



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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DRAFT
Senate Committee on Judiciary

A meeting of the Senate Committee on Judiciary was held on Tuesday, May 29, 2012 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:33 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 246	Sen. Schuitmaker	Juveniles; criminal procedure; juvenile competency standards; revise.
SB 247	Sen. Schuitmaker	Juveniles; criminal procedure; juvenile competency and culpability; clarify.
SB 1096	Sen. Smith	Cities; other; failure to pay civil fine and costs imposed by a city administrative hearings bureau; penalize under certain circumstances.
SB 1097	Sen. Johnson	Land use; zoning and growth management; persons delinquent in paying blight violation fines; allow cities to make ineligible for zoning approvals.
SB 1098	Sen. Schuitmaker	Construction; permits; persons delinquent in paying blight violation fines; allow cities to make ineligible for construction code approval.
SB 1099	Sen. Jones	Civil procedure; garnishment; garnishment for failure to pay fines or costs ordered under the home rule cities act; provide for.
SB 1100	Sen. Hunter	Civil procedure; foreclosure; power of a home rule city's department of administrative hearings to foreclose on property; establish.

For Testimony Only:

HB 5284	Rep. Walsh	Crimes; computer; definition of computer; expand to include certain electronic communication devices.
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HB 4928 Rep. Cotter Property; other; affidavits to correct errors or omissions relating to previously recorded documents; allow.

Senator Schuitmaker moved to adopt the minutes from May 22, 2012 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bills 246 & 247 (Sen. Schuitmaker). Senator Jones announced that there were substitutes before the committee for consideration.

The following persons submitted cards, but did not testify, on Senate Bills 246 & 247:

- Noah Smith, representing the Criminal Defense Attorneys of Michigan—Support

Senator Schuitmaker moved to adopt the S-1 Substitute to Senate Bill 246. 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)

Absent: none (0)

Senator Schuitmaker moved that Senate Bill 246 (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)

Absent: none (0)

Senator Schuitmaker moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 246 (S-1) be given immediate effect by unanimous consent.

Senator Bieda moved to adopt the S-1 Substitute to Senate Bill 247. 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)

Absent: none (0)

Senator Bieda moved that Senate Bill 247 (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)

Absent: none (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 247 (S-1) be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 1096-1100 (Sens. Smith, Johnson, Schuitmaker, Jones and Hunter). Senator Smith explained the bills to committee members and answered questions. Senator Jones announced that there was a substitute for Senate Bills 1098 and 1100.

The following persons submitted cards, but did not testify, on Senate Bills 1096-1100:

- Jennifer Bowman, representing the Michigan State Housing Development Authority—Neutral (all bills)
- Patricia Herndon, representing the Michigan Bankers Association—Neutral (working with sponsors to remedy concerns) (all bills)
- Murray Brown, representing the Michigan Mortgage Lenders Association—Support intent with amendments (all bills)
- Tina Dupent, citizen—Support (SB 1096)
- Isabelle Terry, citizen—Support (SB 1096)

Senator Bieda moved that Senate Bill 1096 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)

Absent: none (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 1096 be given immediate effect by unanimous consent.

Senator Bieda moved that Senate Bill 1097 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)

Absent: none (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 1097 be given immediate effect by unanimous consent.

Senator Jones moved to adopt the S-1 Substitute to Senate Bill 1098. 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)

Absent: none (0)

Senator Bieda moved that Senate Bill 1098 (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)

Absent: none (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 1098 (S-1) be given immediate effect by unanimous consent.

Senator Bieda moved that Senate Bill 1099 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)

Absent: none (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 1099 be given immediate effect by unanimous consent.

Senator Jones moved to adopt the S-1 Substitute to Senate Bill 1100. 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)

Absent: none (0)

Senator Jones moved that Senate Bill 1100 (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)

Absent: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 1100 (S-1) be given immediate effect by unanimous consent.

Senator Jones placed before the committee House Bill 5284 (Rep. Walsh) for testimony. Brett Visner, staff for Representative Walsh, explained the bill to committee members and answered questions. Senator Jones announced that he would have an amendment for consideration at the next committee meeting on the bill.

The following persons testified on House Bill 5284 and answered questions from committee members:

- Keith Clark, representing the Wayne County Prosecuting Attorney's Office—Support

Senator Jones placed before the committee House Bill 4928 (Rep. Cotter) for testimony. Matt Golden, staff for Representative Cotter, explained the bill to committee members and answered questions. Senator Jones announced that he would have an amendment for consideration at the next committee meeting on the bill.

The following persons testified on House Bill 4928 and answered questions from committee members:

- Dan Grimshaw and Curtis Hertel, representing the Register of Deeds Association—Support

Senator Jones adjourned the committee at 2:55 p.m.

Date Approved by Committee:

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