



**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**  
**Minutes**

A meeting of the Senate Committee on Judiciary was held on Tuesday, February 5, 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

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

Adopt Minutes

- |        |                  |   |
|--------|------------------|---|
| SB 35  | Sen. Smith       | Cities; other; failure to pay civil fine and costs imposed by a city administrative hearings bureau; penalize under certain circumstances.  |
| SB 36  | Sen. Johnson     | Land use; zoning and growth management; persons delinquent in paying blight violation fines; allow cities to make ineligible for zoning approvals.                                |
| SB 37  | Sen. Schuitmaker | Construction; permits; persons delinquent in paying blight violation fines; allow cities to make ineligible for construction code approval.                                       |
| SB 38  | Sen. Jones       | Civil procedure; garnishment; garnishment for failure to pay fines or costs ordered under the home rule cities act; provide for.  |
| SB 39  | Sen. Hunter      | Civil procedure; foreclosure; power of a home rule city's department of administrative hearings to foreclose on property; establish.  |
| SB 105 | Sen. Schuitmaker | Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in DNA identification profiling system. |

SB 106	Sen. Schuitmaker	Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in probate code of 1939.
SB 107	Sen. Jones	Criminal procedure; DNA; collection of DNA samples at time of arrest for committing a felony or attempting to commit a felony offense; provide for in Michigan penal code.
SB 76	Sen. Booher	Criminal procedure; sex offender registration; loitering within 1,000 feet of day care center; prohibit, and regulate certain other conduct in school safety zones.
SB 77	Sen. Booher	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of registered sex offender loitering within 1,000 feet of a day care center; enact.

Senator Schuitmaker moved to adopt the minutes from January 29, 2013 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bills 35-39 (Sens. Smith, Johnson, Schuitmaker, Jones, Hunter). Senator Smith explained the bill package to committee members and answered questions. Senator Jones offered and explained his amendments to Senate Bills 35, 36 & 37. Senator Jones announced that the vote on the bills would be held at a future committee meeting to allow Senator Smith to work with members to address issues raised at the meeting.

The following persons submitted testimony cards but did not wish to speak on Senate Bills 35-39:

- Jennifer Bowman, Michigan State Housing Development Authority—Support
- Murray Brown, Michigan Mortgage Lenders Association—Neutral
- Brian Westin, Realtors Michigan Association—Neutral
- Kieran Morion, Michigan Credit Union League—Support (with amendments)
- Patricia Herndon, Michigan Bankers Association—Support (with amendments)

Senator Jones placed before the committee Senate Bills 105-107 (Sens. Schuitmaker & Jones). Senator Schuitmaker explained the bills to committee members and answered questions.

The following persons testified on Senate Bills 105-107 and answered questions from committee members:

- Sgt. Dwayne Gill & Scott Brewski, Michigan State Police—Support
- Shelli Weisberg, ACLU of Michigan—Oppose (SB 105)

The following persons submitted testimony cards but did not wish to speak on Senate Bills 105-107:

- Noah Smith, Criminal Defense Attorneys of Michigan—Oppose

Senator Jones announced that the vote on the bills would be held at future committee meeting to allow Senator Schuitmaker and the Michigan State Police to work with members to address issues raised at the meeting.

Senator Jones placed before the committee Senate Bills 76 & 77 (Sen. Booher). Senator Jones announced that the bills would be for testimony only. Senator Booher and his staff, Kara Butters, explained the bills and substitutes to committee members and answered questions.

The following persons testified on Senate Bills 76 & 77 and answered questions from committee members:

- Sharon Denniston, Juvenile Advocate—Oppose
- Shelli Weisberg, ACLU of Michigan--Oppose

The following persons submitted testimony cards but did not wish to speak on Senate Bills 76 & 77:

- Noah Smith, Criminal Defense Attorneys of Michigan—Oppose

Senator Jones adjourned the committee without objection at 3:23 p.m.

Date Approved by Committee: February 12, 2013

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