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THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
CHAIR

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

COMMITTEE MEETING MINUTES
September 20, 2016

A meeting of the Senate Committee on Judiciary was scheduled for Tuesday, September 20, 2016, at 3:00 p.m., in the Senate Hearing Room of the Boji Tower.

The agenda summary is as follows:

1. Reported SB 927 (S-2) (Sen. Kowall) with recommendation and immediate effect.
2. Reported SB 928 (S-2) (Sen. Horn) with recommendation and immediate effect.
3. Reported SB 1029 (Sen. O'Brien) with recommendation and immediate effect.
4. Reported SB 1030 (Sen. Knezek) with recommendation and immediate effect.
5. Reported SB 1076 (S-2) (Sen. O'Brien) with recommendation and immediate effect.
6. Reported SB 1077 (S-2) (Sen. Knezek) with recommendation and immediate effect.
7. Reported SB 1078 (O'Brien) with recommendation and immediate effect.
8. Reported HB 4588 (Rep. Heise) with recommendation and immediate effect.
9. Reported HB 5181 (Rep. Heise) with recommendation and immediate effect.
10. Reported HB 5618 (S-2) (Rep. Schor) with recommendation and immediate effect.
11. Reported HB 5619 (Rep. Pscholka) with recommendation and immediate effect.
12. Reported HB 5620 (Rep. Zemke) with recommendation and immediate effect.
13. Reported HB 5621 (Rep. Lyons) with recommendation and immediate effect.
14. Reported HB 5693 (Rep. Howrylack) with recommendation and immediate effect.
15. Reported HB 5694 (Rep. LaGrand) with recommendation and immediate effect.
16. Reported HB 5695 (Rep. Lucido) with recommendation and immediate effect.

The Chairman called the meeting to order at 3:06 p.m. He instructed the Clerk to call the roll. At that time, the following members were present: Chairman Jones, Sen.(s) Schuitmaker, Rocca, Colbeck, Bieda a quorum was present.

The Chairman made a motion to adopt the meeting minutes from September 6, 2016. Without objection, the minutes were adopted.

The Chairman invited Sen. Kowall to summarize SBs 927-928.

The Chairman invited the following individuals to present testimony regarding SB 982 – SB 984:
Kelly Bartlett, Michigan Department of Transportation – support

The Chairman made a motion to adopt the (S-2) substitute to SB 927. The vote was as follows:
Yeas: Chairman Jones, Sen.(s) Schuitmaker, Colbeck, Rocca and Bieda

Nays: None

The motion prevailed and the substitute was adopted.

The Chairman made a motion to report SB 927 (S-2) to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 927 (S-2). Without objection, immediate effect was recommended.

The Chairman made a motion to adopt the (S-2) substitute to SB 928. The vote was as follows:

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

Nays: None

The motion prevailed and the substitute was adopted.

The Chairman made a motion to report SB 928 (S-2) to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 928 (S-2). Without objection, immediate effect was recommended.

The Chairman invited Valerie Knol of Rep. Heise's office to summarize HBs 4588-5181.

The Chairman invited the following individuals to present testimony regarding HBs 4588-5181:

The Chairman read the cards of those individuals not wishing to testify before the committee regarding HB 4588 – HB 5181:

Robert LeFever, Michigan Independent Colleges – support (HB 4588)

Sarah Hubbard, University of Detroit Mercy – support (HB 4588)

David Harvey, MCOLES – support (HB 4588)

Harvey Hollins, Office of Urban Initiatives – support (HB 4588)

Tim Fitzgerald, Michigan State Police – support (HB 4588, HB 5181)

Barb Farrah, Deputy Sheriffs Association of Michigan – support (HB 5181)

Barb Farrah, Wayne County Airport Authority – support (HB 5181)

James Ryan, Wayne County Airport Authority – support (HB 5181)

The Chairman made a motion to report HB 4588 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 4588. Without objection, immediate effect was recommended.

The Chairman made a motion to report HB 5181 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5181. Without objection, immediate effect was recommended.

The Chairman invited Senator O'Brien and Sen. Knezek to give a brief overview of SBs 1029-1030 and SB's 1076-1078 to the committee.

