



MEMBERS:

SEN. TONYA SCHUITMAKER, VICE CHAIRMAN
SEN. TORY ROCCA
SEN. STEVE BIEDA, MINORITY VICE CHAIR

THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
CHAIRMAN

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Senate Committee on Judiciary

A meeting of the Senate Committee on Judiciary was held on Tuesday, November 1, 2011 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:34 p.m.

Members present: Senators Jones, Schuitmaker, Rocca, Bieda
Members excused: none

Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

SB 645	Sen. Kahn	Corrections; prisoners; prisoners receiving or possessing certain items; prohibit.
SB 760	Sen. Green	Weapons; firearms; definition of pistol; modify.
SB 761	Sen. Kowall	Weapons; firearms; definition of pistol; modify.
SB 762	Sen. Robertson	Weapons; firearms; definition of pistol; modify.
SB 778	Sen. Kowall	Natural resources; inland lakes; public road access to lakes or streams; specify authorized uses.

For Testimony Only:

SB 59	Sen. Green	Weapons; licensing; concealed weapons licensing boards; eliminate, and transfer powers to secretary of state.
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Senator Schuitmaker moved to adopt the minutes from October 25, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bill 645 (Sen. Kahn). Jon Cool, Chief of Staff for Senator Kahn, explained the bill to committee members.

The following persons testified and answered questions on Senate Bill 645:

- Ryan Oberle and Chief Gerald Cliff, representing the Saginaw Police Department—Support

The following persons submitted cards, but did not testify, on Senate Bill 645:

- John Lazet, representing Attorney General Bill Schuette—Support
- Russ Marlan, representing the Michigan Department of Corrections—Neutral

Senator Schuitmaker moved that Senate Bill 645 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Rocca moved to recommend immediate effect for Senate Bill 645. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 760 (Sen. Green), 761 (Sen. Kowall), and 762 (Sen. Robertson). Senator Green explained the package of bills to committee members. Dave Biswas, Legislative Director to Senator Kowall, offered additional explanation.

The following persons testified and answered questions on Senate Bills 760-762:

- Glenn C. Duncan, representing the Michigan Association of Firearm Retailers—Support
- Michael Thiede, representing the Michigan Gun Owners Association—Support

The following persons submitted cards, but did not testify, on Senate Bills 760-762:

- Kent Wood, representing the Michigan United Conservation Clubs—Support
- Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners—Support

Senator Schuitmaker moved that Senate Bill 760 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Rocca moved to recommend immediate effect for Senate Bill 760. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Rocca moved that Senate Bill 761 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved to recommend immediate effect for Senate Bill 761. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Rocca moved that Senate Bill 762 be reported out of committee with the recommendation 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: Senators Jones, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved to recommend immediate effect for Senate Bill 762. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 778 (Sen. Kowall). Senator Kowall explained the bill to committee members. Senator Jones explained his amendment to committee members.

The following persons testified and answered questions on Senate Bill 778:

- Pat Springstead, representing the Higgins Lake Property Owners Association—Support
- Richard Jaskowski, representing the Higgins Lake Property Owners Association—Support (Also submitted written testimony on file with clerk)
- Elizabeth Lieberman, representing the Walloon Lake Association—Support
- Bob Frye, representing the Michigan Waterfront Alliance—Support
- Bill Anderson, representing the Michigan Townships Association—Support
- James Clift, representing the Michigan Environmental Council—Oppose

The following persons submitted cards, but did not testify, on Senate Bill 778:

- Cindy Hayes, representing the Walloon Lake Association—Support
- Derek Dalling, representing the Burt Lake & Torch Lake Associations—Support

Senator Rocca left the committee room at 3:14 p.m.

Senator Jones announced that the committee would be moving the bill forward, but asked that the sponsor work with interested parties before a floor vote occurs.

Senator Schuitmaker moved to adopt the Jones Amendment #1 to Senate Bill 778. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Schuitmaker, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Absent: Senator Rocca (1)

Senator Schuitmaker moved that Senate Bill 778 be reported out of committee as amended as a clean substitute with the recommendation 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: Senators Jones, Schuitmaker, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Absent: Senator Rocca (1)

Senator Bieda moved to recommend immediate effect for Senate Bill 778. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 59 (Sen. Green) for testimony. Senator Green explained the bill and S-2 substitute to committee members.

The following persons testified and answered questions on Senate Bill 59:

- Mary Hollinrake, Kent County Clerk, and Fran Fuller, Eaton County Clerk, representing the Michigan Association of County Clerks—Still evaluating S-2 version
- Phillip Hofmeister, representing Michigan Open Carry, Inc.—Support (Also submitted written testimony on file with clerk)
- Michael Thiede, representing the Michigan Gun Owners Association—Support

The following persons submitted cards, but did not testify, on Senate Bill 59:

- Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners—Support
- John McKenna, citizen—Support

The following persons submitted written testimony, but were not present to testify, on Senate Bill 59:

- Bill Bullard, Oakland County Clerk—Support of S-1 version

Senator Jones adjourned the committee at 3:52 p.m.

11/8/11

Date Approved by Committee

**An audio recording of this committee meeting is available upon request for a minimal fee.