



**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 29, 2011 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:31 p.m.

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

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Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

SB 59	Sen. Green	Weapons; licensing; concealed weapons licensing boards; eliminate, and transfer powers to secretary of state.
HB 4920	Rep. Scott	Cities; home rule; authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide.
HB 4921	Rep. Heise	Townships; charter; authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide.
HB 4922	Rep. Walsh	Townships; general law; authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide.
HB 4923	Rep. Constan	Villages; general law; authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide.
HB 4924	Rep. Muxlow	Villages; home rule; authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide.

For Testimony Only:

SB 779	Sen. Hopgood	Crimes; weapons; altering a firearm or an imitation firearm; prohibit, and provide penalties.
SB 780	Sen. Jones	Crimes; weapons; brandishing of imitation firearms; prohibit, and increase penalties.
SB 781	Sen. Bieda	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of altering a firearm or imitation firearm; enact, and increase certain penalties.

Senator Bieda moved to adopt the minutes from November 8, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bill 59 (Sen. Green). Senator Jones announced that there was an S-2 substitute for SB 59. Ryan Mitchell, staffer for Senator Green, explained the bill, substitute and proposed amendment to committee members. Mr. Mitchell then answered questions from committee members. Senator Green also submitted written documents on file with the clerk.

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

- Bill Anderson, representing the Michigan Townships Association—Raised Concerns

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

- Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners—Support
- Bill Zaagman, representing Michigan Association of County Clerks—Oppose S-2
- George Basar, representing the Michigan Association of Chiefs of Police—Oppose
- Diane Zuker, representing the Michigan Association of County Clerks—Oppose as currently written

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

- Michael Bouchard, Oakland County Sheriff—Opposed

Senator Jones announced that the committee would hold off voting on the bill and asked that the sponsor work with interested parties to address the technical issues raised.

Senator Jones placed before the committee House Bills 4920-4924 (Reps. Scott, Heise, Walsh, Constan, and Muxlow). Brett Visner, representing Representative Walsh, and Samantha Harkins, representing the Michigan Municipal League, explained the bill package to committee members and answered questions.

The following persons submitted cards, but did not testify, on House Bills 4920-4924:

- Bill Anderson, representing the Michigan Townships Association—Support (HB 4921 and 4922)

Senator Bieda moved that House Bill 4920 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 Bieda moved to recommend immediate effect for House Bill 4920. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Rocca moved that House Bill 4921 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 House Bill 4921. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Rocca moved that House Bill 4922 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 House Bill 4922. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved that House Bill 4923 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 Bieda moved to recommend immediate effect for House Bill 4923. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Rocca moved that House Bill 4924 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 Bieda moved to recommend immediate effect for House Bill 4924. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 779-781 (Sens. Hopgood, Jones and Bieda) for testimony. Senator Jones announced that there was S-1 substitutes for SB 779, 780 and 781. Senator Jones explained the package of bills and substitutes to committee members and answered questions.

Senator Hopgood and his guest, Chief Dale Tamsen of the City of Taylor Police Department, provided additional explanation and answered questions. Senator Hopgood also submitted written documents on file with the clerk. Senator Bieda offered additional comments on the bill package.

The following persons submitted cards, but did not testify, on Senate Bills 779-781:

- Tim Ward, representing the Police Officers Association of Michigan—Support

Senator Jones adjourned the committee at 3:05 p.m.

12/6/11  
Date Approved by Committee

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