



MEMBERS:

SEN. TONYA SCHUITMAKER, MAJ. VICE CHAIR
SEN. TORY ROCCA
SEN. PATRICK COLBECK
SEN. STEVEN BIEDA, MIN. VICE CHAIR

THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
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COMMITTEE MEETING MINUTES
April 21, 2015

A meeting of the Senate Committee on Judiciary was scheduled for Tuesday, April 21, 2015, at 3:00 p.m., in room 110 of the Farnum Building.

The agenda summary is as follows:

1. SB 153 (Schmidt) Traffic control; accidents; samples used for chemical analysis; expand to include urine, and expand implied consent under certain circumstances.
2. HB 4038 (Forlini) Housing; landlord and tenants; notification of evictions; allow by electronic mail.
3. HB 4160 (Johnson) Weapons; other; brandishing a firearm; exempt certain actions.
4. HB 4161 (Hughes) Weapons; other; definition of brandish; provide for.
5. HB 4069 (Santana) Criminal procedure; youthful trainees; eligibility criteria for youthful trainee program; modify.
6. HB 4135 (Heise) Criminal procedure; youthful trainees; revocation of trainee status under Holmes youthful trainee act for committing certain subsequent crimes; provide for.
7. HB 4169 (Hovey-Wright) Criminal procedure; sentencing; option of placing individual in prison under the Holmes youthful trainee act; eliminate.
8. SB 204 (Schuitmaker) Crimes; penalties; penalties for obscuring or removing a state vehicle designation; provide for.

The Chairman called the meeting to order at 3:03 p.m. He instructed the Clerk to call the roll. At that time, the following members were present; Sen.(s) Jones, Schuitmaker, Rocca, Colbeck, and Bieda, a quorum was present.

The Chairman entertained a motion to adopt the minutes from March 24, 2015. Senator Bieda so moved, and without objection the minutes were adopted.

The Chairman read in testimony cards from the following individuals for SB 153:

Ben Bodkin representing the Michigan Sheriffs Association – support
Mike Penty representing the Prosecuting Attorneys Association of Michigan – support
Emily Corwin representing the Wayne County Prosecutors Office - support

The Chairman made a motion to adopt the Jones amendment to Senate Bill 153.

Yeas: Sen.(s) Jones, Schuitmaker, Colbeck and Bieda

Nays:

Pass: Sen. Rocca

The motion prevailed and the amendment was adopted.

The Chairman made a motion to report Senate Bill 153 as amended to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Colbeck

Nays:

Pass: Sen.(s) Rocca, Bieda

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for Senate Bill 153. Without Objection, immediate effect was recommended.

The Chairman read in testimony cards from the following individuals for HB 4038:

Ben Bodkin representing the Michigan Poverty Law Program – neutral

Brad Ward representing the Michigan Realtors – support

Tabitha Zimny representing the Rental Property Owners Association of Michigan – support

Tabitha Zimny representing the Apartment Association of Michigan – support

The Chairman made a motion to report House Bill 4038 to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: Sen. Beida

Pass: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for House Bill 4038. Without Objection, immediate effect was recommended.

The Chairman invited Representative Johnson to give an overview of House Bill 4160

The following individuals testified before members to indicate their position on HB 4160 and HB 4161:

Ben Frederick representing Representative Johnson – support

Eric Dean representing Representative Hughes – support

Tom Lambert representing Michigan Open Carry – support

Gregory O'Neill – support

The Chairman made a motion to report House Bill 4160 to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays:

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for House Bill 4160. Without Objection, immediate effect was recommended.

The Chairman made a motion to report House Bill 4161 to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays:

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for House Bill 4161. Without Objection, immediate effect was recommended.

The following individuals testified before members to indicate their position on HB 4069, HB 4135 and HB 4169:

Representative Hovey-Wright – support

Renee Edmondson representing Representative Santana – support

Kyle Kaminski representing the Michigan Department of Corrections – support

The Chairman read in testimony cards from the following individuals:

Emily Corwin representing the Wayne County Prosecuting Attorney's Office – support

Mike Penty representing the Prosecuting Attorney's Association of Michigan – support

Noah Smith representing the Criminal Defense Attorneys of Michigan – support

Shelli Weisberg representing the ACLU of Michigan - support

The Chairman made a motion to report House Bill 4069 to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Colbeck and Bieda

Nays:

Pass: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for House Bill 4069. Without Objection, immediate effect was recommended.

The Chairman made a motion to adopt the Jones amendment to House Bill 4135.

Yeas: Sen.(s) Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays:

The motion prevailed and the amendment was adopted.

The Chairman made a motion to report House Bill 4135 as amended to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays:

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for House Bill 4135. Without Objection, immediate effect was recommended.

The following individuals testified before members to indicate their position on HB 4169:
Bruce Timmons - support

The Chairman made a motion to report House Bill 4169 to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Colbeck and Bieda

Nays:

Pass: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for House Bill 4169. Without Objection, immediate effect was recommended.

The Chairman invited Senator Schuitmaker to give an overview of Senate Bill 204

The Chairman made a motion to report Senate Bill 204 to the floor with recommendation that it then pass.

Yeas: Sen.(s) Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays:

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for Senate Bill 204. Without Objection, immediate effect was recommended.

Being no further business before the Committee, The Chairman adjourned the Senate Committee on Judiciary without objection at 3:37 p.m.

Date Adopted by Committee: 4/28/15