



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

**MINUTES OF THE COMMITTEE**  
**ON**  
**JUDICIARY**

Tuesday, May 3, 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, Robinson, Chang, Guerra.

Members absent/excused: Rep. Irwin.

Representative Lucido moved to adopt the minutes of April 28, 2016. There being no objection, the motion prevailed by unanimous consent.

Representative Chang moved to excuse absent members. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bills before the committee:

- |                 |   |
|-----------------|---|
| HB 5520 (Kesto) | Family law; marriage and divorce; requirement that judgment of divorce contain provisions regarding wife's dower rights; eliminate. |
| SB 558 (Jones)  | Probate; other; dower rights; repeal.   |
| SB 560 (Jones)  | Probate; wills and estates; reference to dower in estates and protected individuals code; revise to reflect abolition of dower.     |

Chairman Kesto laid the committee at ease, the time being 12:05 p.m.

Vice-Chairman Lucido called the committee back to order, the time being 12:08 p.m.

Chairman Kesto; Jess Averill-Hammond, from Senator Jones' office; David Pierson, representing the Real Property Law Section of the State Bar of Michigan; and Marlaine Teahan, representing the Probate & Estate Planning Section of the State Bar of Michigan, testified in support of the bills. Questions and discussion followed.

Vice-Chairman Lucido laid the committee at ease, the time being 12:21 p.m.

Chairman Kesto called the committee back to order, the time being 12:22 p.m.

Chairman Kesto recognized Representative Cole for an announcement. Representative Cole introduced his special guest, his daughter, Etta Cole. The committee members welcomed Etta.

Representative Townsend testified with a neutral position on HB 5520. Questions and discussion followed.

David Worthams, representing the Michigan Bankers Association, and David Pierson, representing the Real Property Law Section of the State Bar of Michigan, came forward to address further questions.

Mary Pollock, representing the American Association of University Women-Michigan, testified with a neutral position on the bills.

Joe Baumann, representing the State Court Administrative Office, submitted a card with a neutral position on the bills, not wishing to speak.

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

Stephanie Johnson, representing the Michigan Probate Judges Association.  
Brian Westrin, representing the Michigan Realtors Association.

The following people submitted a card in opposition to the bills, but did not wish to speak:

Jean Doss, for Rebecca Shiemke, representing the Michigan Poverty Law Program – Family Law Task Force, and submitted written testimony with a suggested amendment.

Bill Kandler, representing the Family Law Section of the Michigan State Bar, and submitted written testimony with suggested amendments to HB 5520.

Representative Lucido moved to adopt the substitute (H-2) to SB 558. The motion prevailed, the vote being 9-1-0.

#### FAVORABLE ROLL CALL

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

Nays: Rep. Robinson.

Pass: None.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:41 p.m.

**Representative Klint Kesto, Chair**\_\_\_\_\_

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