



**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, May 10, 2011 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:35 p.m.

Members present: Senators Jones, Schuitmaker, Rocca, and 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 244	Sen. Jones	Criminal procedure; expunction; expand record expunction for certain offenders; provide for under certain circumstances.
SB 346	Sen. Schuitmaker	Criminal procedure; DNA; procedure for collection of DNA samples from incarcerated individuals; provide for.
SB 354	Sen. Jones	Criminal procedure; sex offender registration; exception to prohibition against residing within a student safety zone; modify.
SB 356	Sen. Jones	Crimes; animals; forfeiture of real property used in the commission of animal fighting; allow.
SB 357	Sen. Johnson	Civil procedure; civil actions; property on which animal fighting is conducted; declare to be a nuisance.
SB 358	Sen. Bieda	Crimes; animals; racketeering statute; include animal fighting as predicate offense.

Senator Bieda moved to adopt the minutes from May 3<sup>rd</sup>, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bill 354 (Sen. Jones). Senator Jones explained his bill to the committee. Senator Jones brought up Tim Michling, staffer for Rep. Geiss, who is also working on this matter in the House, for further explanation.

The following persons testified on Senate Bill 354:

- Sandra and Drayke Shackelford, citizens—Support

Senator Jones indicated more work was necessary on the bill before it would be voted on, and that the hearing on it would be testimony only.

Senator Jones placed before the committee Senate Bill 346 (Sen. Schuitmaker). Senator Schuitmaker testified in explanation of the bill.

The following persons testified on Senate Bill 346:

- Alan Cropsey and James Long, representing the Attorney General's Office—Support

The following persons submitted cards, but did not wish to testify, on Senate Bill 346:

- Chris Hawkins, representing the Michigan State Police—Support
- Paul Nowinski, representing the Prosecuting Attorneys Association of Michigan—Support (Organization also submitted written testimony on file with clerk)

Senator Schuitmaker moved that Senate Bill 346 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, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Rocca moved to recommend immediate effect for Senate Bill 346. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 356, 357, and 358 (Sens. Jones, Johnson, and Bieda). Senator Jones explained the legislation to the committee members. Adam Hallier, representing Senator Johnson, and Senator Bieda provided further explanation.

The following persons testified on Senate Bills 356, 357, and 358:

- Jill Fritz, representing the Humane Society of the United States—Support (Organization also submitted written testimony on file with clerk)
- Kevin Hatman, representing the Michigan Humane Society—Support (Organization also submitted written testimony on file with clerk)

The following persons submitted cards, but did not wish to testify, on Senate Bills 356, 357, and 358:

- Mia McNeil, representing Protect Michigan Dogs—Support

Senator Rocca moved that Senate Bill 356 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 Senate Bill 356. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved that Senate Bill 357 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 357. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Schuitmaker moved that Senate Bill 358 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 358. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 244 (Sen. Jones). Senator Jones explained his bill and the substitute to the committee. Senator Jones invited Rep. Oakes, who is working on similar legislation in the House, to give further testimony on the issue.

Senator Rocca left the committee room at 3:19.

The following persons testified on Senate Bill 244:

- Charles Braddock, representing the Saginaw MPRI Prisoner Re-Entry—Support
- Patrick Clawson, citizen—Oppose

The following persons submitted cards, but did not wish to testify, on Senate Bill 244:

- Cami Pendell, representing the Michigan Judges Association—Support
- Stephanie Johnson, representing the Michigan Coalition Against Domestic and Sexual Violence
- Noah Smith, representing the Criminal Defense Attorneys of Michigan—Support
- Elizabeth Lyon, representing the State Bar of Michigan—Support
- Paul Nowinski, representing the Prosecuting Attorneys Association of Michigan—Support

Senator Bieda moved to adopt the substitute (S-1) to Senate Bill 244. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Absent: Senator Rocca (1)

Senator Bieda moved that Senate Bill 244 S-1 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, and Bieda (3/4)

Nays: none (0)

Pass: none (0)

Absent: Senator Rocca (1)

Senator Bieda moved to recommend immediate effect for Senate Bill 244 S-1. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones adjourned the committee at 3:27 p.m.

5/17/11

Date Approved by Committee

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