



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

## HOUSE STANDING COMMITTEE ON JUDICIARY

Tuesday, March 28<sup>th</sup>, 2017                      12:00 p.m.                      Room 326 House Office Building

Representative Runestad, Chair, called the meeting to order.

Chair Runestad requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Absent: None.

Excused: None.

Representative LaFave moved to approve the minutes of the March 21<sup>st</sup>, 2017 meeting. The motion prevailed by unanimous consent.

The Chair laid SB 49 before the committee:

SB 49            (Booher)                      Probate; guardians and conservators; provision related to compensation for professional guardian or professional conservator; modify.

Representative Greimel offered the following amendment for SB 49:

1. Amend page 2, line 23, after "**SECTION.**" by inserting "**IF A PROFESSIONAL GUARDIAN OR PROFESSIONAL CONSERVATOR APPOINTED OR APPROVED UNDER THIS SECTION RECEIVES OR IS TO RECEIVE COMPENSATION OR OTHER BENEFITS AS A RESULT OF THAT APPOINTMENT FROM A PERSON OTHER THAN THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE, OR A TRUST CREATED UNDER SECTION 5407(2), THE PROFESSIONAL GUARDIAN OR PROFESSIONAL CONSERVATOR SHALL FILE WITH THE APPOINTING OR APPROVING COURT A WRITTEN STATEMENT OF THE COMPENSATION OR OTHER BENEFIT RECEIVED OR TO BE RECEIVED IN THE FORM PRESCRIBED BY SUPREME COURT RULE. THE PROFESSIONAL GUARDIAN OR PROFESSIONAL CONSERVATOR SHALL PROVIDE A COPY OF THE FORM DESCRIBED IN THIS SUBSECTION TO THE WARD, DEVELOPMENTALLY DISABLED INDIVIDUAL, INCAPACITATED INDIVIDUAL, OR PROTECTED INDIVIDUAL AND TO INTERESTED PERSONS AS SPECIFIED IN THE MICHIGAN COURT RULES.**".

Representative Greimel testified on the amendment. Questions and discussion followed.

Representative Greimel moved to adopt the amendment for SB 49. The motion prevailed by a vote of 9-1-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: Rep. Robinson.

Pass: None.

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

Representative Greimel moved to report SB 49 with recommendation, as substitute (H-1). The motion prevailed by a vote of 9-1-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Guerra, and Sowerby.

Nays: Rep. Robinson.

Pass: None.

The Chair laid HJR C before the committee:

HJR C	(Runestad)	Criminal procedure; warrants; search and seizure protections; expand to include electronic communications and seizures.
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Vice-Chair Theis assumed the gavel the time being 12:11 p.m.

Chairman Runestad introduced the Joint Resolution. Questions and discussion followed.

Chairman Runestad assumed the gavel the time being 12:23 p.m.

The following people submitted testimony cards in support of the bill, but did not wish to speak:

Kimberly Buddin, representing the American Civil Liberties Union of Michigan.

David Worthams, representing the Michigan Bankers Association.

The Chair laid the presentation by the Michigan Friend of the Court before the committee.

The Chair invited Steven Capps, representing the State Court Administrative Office, to give the presentation. Questions and discussion followed.

There being no further business to come before the committee, the Chair adjourned the meeting, the time being 12:52 p.m.

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Representative Runestad, Chair

Matthew Carnagie  
Committee Clerk  
March 28<sup>th</sup>, 2017

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Date Approved and Signed