The Chairman invited the following individuals to present testimony regarding SBs 1029-1030 and SB's 1076-1078:

Jennifer Johnson, Citizen – support (SBs 1029-1030, 1076-1078)
Steve Johnson, Citizen – support (SBs 1029-1030, 1076-1078)
David Richmond, Michigan Secretary of State – oppose (SB 1078)
Vince Consiglio, ABATE of Michigan – support (SB 1078)
Rick Oberle, Citizen – support (SBs 1029-1030, 1076-1078)
Paul Palmer, Citizen – support (SB 1029)
Lisa Cook-Gordon, Nathan's Law – support (SB 1078)
Tammy Bower, Nathan's Law – support (SB 1078)
Bryan Waldman, League of Michigan Bicyclists – support (SBs 1029-1030, 1076-1078)
John Waterman, Programs to Educate Cyclists – support (SBs 1029-1030, 1076-1078)
Jeff Getting, Kalamazoo County Prosecutor – support (SBs 1029-1030)

The Chairman read the cards of those individuals not wishing to testify before the committee regarding SBs 1029-1030 and SB's 1076-1078:

Karen Dunham, Michigan Ghost Bikes – support (SBs 1029-1030, 1076-1078)
Karrie Wirth, Citizen – support (SBs 1029-1030, 1076-1078)
Robert Gordon, Sierra Club – support (SBs 1029-1030, 1076-1078)
Jessica AcMoody, Michigan Economic Development Association of Michigan – support (SBs 1029-1030, 1076-1078)
Tiffany Hauser, AAA Michigan – support (SBs 1029-1030, 1076-1078)
Mike Maisner, Health Kids – support (SBs 1029-1030, 1076-1078)
Mike Maisner, Healthy Michigan Coalition – support (SBs 1029-1030, 1076-1078)
Tim Potter, Tri-County Bike Association – support (SBs 1029-1030, 1076-1078)
Jeremy Gray, Citizen – support (SBs 1029-1030, 1076-1078)
Dennis Prunkard, Downriver Cycling Club – support (SBs 1029-1030, 1076-1078)
Mark Lawrence, Citizen – support (SBs 1029, 1076-1078)
Steve Halstead, Citizen – support (SBs 1029-1030, 1076-1078)
Robin Rosenbaum, Citizen – support (SBs 1029-1030, 1076-1078)
Lew Kidder, Citizen – support (SBs 1029-1030, 1076-1078)
Meg Thomas Ackerman, Michigan Fitness Foundation – support (SBs 1029-1030, 1076-1078)
Nancy Krupiarz, Michigan Trails and Greenways Alliance – support (SBs 1029-1030, 1076-1078)
Pamela Warner, Citizen – support (SBs 1029-1030, 1076-1078)
Nichole Muncey, Citizen – support (SBs 1029-1030, 1076-1078)
Florian Figge, Citizen – support (SBs 1029-1030, 1076-1078)
Scott Elliott, Citizen – support (SBs 1029-1030, 1076-1078)
Celina Wanek, Citizen – support (SBs 1029-1030, 1076-1078)
Nancy Short, Citizen – support (SBs 1076-1078)
Amy Meldrum, Citizen – support (SBs 1029-1030, 1076-1078)
Steve Halstead, Capital Fund Title – support (SBs 1029-1030, 1076-1078)
Becky Callender, Team Henry – support (SBs 1029-1030, 1076-1078)

Sean Hammond, Michigan Environmental Council – support (SBs 1029-1030, 1076-1078)
Jeff Potter, Friends of Ingham County Parks – support (SBs 1029-1030, 1076-1078)
Martha Bishop, Friends of Ingham County Parks – support (SBs 1029-1030, 1076-1078)
John Lamacchia, Michigan Municipal League – support (SBs 1029-1030)
Chris Patton, International Mountain Bicycling Association– support (SBs 1029-1030, 1076-1078)
Chris Patton, Clinton River Area Mountain Bike Association– support (SBs 1029-1030, 1076-1078)
Chris Patton, National Bike Patrol – support (SBs 1029-1030, 1076-1078)

The Chairman made a motion to report SB 1029 to the floor with recommendation that it pass. The vote was as follows:

Yeas: Chairman Jones, Sen.(s) Schuitmaker, Colbeck, Rocca and Bieda
Nays: None
The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 1029. Without objection, immediate effect was recommended.

