



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

Minutes of the House Standing Committee  
On  
Criminal Justice

Wednesday, November 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.

The Clerk called the roll; members present were **Representatives Heise, Graves, Kurtz, Callton, McBroom, O'Brien, Kesto, Robinson, Kivela, and Banks. (10/11)**  
Member absent and excused was **Representative Oakes. (1/11)**

The Clerk announced that a quorum was present.

The Chair laid before the committee the minutes of October 1, 2014 as printed.

**Representative O'Brien moved to adopt the minutes of October 1, 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 4206, 5582, and 5585.

**HB 4206 (Santana)** Criminal procedure; youthful trainees; eligibility criteria for youthful trainee program; modify.

**HB 5582 (Haveman)** Criminal procedure; sentencing; option of placing individual in prison under the Holmes youthful trainee act; eliminate.

**HB 5585 (Heise)** Criminal procedure; youthful trainees; revocation of trainee status under Holmes youthful trainee act for committing certain subsequent crimes; provide for.

The Chair offered the substitute (H-5) for House Bill 4206.

**Representative Kesto moved to adopt the substitute (H-5) for House Bill 4206.**

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

The substitute was adopted.

Representative Santana, the bill sponsor for House Bill 4206, explained the substitute to the committee members. Following his explanation, Representative Santana, addressed questions from various members of the committee.

D. J. Hilson, Muskegon County's Prosecuting Attorney and a member of the Board of Directors for the Prosecuting Attorneys Association of Michigan, testified in support of House Bill 4206. Following his remarks, Prosecutor Hilson answered questions from various members of the committee.

Beth Gibson, representing the Michigan District Judges Association, submitted a testimony card in opposition to certain provisions of House Bill 4206, but did not wish to speak.

The following individuals submitted testimony cards in support of House Bill 5582, but did not wish to speak:

Noah Smith, representing the Criminal Defense Attorneys of Michigan, and  
Shelli Weisberg, Legislative Director for the American Civil Liberties Union of Michigan.

The Chair requested Kyle Kaminski, Legislative Liaison for the Michigan Department of Corrections, to come forth and address questions from various committee members.

**Representative O'Brien moved to report House Bill 4206 with the recommendation that the substitute (H-5) 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, and Banks, (7/11)**

**Nays: Representative McBroom, Robinson, and Kivela. (3/11)**

The bill and substitute were referred to the full House.

**Representative Graves moved to report House Bill 5582 without amendment and 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, O'Brien, Kesto, Robinson, Kivela, and Banks, (9/11)**

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

The bill was referred to the full House.

**Representative Kesto moved to report House Bill 5585 without amendment and 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, and Kivela, (8/11)**

**Nays: Representative Robinson and Banks. (2/11)**

The bill was referred to the full House.

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The Chair laid before the committee Senate Bill 596.

**SB 596 (Robertson)** Law enforcement; other; human trafficking board; create.

Ericka Farley, Chief of Staff for Senator Robertson, and Matt Blinkilde, Senate Majority Policy Advisor, explained the bill to committee members. Following their remarks, Mr. Blinkilde responded to various questions from committee members.

The following individuals submitted testimony cards in support of Senate Bill 596, but did not wish to speak:

Allan Wachendorfer, Director of Public Policy for the National Association of Social Workers-Michigan Chapter;

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

Steven D. Japinga, Chief of Public Policy and Legislative Affairs for the Michigan State Medical Society;

Lesia Liss, representing HealthPlus of Michigan; and

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

James Grant, M.D., President of the Michigan State Medical Society submitted written testimony in support of Senate Bill 596. A copy is attached.

The Chair offered the substitute (H-1) for Senate Bill 596.

**Representative Kesto moved to adopt the substitute (H-1) for Senate Bill 596.**

**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, Kivela, and Banks. (10/11)**

**Nays: None. (0)**

The substitute was adopted.

**Representative Graves moved to report Senate Bill 596 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, Robinson, Kivela, and Banks. (10/11)**

**Nays: None. (0)**

The bill and substitute were referred to the full House.

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

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

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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 11:10 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