



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, October 4, 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 630	Sen. Jones	Criminal procedure; probation; retention and release of nonpublic records of an arrest, diversion, discharge, or dismissal of certain controlled substance cases; clarify.
SB 631	Sen. Schuitmaker	Criminal procedure; probation; retention of nonpublic records during period of diversion for a controlled substance violation; clarify.
SB 632	Sen. Bieda	Criminal procedure; probation; retention of nonpublic records during period of diversion for a controlled substance violation; require.
SB 633	Sen. Smith	Criminal procedure; probation; retention of nonpublic records during period of diversion for certain crimes; clarify.
HB 4071	Rep. Lori	Corrections; jails; double-bunking and jail cell size provisions; modify.

Senator Bieda moved to adopt the minutes from September 27, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bills 630 (Sen. Jones), 631 (Sen. Schuitmaker), 632 (Sen. Bieda) and 633 (Sen. Smith). Senator Jones explained the package of bills to committee members.

The following persons testified and answered questions on Senate Bills 630-633:

- Judge Harvey Hoffman—Support

The following persons submitted cards, but did not wish to testify, on Senate Bills 630-633:

- Chris Hawkins, representing the Michigan State Police—Support
- Jeff Sauter, representing the Prosecuting Attorneys Association of Michigan—Support
- Mary Lovik, representing the Michigan Domestic Violence Prevention and Treatment Board—Support (S-1 versions of Senate Bills 631 and 633)

Senator Bieda moved to adopt the substitute (S-1) to Senate Bill 630. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that Senate Bill 630 (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, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 630 (S-1). Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved to adopt the substitute (S-1) to Senate Bill 631. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that Senate Bill 631 (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, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 631 (S-1). Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved to adopt the substitute (S-1) to Senate Bill 632. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that Senate Bill 632 (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, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 632 (S-1). Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved to adopt the substitute (S-1) to Senate Bill 633. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that Senate Bill 633 (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, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 633 (S-1). Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee House Bill 4071 (Rep. Lori). Susan Martin, Chief of Staff for Representative Lori, explained the bill to committee members and answered questions.

Senator Rocca moved that House Bill 4071 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 4071. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones adjourned the committee at 2:46 p.m.

10/11/11

Date Approved by Committee

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