crimes; other; selling or furnishing ephedrine or pseudoephedrine without a prescription to individual previously convicted of methamphetamine-related offense; prohibit under certain circumstances.  |
| <b>SB 563</b> | <b>(Proos)</b> | Criminal procedure; sentencing guidelines; sentencing guidelines for crime of purchasing or possessing ephedrine or pseudoephedrine knowing that it will be combined with any other quantity of ephedrine or pseudoephedrine for the purpose of manufacturing or attempting to manufacture methamphetamine; enact. |
| <b>SB 564</b> | <b>(Proos)</b> | Crimes; controlled substances; purchase of pseudoephedrine or ephedrine for another individual who intends to manufacture methamphetamines; establish as a   |

Kimberly Wadaga, Legislative Director for Senator Proos, the sponsor of the bill packages, explained the packages to the committee members. Mrs. Wadaga answered questions from committee members following her explanation.

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

Kevin J. Kraushaar, Esq, Vice-President of Government Relations for Consumer Healthcare Products Association;

James Acquisto, Vice-President of Government Affairs at Appriss, Incorporated;

Christine Shearer, Michigan Association of Health Plans;

Sargent Dwayne Gill, Legislative Liaison for the Department of State Police;

Amy Drumm, Michigan Retailers Association;

Dave Hiller, Michigan Fraternal Order of Police; (written testimony)

Brian Barle, Deputy Sheriff's Association of Michigan; (written testimony)

Megan Noland, Oakland County Sheriff's Office;

Del Chenault, Johnson and Johnson;

Tom Tiderington, Plymouth Township Police Department;

Jim Millin, Niles Police Department;

Carl Berry, retired Police Chief for Plymouth Township Police;

Thomas J. Tiderington, Chief of Police for Plymouth Township Police; (written testimony)

Hank Fuhs, Pharmacist and Chair of the Pharmacist Pac.;

Sharon Lollo, Deputy Director of Legislative Relations in the Office of Attorney General; and

Amanda Lich, representing the Michigan Pharmacists Association.

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The Chair laid before the committee House Bills 5081, 5250, 5251, and 5252.

**HB 5081 (McMillin)** Law enforcement; reports; reports of disposition of certain forfeited property; require, and provide a penalty for failing to report.

**HB 5250 (McMillin)** Criminal procedure; forfeiture; uniform forfeiture reporting act; enact.

**HB 5251 (Robinson)** Criminal procedure; forfeiture; reports of disposition of certain forfeited property; amend public health code to require, and provide a penalty for failing to report.

**HB 5252 (Callton)** Criminal procedure; forfeiture; seizure and forfeiture of property for abatement of nuisance to be reported to the department of state police under the uniform forfeiture reporting act; require.

**Representative Graves moved to report with recommendation that House Bill 5081 be referred to the Committee on Oversight.**

**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, McBroom, Kesto, Oakes, Robinson, Kivela, and Banks, (9/11)**

**Nays: None. (0)**

The bill was referred to the full House.

**Representative Graves moved to report with recommendation that House Bill 5250 be referred to the Committee on Oversight.**

**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, Kesto, Oakes, Robinson, Kivela, and Banks, (10/11)**

**Nays: None. (0)**

The bill was referred to the full House.

**Representative Robinson moved to report with recommendation that House Bill 5251 be referred to the Committee on Oversight.**

**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, Kesto, Oakes, Robinson, Kivela, and Banks, (10/11)**

**Nays: None. (0)**

The bill was referred to the full House.

**Representative Callton moved to report with recommendation that House Bill 5252 be referred to the Committee on Oversight.**

**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, Kesto, Oakes, Robinson, Kivela, and Banks, (10/11)**

**Nays: None. (0)**

The bill was referred to the full House.

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**Representative Robinson moved to excuse Representative O'Brien from today's committee meeting.**

**There being no objection the motion prevailed by unanimous consent of the members present; Representative O'Brien was excused.**

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

**The motion prevailed by unanimous consent of the members present,** the time being 10:09 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