



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 8, 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, Bieda
Members excused: none

Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

- | | | |
|--------|------------------|--|
| SB 768 | Sen. Pappageorge | Crimes; business crimes; possession, manufacturing, or sale of an automated sales suppression device; prohibit. |
| SB 769 | Sen. Pappageorge | Criminal procedure; sentencing guidelines; sentencing guidelines for crime of selling or possessing automated sales suppression device, zapper, or phantom-ware; enact. |
| SB 698 | Sen. Hansen | Family law; marriage and divorce; persons authorized to solemnize marriage; allow district judges, district court magistrates, and probate judges to perform marriages anywhere in the state. |
| SB 699 | Sen. Hansen | Courts; probate court; fee charged by probate judge to perform marriages; authorize and require fee to be paid to probate court in county where ceremony is performed. |
| SB 700 | Sen. Hansen | Courts; district court; fee charged by district judges and magistrates to perform marriages; authorize state court administrative office to set fee and require fee to be paid to district court in the district where wedding is performed. |
| SB 789 | Sen. Jones | Controlled substances; schedules; temporary scheduling of controlled substance; provide for under certain circumstances. |

Senator Schuitmaker moved to adopt the minutes from November 1, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bills 768 and 769 (Sen. Pappageorge). Senator Pappageorge explained the bill to committee members and answered questions. Senator Pappageorge also submitted written documents on file with the clerk.

Senator Bieda moved that Senate Bill 768 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 768. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved that Senate Bill 769 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 769. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 698-700 (Sen. Hansen). Senator Jones announced that there was an S-1 substitute for SB 699 and an S-2 substitute for SB 700. Senator Hansen explained the package of bills and substitutes to committee members. Senator Hansen then answered questions from committee members.

Senator Jones called forth Matthew Schnieder and Jill Booth of the Supreme Court Administrative Office to answer questions from committee members.

The following persons submitted cards, but did not testify, on Senate Bills 698-700:

- Ron Khoury, representing the Michigan Probate Judges Association—Support
- Nell Kuhnmuench, representing the Michigan District Judges Association--Support

Senator Bieda moved that Senate Bill 698 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 698. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Schuitmaker moved to adopt the S-1 Substitute to Senate Bill 699. 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 that Senate Bill 699 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 Schuitmaker moved to recommend immediate effect for Senate Bill 699 S-1. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved to adopt the S-2 Substitute to Senate Bill 700. 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 that Senate Bill 700 S-2 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 700 S-2. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 789 (Sen. Jones). Senator Jones explained the bill to committee members.

Senator Bieda left the committee room at 3:08 p.m.

The following persons testified and answered questions on Senate Bill 789:

- Jerry Nash, Chief of Police of the Lake Orion Police Department, and representing the Oakland County Association of Chiefs of Police and the Michigan Association of Chiefs of Police—Support

The following persons submitted written testimony, but did not testify, on Senate Bill 789 (testimony is on file with the clerk):

- Fred Benzie, Marquette County Health Officer—Support
- Susan Smolinske, DMC Children’s Hospital of Michigan—Support

The following persons submitted cards, but did not testify, on Senate Bill 789:

- Dr. David Wade and Brenda Lawson, representing the Michigan Department of Community Health—Support
- Chris Hawkins, representing the Michigan State Police—Support

Senator Schuitmaker moved that Senate Bill 789 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: none (0)

Absent: Senator Bieda (1)

Senator Schuitmaker moved to recommend immediate effect for Senate Bill 789. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones adjourned the committee at 3:08 p.m.

11/29/11
Date Approved by Committee

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