



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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COMMITTEE MEETING MINUTES
September 23, 2014

A meeting of the Senate Committee on Judiciary was held on Tuesday, September 23, 2014 at 2:30 p.m. in Room 110 of the Farnum Building.

The Chairman called the meeting to order at 2:31 p.m., and attendance was recorded as follows:

Present: Sens. Jones (C), Schuitmaker, Rocca and Bieda

Absent: None.

A quorum was present.

The Chairman moved to adopt the minutes from the September 16, 2014 meeting. Without objection, the minutes were adopted.

The Chairman invited Marty Fittante, from Sen. Casperson's office, and Valerie Knol, from Rep. Walsh's office, to summarize HB 5785 and SB 1054 for the committee.

The following individuals testified before the committee regarding SB 1054:

- Samantha Harkins, MML – Support
- Ward Clarkson, MDJA – Support
- Bruce Timmons, a citizen – Neutral

The following individuals submitted a testimony card regarding SB 1054, but did not wish to speak:

- Noah Smith, Criminal Defense Attorneys of MI – Oppose
- Shelli Weisberg, ACLU of MI – Neutral
- Judy Allen, MI Townships Association – Support
- Joe Baumann, SCAO – Neutral
- Cami Pendell, Michigan Judges Association – Support

The Chairman entertained a motion to adopt the Jones Amendment to the (S-1) substitute of SB 1054. Sen. Bieda so moved, and a roll call vote was taken.

Yeas: Sens. Jones (C), Schuitmaker, Rocca and Bieda

Nays: None

The motion prevailed.

The Chairman entertained a motion to adopt the (S-1) substitute as amended to SB 1054. Sen. Schuitmaker so moved, and a roll call vote was taken.

Yeas: Sens. Jones (C), Schuitmaker, Rocca and Bieda

Nays: None

The motion prevailed.

The Chairman announced that SB 1054 (S-1) as amended would not be reported at this time.

The following individuals testified before the committee regarding HB 5785:

- Samantha Harkins, MML – Support
- Ward Clarkson, MDJA – Support
- Bruce Timmons, a citizen – Neutral
- Dana Gill, MAC – Support

The following individuals submitted a testimony card regarding HB 5785, but did not wish to speak:

- Noah Smith, Criminal Defense Attorneys of MI – Oppose
- Shelli Weisberg, ACLU of MI – Neutral
- Judy Allen, MI Townships Assoc. – Support
- KC Steckelberg, Prosecuting Attorneys Association of MI – Support
- Judge Harvey Hoffman, MI Association of Drug Court Professionals – Support
- Joe Baumann, SCAO – Neutral
- Cami Pendell, Michigan Judges Association – Support
- Scott Erbisich, Marquette County – Support

The Chairman moved to adopt the Jones Amendment to the (S-1) substitute of HB 5785. A roll call vote was taken.

Yeas: Sens. Jones (C), Schuitmaker, Rocca and Bieda

Nays: None

The motion prevailed.

The Chairman entertained a motion to adopt the (S-1) substitute as amended to HB 5785. Sen. Bieda so moved, and a roll call vote was taken.

Yeas: Sens. Jones (C), Schuitmaker, Rocca and Bieda

Nays: None

The motion prevailed.

The Chairman moved to report SB 5785 (S-1) as amended to the floor with the recommendation that the bill then pass. A roll call vote was taken.

Yeas: Sens. Jones (C), Schuitmaker, Rocca and Bieda

Nays: None

The motion prevailed.

The Chairman moved to recommend immediate effect for HB 5785 (S-1) as amended. Without objection, immediate effect was recommended.

The Chairman requested a clean substitute from the Legislative Service Bureau.

The following individuals testified before the committee regarding HB 5178:

- Eric Jaroch, MI Association of Airports – Support
- Bryan Bunns, Aircraft Owners and Pilots Association – Support

- Stephen J. Zelle, Michigan Private Airstrip Owners Association – Support
- Brad Frederick, Michigan Department of Aeronautics GA Committee – Support
- Bill Flory, Michigan Association for Justice – Oppose
- Ray Vander Roest, Michigan Private Airstrip Association – Support

The Chairman moved to report HB 5178 to the floor with the recommendation that the bill then pass. A roll call vote was taken.

Yeas: Sens. Jones (C) and Schuitmaker

Nays: Sens. Rocca and Bieda

The motion failed.

The Chairman moved to reconsider the vote by which the motion to report HB 5178 failed. A roll call vote was taken.

Yeas: Sens. Jones (C), Schuitmaker, Rocca and Bieda

Nays: None

The motion prevailed.

The Chairman invited Sen. Schuitmaker to summarize SB 465 and SB 466 for the committee.

The following individuals provided testimony before the committee regarding SB 465 and SB 466:

- Ben Orzeske, Uniform Law Commission – Support
- Milton Mack, MPJA – Oppose
- Melissa Seifert & Lisa Dedden Cooper, AARP – Support
- Michael J. McClory, Probate and Estate Planning Section of the State Bar – Oppose
- Lindsay Brieschke, Alzheimer's Association; Michigan Chapters – Support

The following individuals submitted a testimony card but did not wish to speak regarding SB 465 and SB 466:

- John Payne, a citizen – Support
- Kieran Marie, MI Commission on Uniform State Laws – Support

With no further business before the committee, the Chairman adjourned the meeting at 3:54 p.m.

Date Approved by Committee: 9/30/2014

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