



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

MINUTES OF THE COMMITTEE
ON
JUDICIARY

Tuesday, March 22, 2016 12:00 p.m. Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of March 15, 2016. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

SB 270 (Jones) Probate; guardians and conservators; probate court jurisdiction over guardianship and conservatorship proceedings; clarify.

Sandra McCormick, from Senator Jones' office, and Milton Mack, representing the State Court Administrative Office, testified in support of the bill. Questions and discussion followed.

Lisa Dedden Cooper, representing the American Association of Retired Persons (AARP), testified in opposition to the bill. Questions and discussion followed.

Bill Kandler, representing the Michigan Probate Judges Association, submitted a card in support of the bill, but did not wish to speak.

Chairman Kesto laid the following bills before the committee:

SB 207 (Jones) Crimes; intoxication or impairment; operating a motor vehicle under the influence of alcohol or a controlled substance, or both; amend certain definitions and procedures.

SB 434 (Casperson) Law enforcement; investigations; pilot program to use preliminary drug testing at roadside stop; create.

Substitute (H-1) to SB 207 was previously adopted on March 15, 2016.

Substitute (H-1) to SB 434 was previously adopted on March 15, 2016.

Sandra McCormick, from Senator Jones' office, and Sgt. Tim Fitzgerald, representing the

Michigan State Police, came forward to clarify the bill substitutes. Questions and discussion followed.

Dave Hiller, representing the Fraternal Order of Police, submitted a card in support of SB 207 and SB 434, but did not wish to speak.

Alan Cropsey, representing the Attorney General Bill Schuette, submitted a card in support of SB 434, but did not wish to speak.

Shelli Weisberg, representing the American Civil Liberties Union of Michigan, submitted a card with a neutral position on SB 207 and SB 434, but did not wish to speak.

John Shea, representing the Criminal Defense Attorneys of Michigan, submitted a card with a neutral position on SB 207 and SB 434, but did not wish to speak.

Roger Maufort, submitted a card in opposition to SB 207 and SB 434, wishing to speak but unable due to time constraints.

Representative Lucido moved to report out SB 207 with recommendation as substitute (H-1). The motion prevailed, the vote being 7-3-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Guerra.

Nays: Reps. Irwin, Robinson, Chang.

Pass: Rep. Howrylak.

Representative Heise moved to report out SB 434 with recommendation as substitute (H-1). The motion prevailed, the vote being 7-3-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Guerra.

Nays: Reps. Irwin, Robinson, Chang.

Pass: Rep. Howrylak.

Chairman Kesto laid the following bill before the committee:

SB 581 (Jones) Criminal procedure; sex offender registration; loitering provisions; revise.

Sandra McCormick, from Senator Jones' office, and Sgt. Tim Fitzgerald, representing the Michigan State Police, testified on the proposed substitute (H-2). Questions and discussion followed.

The following individuals submitted cards with a neutral position on the bill, but did not wish to speak:

Shelli Weisberg, representing the American Civil Liberties Union of Michigan.

John Shea, representing the Criminal Defense Attorneys of Michigan.

Representative Lucido moved to adopt the substitute (H-2) to SB 581. The motion prevailed, the vote being 9-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Chang.

Nays: Rep. Robinson.

Pass: Rep. Guerra.

Representative Lucido moved to report out SB 581 with recommendation as substitute (H-2). The motion prevailed, the vote being 7-2-2.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad.

Nays: Reps. Irwin, Robinson.

Pass: Reps. Chang, Guerra.

Chairman Kesto laid the following bill before the committee:

HB 5230 (Yonker) Torts; liability; indemnity agreement in snowplow and deicing services contracts; prohibit.

Representative Yonker testified in support of the bill. Questions and discussion followed.

Amy Frankmann, representing the Michigan Nursery and Landscape Association, testified in support of the bill.

Troy Clogg, Kevin Gilbrine and Mat Scott, representing Troy Clogg Associates and the Accredited Snow Contractors Association (ASCA), submitted a card in support of the bill, but did not wish to speak.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:54 p.m.

Representative Klint Kesto, Chair_____

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