



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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Minutes
Senate Committee on Judiciary

A meeting of the Senate Committee on Judiciary was held on Wednesday, December 5, 2012 at 8:30 a.m. in the Senate Hearing Room of the Boji Tower.

The meeting was called to order at 8:43 a.m.

Members present: Senators Jones, Schuitmaker, Rocca, Bieda
Members excused: None

Senator Jones called the meeting to order.

Senator Jones announced the following agenda for the committee:

Approval of Minutes

HB 5055 Rep. Hughes Employment security; administration; privilege for testimony in Michigan employment security commission proceedings; provide waiver under certain circumstances.

HB 5076 Rep. Pettalia Local government; budgets; challenging an approved budget; clarify.

SB 1369 Sen. Caswell Traffic control; other; option of community service in lieu of payment of driver responsibility fees; allow in certain circumstances.

HB 5682 Rep. Heise Family law; other; definition of eligible domestic relations order; modify.

Senator Bieda moved to adopt the minutes from December 4, 2012 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bill 1369 (Sen. Caswell). Senator Jones announced that there was a substitute for consideration. Senator Caswell explained the bill to committee members and answered questions.

The following persons testified on Senate Bill 1369 and answered questions from committee members:

- Theresa Brennan, Michigan District Judges Association—Oppose

The following persons submitted testimony cards but did not wish to speak on Senate Bill 1369:

- Mike Batterbee, Secretary of State—Support
- Chad Schmucker, Supreme Court Administrative Office—Oppose

Senator Jones moved to adopt the S-1 Substitute to Senate Bill 1369. 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: none (0)

Absent: Senator Rocca (1)

Senator Bieda moved that Senate Bill 1369 (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, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Absent: Senator Rocca (1)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 1369 (S-1) be given immediate effect by unanimous consent.

Senator Jones placed before the committee House Bill 5682 (Rep. Heise). Representative Heise explained the bill to committee members and answered questions.

The following persons testified on House Bill 5682 and answered questions from committee members:

- Robert Treat, Family Law Section of the State Bar of Michigan—Support

Senator Jones moved that House Bill 5682 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: none (0)

Absent: Senator Rocca (1)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that House Bill 5682 be given immediate effect by unanimous consent.

Senator Rocca entered the committee room at 9:05 a.m.

Senator Jones placed before the committee House Bill 5055 (Rep. Hughes). Representative Hughes explained the bill to committee members and answered questions.

Senator Schuitmaker moved that House Bill 5055 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: Senator Bieda (1)

Pass: none (0)

Absent: none (0)

Senator Schuitmaker moved the committee recommend immediate effect. Without objection, the committee further recommended that House Bill 5055 be given immediate effect by unanimous consent.

Senator Jones placed before the committee House Bill 5076 (Rep. Pettalia). Senator Jones announced that the committee would take testimony only on the bill at the meeting. Representative Pettalia explained the bill to committee members and answered questions.

The following persons testified on House Bill 5076 and answered questions from committee members:

- Tom Boyd, Michigan District Judges Association—Oppose
- Scott Hill-Kennedy, 49th Circuit Court Judge, Michigan Judges Association—Oppose
- David Szymanski, Wayne County Treasurer & Prosecutor—Oppose
- Dan Grimshaw, Michigan Association Register of Deeds—Oppose
- Alan Helmkamp, Wayne County Executive—Support

The following persons submitted testimony cards but did not wish to speak on House Bill 5076:

- Ben Bodkin, Michigan Association of Counties—Support
- Lauri Braid, Michigan Association of County Clerks—Oppose
- Terry Jangel, Michigan Sheriff's Association—Oppose
- Michael Pandy, Prosecuting Attorneys Association of Michigan—Oppose
- Matthew Schneider, Michigan Supreme Court—Neutral
- Peter Cunningham, State Bar of Michigan—Oppose
- Paul Conners, Department of Treasury—Support

Senator Jones adjourned the committee without objection at 9:42 a.m.

Date Approved by Committee: December 11, 2012

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