



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

MINUTES OF THE COMMITTEE  
ON  
LAW AND JUSTICE

Tuesday, October 24, 2017                      9:00 a.m.                      Room 327 House Office Building

The House Standing Committee on Law and Justice was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati, Wittenberg.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of October 17, 2017. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

HB 4752 (Kesto)                      Probate; wills and estates; fee ratio and reporting requirement; revise, and remove sunset.

Tom Clement, representing the State Court Administrative Office, submitted a card in support of the bill, but did not wish to speak.

Representative Lucido moved to report out HB 4752 with recommendation. The motion prevailed, the vote being 12-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati Wittenberg.

Nays: None.

Pass: None.

Chairman Kesto laid the following bills before the committee:

HB 4486 (Lucido)                      Criminal procedure; sentencing; penalties for third degree and fourth degree child abuse; modify.

HB 4487 (Lucido)                      Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of third degree and fourth degree child abuse; modify.

Representative Lucido and Bill Vaillencourt, representing the Prosecuting Attorneys

Association of Michigan, testified together in support of the bills. Questions and discussion followed.

Chairman Kesto laid the committee at ease, the time being 9:25 a.m.

Vice-Chairman Lucido took the gavel and called the committee back to order, the time being 9:26 a.m.

Vice-Chairman Lucido laid the following bill before the committee:

HB 5144 (Kesto)                      Marihuana; facilities; requirements for obtaining a state operating license; revise, and provide for other general amendments.

Chairman Kesto and Andrew Brisbo, representing the Michigan Department of Licensing and Regulatory Affairs, testified together in support of the bill. Questions and discussion followed.

Vice-Chairman Lucido laid the committee at ease, the time being 9:34 a.m.

Chairman Kesto returned to the gavel and called the committee back to order, the time being 9:35 a.m.

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

Sandra McCormick, representing the Michigan Cannabis Development Association.

Justin Dunaskiss, representing the Evergreen Management Group.

Brian Pierce, representing the Michigan Responsibility Council.

Craig Aronoff, representing himself, and submitted written testimony.

Chairman Kesto laid the committee at ease, the time being 9:36 a.m.

Vice-Chairman Lucido took the gavel and called the committee back to order, the time being 9:37 a.m.

Vice-Chairman Lucido laid the following bill before the committee:

HB 5073 (Kesto)                      Civil procedure; alternate dispute resolution; procedures for mediation and case evaluation of civil actions; revise.

Chairman Kesto, Joe Basta, representing the Alternative Dispute Resolution Section of the State Bar of Michigan; and Bill Weber representing the Professional Resolution Experts of Michigan, testified together in support of the bill. Questions and discussion followed.

Bill Flory, representing the Michigan Association for Justice, submitted a card in opposition to the bill, but did not wish to speak.

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

Susan Klooz, representing the Alternative Dispute Resolution Council.

Lee Hornberger, representing himself.

Lisa Taylor, representing Taylor-Made Solutions.  
Mary Bedikian, representing herself.  
Marc Stanley, representing the Southeastern Dispute Resolution Services.  
Martin Weisman, representing Weisman, Young and Ruemenapp, P.C.  
Jeffrey Ray, representing himself.  
Michael Leib representing the Dispute Resolution Services.  
Abraham Singer, representing himself.  
Dave Baumhart, representing the Alternative Dispute Resolution Advantages.  
Steven T. Lett, representing Wilson, Lett and Kerbawy, P.L.C.

Vice-Chairman Lucido laid the committee at ease, the time being 10:00 a.m.  
Chairman Kesto returned to the gavel and called the committee back to order, the time being 10:01 a.m.

Robert White, representing the Alternative Dispute Resolution Section of the State Bar of Michigan, testified in support of the bill.

Chairman Kesto returned to HB 5144.

Chairman Kesto laid the committee at ease, the time being 10:09 a.m.  
Chairman Kesto called the committee back to order, the time being 10:14 a.m.

Representative Lucido offered the following amendment to HB 5144:

1. Amend page 10, following line 10, by inserting:  
**"(6) AN ATTORNEY IS NOT SUBJECT TO ANY OF THE FOLLOWING SOLELY FOR PROVIDING A LEGAL SERVICE TO A LICENSEE OR APPLICANT FOR PURPOSES OF THIS ACT:**
  - (A) CRIMINAL PENALTIES UNDER STATE LAW OR LOCAL ORDINANCES REGULATING MARIHUANA.**
  - (B) STATE OR LOCAL CIVIL PROSECUTION BASED ON A MARIHUANA-RELATED OFFENSE.**
  - (C) STATE OR LOCAL CRIMINAL PROSECUTION BASED ON A MARIHUANA-RELATED OFFENSE.**
  - (D) SEIZURE OF ANY REAL OR PERSONAL PROPERTY OR ANYTHING OF VALUE BASED ON A MARIHUANA-RELATED OFFENSE.**
  - (E) ANY SANCTION, INCLUDING DISCIPLINARY ACTION OR DENIAL OF A RIGHT OR PRIVILEGE, BY A BUSINESS OR OCCUPATIONAL OR PROFESSIONAL LICENSING BOARD OR BUREAU BASED ON A MARIHUANA-RELATED OFFENSE."** and renumbering the remaining subsections.

Representative Lucido moved to adopt the amendment to the bill. The motion did not prevail, the vote being 6-1-5.

UNFAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Roberts, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: Reps. Graves, Howrylak, Theis, Albert, Chang.

Representative Lucido moved to report out HB 5144 with recommendation. The motion prevailed, the vote being 9-2-1.

**FAVORABLE ROLL CALL**

Yeas: Reps. Kesto, Lucido, Howrylak, Roberts, Chang, Robinson, Guerra, Liberati Wittenberg.

Nays: Reps. Theis, Albert.

Pass: Rep. Graves.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 10:17 a.m.

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

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