



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
Minutes

A meeting of the Senate Committee on Judiciary was held on Tuesday, March 5, 2013 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:30 p.m.

Members present: Senators Jones, Schuitmaker, Rocca, and Bieda
Members absent: none

Senator Jones called the meeting to order and announced the order of business for the meeting:

Adopt Minutes

SB 35	Sen. Smith	Cities; other; failure to pay civil fine and costs imposed by a city administrative hearings bureau; penalize under certain circumstances.
SB 36	Sen. Johnson	Land use; zoning and growth management; persons delinquent in paying blight violation fines; allow cities to make ineligible for zoning approvals.
SB 37	Sen. Schuitmaker	Construction; permits; persons delinquent in paying blight violation fines; allow cities to make ineligible for construction code approval.
SB 38	Sen. Jones	Civil procedure; garnishment; garnishment for failure to pay fines or costs ordered under the home rule cities act; provide for.
SB 39	Sen. Hunter	Civil procedure; foreclosure; power of a home rule city's department of administrative hearings to foreclose on property; establish.
SB 131	Sen. Hopgood	Family law; child custody; granting of custody or parenting time for parent convicted of certain sexual offenses; prohibit.
SB 221	Sen. Jones	Criminal procedure; sex offender registration; registration fee for nonincarcerated offenders; establish on an annual basis.

Senator Jones moved to adopt the minutes from February 26, 2013 with unanimous consent. Without objection, the minutes were adopted.

Senator Schuitmaker left the committee room at 2:31 p.m.

Senator Rocca entered the committee room at 2:31 p.m.

Senator Jones placed before the committee Senate Bill 131 (Sen. Hopgood). Senator Hopgood explained the bill to committee members and answered questions.

The following persons testified on Senate Bill 131 and answered questions from committee members:

- Amy Carns, citizen—Support
- Kent Weichmann, Family Law Section of the State Bar of Michigan—Oppose
- Tim P., Coalition for a Useful Registry—Oppose
- Kathy Hagenian, Michigan Coalition to End Domestic & Sexual Violence—Support
- John Schenburn, citizen—Oppose
- Lorraine Brooks, citizen—Oppose

Senator Schuitmaker entered the committee room at 2:37 p.m.

Senator Bieda left the committee room at 2:42 p.m.

The following persons submitted testimony cards but did not wish to speak on Senate Bill 131:

- Bill Kandler, Michigan Probate Judges Association—Oppose

Senator Bieda entered the committee room at 2:49 p.m.

Senator Jones moved that Senate Bill 131 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 (3/4)

Nays: none (0)

Pass: Senator Bieda (1)

Absent: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 131 be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 221 (Sen. Jones) for testimony. Senator Jones explained the bill to committee members and answered questions.

The following persons testified on Senate Bill 221 and answered questions from committee members:

- John Schenburn, citizen—Oppose
- Lorraine Brooks, citizen—Oppose
- Kathie Gourlay, citizen—Oppose
- Tim P., Coalition for a Useful Registry—Oppose
- Shelli Weisberg, American Civil Liberties Union of Michigan—Oppose

Senator Jones announced that they would return to testimony on Senate Bill 221 later in the committee meeting.

Senator Jones placed before the committee Senate Bills 35-39 (Sens. Smith, Johnson, Schuitmaker, Jones, Hunter). Senator Smith explained the bill package to committee members and answered questions. Senator Jones offered and explained his amendments to Senate Bills 35, 36 & 37.

The following persons submitted testimony cards, but did not speak, on Senate Bills 35-39:

- Mike Frederick, Michigan Historic Preservation Network—Support (SB 36 & 37)
- Kieran Morion, Michigan Credit Union League—Support as amended (SBs 35-38)
- Mark Garcia, Michigan State Housing Development Authority—Support
- Shelli Weisberg, American Civil Liberties Union of Michigan—Oppose
- Patricia Herndon, Michigan Bankers Association—Support with amendments (SBs 35-38)
- Nikki Brown, Michigan Municipal League—Oppose (all bills)

Senator Jones moved to adopt the Jones Amendment #1 to Senate Bill 35. 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: Senator Rocca (1)

Absent: none (0)

Senator Jones moved that Senate Bill 35 as amended as a clean substitute 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, Bieda (3/4)

Nays: none (0)

Pass: Senator Rocca (1)

Absent: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 35 as amended as a clean substitute be given immediate effect by unanimous consent.

Senator Jones moved to adopt the Jones Amendment #1 to Senate Bill 36. 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: Senator Rocca (1)

Absent: none (0)

Senator Jones moved that Senate Bill 36 as amended as a clean substitute 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, Bieda (3/4)

Nays: none (0)

Pass: Senator Rocca (1)

Absent: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 36 as amended as a clean substitute be given immediate effect by unanimous consent.

Senator Jones moved to adopt the Jones Amendment #1 to Senate Bill 37. 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: Senator Rocca (1)

Absent: none (0)

Senator Jones moved that Senate Bill 37 as amended as a clean substitute 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, Bieda (3/4)

Nays: none (0)

Pass: Senator Rocca (1)

Absent: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 37 as amended as a clean substitute be given immediate effect by unanimous consent.

Senator Jones moved that Senate Bill 38 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, Bieda (3/4)

Nays: none (0)

Pass: Senator Rocca (1)

Absent: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 38 be given immediate effect by unanimous consent.

Senator Jones moved that Senate Bill 39 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, Bieda (3/4)

Nays: none (0)

Pass: Senator Rocca (1)

Absent: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 39 be given immediate effect by unanimous consent.

Senator Schuitmaker left the committee room at 3:18 p.m.

Senator Jones returned to Senate Bill 221 for further testimony.

The following persons testified on Senate Bill 221 and answered questions from committee members:

- Trooper Amy Dehner, Michigan State Police—Support

Senator Jones adjourned the committee without objection at 3:36 p.m.

Date Approved by Committee: March 12, 2013

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