



MEMBERS:

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

THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
CHAIRMAN

915 FARNUM
P.O. BOX 30036
LANSING, MICHIGAN 48909-7536
PHONE: (517) 373-3447
FAX: (517) 373-5849

Senate Committee on Judiciary
Minutes

A meeting of the Senate Committee on Judiciary was held on Tuesday, March 4, 2014 at 2:00 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:00 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:

- Adoption of the minutes from the February 18th, 2014 joint meeting
- Adoption of the minutes from the February 18th, 2014 meeting
- HB 5154 Rep. Leonard Criminal procedure; preliminary examination; certain rules and procedures for conducting a preliminary examination; revise.
- HB 5155 Rep. Walsh Courts; district court; probable cause conferences in felony and misdemeanor cases; clarify district court's jurisdiction.
- SB 789 (Sen. Green) Weapons; licensing; concealed pistol licensing boards; eliminate, and transfer duties to department of state police and county clerks. ****TESTIMONY ONLY****
- SB 790 (Sen. Green) Criminal procedure; sentencing guidelines; reference in sentencing guidelines; update. ****TESTIMONY ONLY****

Senator Jones moved to adopt the minutes from February 18, 2014 joint meeting with unanimous consent. Without objection, the minutes were adopted.

Senator Jones moved to adopt the minutes from February 18, 2014 meeting with unanimous consent. Without objection, the minutes were adopted.

The Chairman invited Phil Goodrich, of Representative Leonard's office, forward to explain House Bills 5154-5155, as well as answer questions for committee members.

The following people testified before the members regarding House Bills 5154-5155:

- Judge Ray Voet, MI District Judges Association – Support
- Mike Wendling, Prosecuting Attorneys Association of Michigan – Support
- Bruce A. Timmons, a citizen—has concerns

The following people submitted testimony cards but did not wish to speak concerning House Bills 5154-5155:

- Noah Smith, Criminal Defense Attorneys of MI—Support
- Cami Pendell, MI Judges Association—Support
- Joseph Baumann, State Court Administrative Office—Support

Senator Jones offered 3 amendments to House Bill 5154.

Senator Bieda moved to adopt the Jones amendment #1 to House Bill 5154. 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: (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved to adopt the Jones amendment #2 to House Bill 5154. 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: (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to adopt the Jones amendment #3 to House Bill 5154. 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: (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved that House Bill 5154 be reported out of committee as amended 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: (0)

Pass: none (0)

Excused: none (0)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that House Bill 5154 be given immediate effect by unanimous consent.

Senator Jones requested a clean substitute from the Legislative Service Bureau.

Senator Schuitmaker moved that House Bill 5155 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: (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that House Bill 5155 be given immediate effect by unanimous consent.

The Chairman invited Senator Green and Ryan Mitchell, his legislative aide, to explain Senate Bills 789-790, as well as answer questions for committee members.

The following people testified before members concerning Senate Bill 789:

- Sgt. Amy Dehner, Michigan State Police – Oppose
- Joseph, Baumann, State Court Administrative Office – No position taken (SBs 789-790)
- Mary Hollinrake, Michigan Association of County Clerks—Neutral

The following people submitted testimony cards regarding SB 789 but did not wish to speak:

- Dan Krueger, Michigan Association of County Clerks—Neutral
- Megan Noland, Oakland County Sheriff –has concerns
- Ben Bodkin, Michigan Sheriffs Association—has concerns
- Michigan District Judges Association—Oppose
- Brady Schickinger, Michigan Coalition of Responsible Gun Owners—Support
- Dakota Moore, National Rifle Association—Support

Senator Jones advised members they would not be taking a vote at this meeting.

With no further business before the committee, the Chairman adjourned the meeting at 2:50 p.m.

Date Approved by Committee: 3/11/2014

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