



## THE SENATE

### BANKING AND FINANCIAL INSTITUTIONS COMMITTEE

SENATOR DARWIN BOOHER  
CHAIRMAN

#### MEMBERS:

SEN. MIKE NOFS, VICE CHAIRMAN  
SEN. MIKE GREEN  
SEN. JAMES MARLEAU  
SEN. TORY ROCCA  
SEN. TUPAC HUNTER, MINORITY VICE CHAIR  
SEN. VIRGIL SMITH

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### MINUTES

September 25, 2012

A meeting of the Senate Committee on Banking and Financial Institutions was held on Tuesday, September 25, 2012 at 3:30 p.m. in the Capitol Building, Rooms 402 and 403. The meeting was called to order at 3:35 p.m.

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**The agenda summary is as follows:**

#### **Report with Recommendation:**

- SB 1172 (Sen. Booher) – Civil procedure; foreclosure; mortgage modification negotiation procedures; extend sunset provision.
  - SB 1281 (Sen. Booher) Labor; hours and wages; definition of payroll debit card; revise permitted issuers.
  - SB 1283 (Sen. Green) – Financial institutions; mortgage brokers and lenders; mortgage loans to which mortgage brokers, lenders, and servicers licensing act apply; revise.
  - SB 1284 (Sen. Nofs) – Consumer credit; predatory lending; application of consumer mortgage protection act to certain mortgage transactions; modify.
  - SB 1285 (Sen. Marleau) – Consumer credit; predatory lending; mortgage loan subject to mortgage lending practices statute; modify.
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Attendance was recorded as follows:

Present: Chairman Booher, Senator(s) Nofs, Green, Marleau, Rocca, Hunter and Smith.

Excused: None

The Chairman entertained a motion to adopt the minutes of June 7, 2012 for the Banking and Financial Institutions Committee meeting. Senator Nofs so moved and, without objection, they were approved.

The Chairman summarized SB 1172 answered questions for the committee.

Senator Nofs introduced an amendment to SB 1172 and explained it to committee members.

The following individuals submitted testimony cards concerning SB 1172 and answered questions for the committee:

- Jordan Kingdon, Michigan Credit Union League – Support
- Sara Dolan, MSU Federal Credit Union – Support
- David Harris, Genisys Credit Union – Support
- Jim Wheeler, Community Bankers of Michigan – Support
- Neeta Delaney, Michigan Foreclosure Task Force – Support
- Lorry Brown, Michigan Advocacy Project – Support
- Patricia Herndon, Michigan Bankers Association – Support

The following individuals submitted written testimony concerning SB 1172:

- Neeta Delaney, Michigan Foreclosure Task Force – Support

The following individuals submitted testimony cards concerning SB 1172 but did not wish to speak:

- Murray Brown, Michigan Mortgage Lenders Association – Support
- Brad Ward, Michigan Association of Realtors – Support
- Jeff Weisserman, Trott & Trott P.C. – Support
- Jamie Schriener Hooper, Community Economic Development Association of Michigan – Support

Chairman Booher entertained a motion to amend SB 1172 with the Nofs Amendment. Senator Nofs so moved.

Yeas: Chairman Booher, Senator(s) Nofs, Green, Marleau, Rocca, Hunter and Smith.

Nays: NONE

The bill was amended.

Chairman Booher entertained a motion to report SB 1172 with recommendation as amended as a clean substitute. Senator Nofs so moved.

Yeas: Chairman Booher, Senator(s) Nofs, Green, Marleau, Rocca, Hunter and Smith.

Nays: NONE

The bill was reported.

Chairman Booher entertained a motion to give SB 1172 immediate effect. Senator Green so moved. Without objection SB 1172 was given immediate effect.

Phil Hedges of the Office of Regulatory Reinvention was called forward by the Chairman to summarize SB 1281, SB 1283, SB 1284 and SB 1285. Mr. Hedges then answered questions for the committee.

The following individuals submitted testimony cards concerning SB 1281, SB 1283, SB 1284 and SB 1285:

- Robert Worthington, Mercantile Bank of Michigan, Chairman of Banking and Finance ARC Subcommittee – Support
- Allan Daniels, ORR Mortgage Industry Advisory Board, Michigan Mortgage Lenders Association – Support

The following individuals submitted written testimony concerning SB 1281, SB 1283, SB 1284 and SB 1285:

- Allan Daniels, ORR Mortgage Industry Advisory Board, Michigan Mortgage Lenders Association – Support

The following individuals submitted testimony cards concerning SB 1281, SB 1283, SB 1284 and SB 1285, but did not wish to speak:

- Patricia Herndon, Michigan Bankers Association – Support
- Murray Brown, Michigan Mortgage Lenders Association – Support
- Jenita Moore, Office of Financial and Insurance Regulation – Support
- Jeff McAlvey, VISA – Support (SB1281 ONLY)

Chairman Booher entertained a motion to report SB 1281 with recommendation. Senator Marleau so moved.

Yeas: Chairman Booher, Senator(s) Nofs, Green, Marleau, Hunter and Smith.

Nays: NONE

The bill was reported.

Chairman Booher entertained a motion to give SB 1281 immediate effect. Senator Hunter so moved. Without objection SB 1281 was given immediate effect.

Chairman Booher entertained a motion to report SB 1283 with recommendation. Senator Green so moved.

Yeas: Chairman Booher, Senator(s) Nofs, Green, Marleau, Hunter and Smith.

Nays: NONE

The bill was reported.

Chairman Booher entertained a motion to give SB 1283 immediate effect. Senator Smith so moved. Without objection SB 1283 was given immediate effect.

Chairman Booher entertained a motion to report SB 1284 with recommendation. Senator Nofs so moved.

Yeas: Chairman Booher, Senator(s) Nofs, Green, Marleau, Hunter and Smith.

Nays: NONE

The bill was reported.

Chairman Booher entertained a motion to give SB 1284 immediate effect. Senator Hunter so moved. Without objection SB 1284 was given immediate effect.

Chairman Booher entertained a motion to report SB 1285 with recommendation. Senator Marleau so moved.

Yeas: Chairman Booher, Senator(s) Nofs, Green, Marleau, Hunter and Smith.

Nays: NONE

The bill was reported.

Chairman Booher entertained a motion to give SB 1285 immediate effect. Senator Smith so moved. Without objection SB 1285 was given immediate effect.

With no further business before the committee Chairman Booher adjourned the meeting at 4:35 p.m.

**Date approved by the Committee: November 29, 2012**

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