



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

Minutes of the House Standing Committee
On
Oversight and Ethics

Thursday, September 24, 2015 10:30 a.m. Room 326 House Office Building

The House Standing Committee on Oversight and Ethics was called to order by Representative Ed McBroom, Chair.

The Clerk called the roll; members present were **Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan. (6/6)**

The Clerk announced that a quorum was present.

The Chair went at ease at the call of the Chair at 10:31 a.m.

The Chair reconvened the committee at 10:40 a.m.

The Chair laid before the committee the minutes of September 17, 2015 as printed.

Representative Theis moved to adopt the minutes of September 17, 2015 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 Bill 4713.

HB 4713 (McBroom) Criminal procedure; other; default standard for mens rea in criminal statutes; establish.

Noah Smith from Capitol Services, representing the Criminal Defense Attorneys of Michigan, submitted a testimony in support of the bill.

Charles S. Owens, State Director of the National Federation of Independent Business, testified in support of the bill.

The Chair, the bill sponsor, explained and offered a substitute for the bill.

Representative Theis moved to adopt the substitute (H-1) for House Bill 4713.

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 McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0/6)

The substitute was adopted.

Representative Graves moved to report House Bill 4713 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 McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0/6)

The bill and substitute were referred to the full House.

Majority Vice-Chair took the gavel.

The Vice-Chair laid before the committee House Bills 4748 and 4749.

HB 4748 (Kivela) Corrections; state facilities; inspection of prison kitchen facility managed by private contractor; require.

HB 4749 (McBroom) Food; other; exemption of a prison where private contractors serve food regulated as a food establishment; remove.

The Chair, the sponsor for House Bill 4749, introduced the package; Representative Kivela, the bill sponsor for House Bill 4748, explained the need for this legislative package for his district. Questions and discussion followed.

Chair took over the gavel.

Nick Derusha, Director of the Luce-Mackinac-Alger-Schoolcraft (LMAS) District Health Department and a member of the Executive Committee of the Michigan Association for Local Public Health, testified in support of the bills. Questions followed. Copy of his written testimony is attached.

Nick Ciaramitaro, Director of Legislation and Public Policy for the Michigan American Federation of State, County and Municipal Employees (AFSCME) Council 25, testified in support of the bills.

Kyle Kaminski, Legislative Liaison and Special Projects in the Executive Bureau of the

Michigan Department of Corrections, provided the committee with background information and submitted a testimony card stating the department has no position on the bill package.

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

The motion prevailed, the time being 11:28 a.m.

The Chair declared the Committee adjourned.

Ed McBroom, Chair
House Standing Committee on Oversight and Ethics

Joy Brewer, Committee Clerk

Date approved by the committee