



MEMBERS:

SEN. TONYA SCHUITMAKER, VICE CHAIRMAN
SEN. TORY ROCCA
SEN. STEVE BIEDA, MINORITY VICE CHAIR

THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
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Senate Committee on Judiciary
Minutes

A meeting of the Senate Committee on Judiciary was held on Tuesday, October 15, 2013, at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:30 p.m.

Members present: Senators Jones, Schuitmaker, Rocca and Bieda

Members excused: None

Senator Jones called the meeting to order and announced the order of business for the meeting:

SB 378 (Sen. Bieda) – Animals; animal shelters; use of animal abuse registry by animal control shelters and animal protection shelters when allowing an animal adoption; require, and prohibit animal control shelters and animal protection shelters from allowing a person listed on an animal abuse registry to adopt an animal.

SB 386 (Sen. Jones) – Crimes; animals; ownership of animals by a person convicted by certain crimes against animals; require court to prohibit for a period of at least 5 years.

SB 581 (Sen. Jones) – Criminal procedure; sentencing; verification of school enrollment or employment of individual released from jail to attend school or for employment purposes; amend day parole act to correct citation reference.

SB 582 (Sen. Marleau) – Crimes; weapons; penalties for intentionally discharging a firearm from vehicle or at a dwelling or a potentially occupied structure; increase under certain circumstances.

SB 583 (Sen. Ananich) – Criminal procedure; sentencing guidelines; sentencing guidelines for increased penalties for crime of intentionally discharging a firearm from a motor vehicle or at a dwelling or potentially occupied structure; enact.

SB 603 (Sen. Bieda) – Law enforcement; reports; access by animal shelter to certain criminal history record information through ICHAT; allow without a fee for purposes of animal adoption.

SB 604 (Sen. Bieda) – Animals; animal shelters; animal shelters to deny adoptions under certain circumstances; require, and allow animal shelters to consider prior criminal history before adoption.

SB 610 (Sen. Green) – Weapons; firearms; manufacture, possession, or transfer of certain short-barreled shotguns or rifles; allow.

Senator Schuitmaker moved to adopt the minutes from October 8, 2013 with unanimous consent. Without objection, the minutes were adopted.

The Chairman called forward Senator Green to explain SB 610 and answer questions for committee members.

The following persons submitted testimony cards wishing to speak in support of SB 610:

- Robert Ianni, Attorney General's Office
- Alan Cropsey, Attorney General's Office
- James Makowski, Michigan Gun Owners, Inc.
- Dakota Moore, National Rifle Association
- William Poynter III, Citizen
- Charles Madurski, Action Shooters
- Kerry Morgan, Citizen
- William Van Dusen, ASW Inc.

The following people submitted testimony cards but did not wish to speak concerning SB 610:

- David McCleary, ASW Inc. – Support
- Brady Schickinger, Michigan Coalition for Responsible Gun Owners – Support
- Sgt. Dwayne Gill, Michigan State Police – Neutral

Senator Jones moved that Senate Bill 610 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: Senator (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 610 be given immediate effect by unanimous consent.

Mike Pendy, Prosecuting Attorney's Association, submitted a card in support of SB 582 and SB 583 but did not wish to speak.

Senator Jones moved that the S-1 substitute be adopted to Senate Bill 582. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that Senate Bill 582 (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: Senator (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 582 (S-1) be given immediate effect by unanimous consent.

Senator Bieda moved that the S-1 substitute be adopted to Senate Bill 583. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that Senate Bill 583 (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: Senator (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 583 (S-1) be given immediate effect by unanimous consent.

Senator Jones next placed before the committee SB 378, SB 386, SB 603 and SB 604.

The following persons submitted testimony cards wishing to speak in support of SB 378, SB 386, SB 603 and SB 604:

- Chris Green, Animal Legal Defense Fund
- Matt Falk, Logan's Law

- Norman Van Etten, Detroit Dog Rescue

The following persons submitted testimony cards but did not wish to speak in support of SB 378, SB 386, SB 603 and SB 604:

- Steven Andrew Gentz, Detroit Dog Rescue
- Catherine Rich, Logan's Law
- Anita McLaren, Logan's Law
- Terri Schmitt, Logan's Law
- Sharon Cross, Logan's Law
- Lynn Zalenski, Logan's Law
- Nancy Falk, Logan's Law
- Laura Dancy, Logan's Law
- Sgt. Dwayne Gill, Michigan State Police (SB 603 and SB 604 only)
- Bill Zaagman, GCSI representing the Michigan Humane Society
- Derek Bajema, Michigan Department of Agriculture and Rural Development (MDARD) (SB 378 only)
- Dr. James Averill, MDARD (SB 378 only)

Tonia Ritter, of the Michigan Farm Bureau, submitted a card as neutral on SB 378, SB 386, SB 603 and SB 604 but did not wish to speak.

Kevin Nieboer, of Protect Michigan Dogs, submitted a card in opposition to SB 603 and SB 604 but did not wish to speak.

Senator Jones moved that an amendment be adopted to the S-2 substitute for Senate Bill 378. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Jones moved that an amendment be adopted to the S-2 substitute for Senate Bill 378. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that the S-2 substitute be adopted to Senate Bill 378 as amended. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Jones moved that Senate Bill 378 (S-2) be reported out of committee as amended as a clean substitute 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: Senator (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 378 (S-2) be given immediate effect by unanimous consent.

Senator Jones moved that an amendment be adopted to the S-1 substitute for Senate Bill 386. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Jones moved that an amendment be adopted to the S-1 substitute for Senate Bill 386. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that the S-1 substitute be adopted to Senate Bill 386 as amended. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that Senate Bill 386 (S-1) be reported out of committee as amended as a clean substitute 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: Senator (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 386 (S-1) be given immediate effect by unanimous consent.

Senator Jones moved that an amendment be adopted to Senate Bill 603. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that Senate Bill 603 be reported out of committee as amended as a clean substitute 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: Senator (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 603 be given immediate effect by unanimous consent.

Senator Jones moved that an amendment be adopted to the S-1 substitute for Senate Bill 604. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that the S-1 substitute be adopted to Senate Bill 604 as amended. The motion prevailed by an affirmative vote of the 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: Senator (0)

Senator Bieda moved that Senate Bill 604 (S-1) be reported out of committee as amended as a clean substitute 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: Senator (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 604 (S-1) be given immediate effect by unanimous consent.

Senator Schuitmaker moved that Senate Bill 581 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: Senator (0)

Senator Schuitmaker moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 581 be given immediate effect by unanimous consent.

With no further business before the committee, Senator Jones adjourned the committee without objection at 3:12 p.m.

Date Approved by Committee: October 22, 2013

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