



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

HOUSE STANDING COMMITTEE ON JUDICIARY

Tuesday, October 2nd, 2018 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 Theis moved to approve the minutes of the September 25th, 2018 meeting. The motion prevailed by unanimous consent.

The Chair laid HB 5372 before the committee:

HB 5372 (Bellino) Crimes; intoxication or impairment; alcohol dependent medication-assisted treatment program; require certain individuals to participate as part of his or her sentence.

Representative Bellino and Judge Harvey Hoffman, testified in support of the bill. Questions and discussion followed.

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

James Ryan, representing the Probate Section of the State Bar.

Shannon Price, representing Growth Works.

Ryan Grunnell, representing the Michigan Primary Care Association.

Tom Clement, representing the State Court Administrative Office, submitted a testimony card with a neutral position on the bill, but did not wish to speak.

The Chair laid HB 5362 and HB 5398 before the committee:

HB 5362 (Lucido) Probate; trusts; information required in a certificate of trust; modify.

HB 5398 (Lucido) Probate; trusts; use of a certificate of trust under the estates and protected individuals code for a trust that affects real property; allow.

Representative Lucido testified on the proposed substitutes (H-2) for HB 5362, and (H-4) for HB 5398. Questions and discussion followed.

Lorri King, representing the Real Property Law Section of the State Bar of Michigan, submitted a testimony card in opposition to HB 5398, but did not wish to speak.

Bill Zaagman, representing the Michigan Association of Registers of Deeds, submitted a testimony card in support of HB 5398 and HB 5362, but did not wish to speak.

Representative Theis moved to adopt substitute (H-2) for HB 5362. The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

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

Nays: None.

Pass: None.

Representative Theis moved to adopt substitute (H-4) for HB 5398. The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

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

Nays: None.

Pass: None.

Representative Greimel offered the following amendments to HB 5398, as substitute (H-4):

1. Amend page 3, line 16, after "2" by striking out the comma and "3,".
2. Amend page 3, line 17, after "565.432" by striking out the comma and "565.433,".

Representative Lucido testified on the proposed amendments. Questions and discussion followed.

Representative Greimel moved to adopt the amendment for HB 5398, as substitute (H-4). The motion did not prevail by a vote of 3-7-0.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Greimel, Guerra, and Sowerby.

Nays: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, and Robinson.

Pass: None.

Representative Theis moved to report HB 5362, with recommendation, as substitute (H-2). The motion prevailed by a vote of 9-1-0.

FAVORABLE ROLL CALL:

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

Nays: Rep. Sowerby.

Pass: None.

Representative Theis moved to report HB 5398, with recommendation, as substitute (H-4). The motion prevailed by a vote of 9-1-0.

FAVORABLE ROLL CALL:

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

Nays: Rep. Sowerby.

Pass: None.

The committee returned to consideration of HB 5372.

Representative Bellino and Thomas Meyers, representing the State Court Administrative Office, testified on a proposed substitute (H-2). Questions and discussion followed.

Representative LaFave moved to adopt substitute (H-2) for HB 5372. The motion prevailed by a vote of 9-1-0.

FAVORABLE ROLL CALL:

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

Nays: Rep. Robinson.

Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting, the time being 12:49 p.m.

Representative Runestad, Chair

Matthew Carnegie
Committee Clerk
October 2nd, 2018

Date Approved and Signed