The Chairman made a motion to report SB 1030 to the floor with recommendation that it pass. The vote was as follows:

Yeas: Chairman Jones, Sen.(s) Schuitmaker, Colbeck, Rocca and Bieda
Nays: None
The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 1030. Without objection, immediate effect was recommended.

The Chairman made a motion to report SB 1076 to the floor with recommendation that it pass. The vote was as follows:

Yeas: Chairman Jones, Sen.(s) Schuitmaker, Colbeck, Rocca and Bieda
Nays: None
The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 1076. Without objection, immediate effect was recommended.

The Chairman made a motion to adopt the (S-2) substitute to SB 1076. The vote was as follows:

Yeas: Chairman Jones, Sen.(s) Schuitmaker, Colbeck, Rocca and Bieda
Nays: None

The motion prevailed and the substitute was adopted.

The Chairman made a motion to report SB 1076 (S-2) to the floor with recommendation that it pass. The vote was as follows:

Yeas: Chairman Jones, Sen.(s) Schuitmaker, Colbeck, Rocca and Bieda
Nays: None
The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 1076 (S-2). Without objection, immediate effect was recommended.

The Chairman made a motion to adopt the (S-2) substitute to SB 1077. The vote was as follows:

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

Nays: None

The motion prevailed and the substitute was adopted.

The Chairman made a motion to report SB 1077 (S-2) to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 1077 (S-2). Without objection, immediate effect was recommended.

The Chairman made a motion to report SB 1078 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for SB 1078. Without objection, immediate effect was recommended.

The Chairman invited Rep. Schor and Rep. LaGrand to give a brief overview of HBs 5618-5621 and HBs 5693-5695 to the committee.

The Chairman invited the following individuals to present testimony regarding HBs 5618-5621 and HBs 5693-5695:

Judge Dorene Allen, Michigan Probate Judges Association – support (HBs 5618-5621 and HBs 5693-5695)

Daquann Harrison, Student Advocacy Center – support (HBs 5618-5621 and HBs 5693-5695)

Peri Stone-Palmquist, Student Advocacy Center – support (HBs 5618-5621 and HBs 5693-5695)

Shelli Weisberg, ACLU of Michigan – support (HBs 5618-5621 and HBs 5693-5695)

Jennifer Smith, Michigan Association of School Boards – no position given (HBs 5618-5621 and HBs 5693-5695)

Bob KeFgen, Michigan Association of Secondary School Principals – oppose (HB 5618, HB 5693)

The Chairman read the cards of those individuals not wishing to testify before the committee regarding HBs 5618-5621 and HBs 5693-5695:

Reb Macombre, Rep. Lyons office – support (HB 5621)

Mark McWilliams, Michigan Protection & Advocacy Service – support (HBs 5693-5695)

Cami Pendell, Michigan Judges Association – support (HBs 5618-5621 and HBs 5693-5695)

Allan Wachendorfer, National Association of Social Workers in Michigan – support (HBs 5618-5621 and HBs 5693-5695)

Paul Salah, Wayne RESA – support (HBs 5618-5621 and HBs 5693-5695)

Alicia Warren, Michigan League for Public Policy – support (HBs 5618-5621 and HBs 5693-5695)

Kristen Staley, Michigan Council on Crime & Delinquency – support (HBs 5618-5621 and HBs 5693-5695)

Angela Cole, Michigan School Justice Partnership – support (HBs 5618-5621 and HBs 5693-5695)

The Chairman made a motion to adopt the Jones amendment to HB 5618. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the amendment was adopted.

The Chairman made a motion to report HB 5618 as amended, as a clean sub, to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5618. Without objection, immediate effect was recommended.

The Chairman made a motion to report HB 5619 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5619. Without objection, immediate effect was recommended.

The Chairman made a motion to report HB 5620 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5620. Without objection, immediate effect was recommended.

The Chairman made a motion to report HB 5621 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5621. Without objection, immediate effect was recommended.

The Chairman made a motion to report HB 5693 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5693. Without objection, immediate effect was recommended.

The Chairman made a motion to report HB 5694 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5694. Without objection, immediate effect was recommended.

The Chairman made a motion to report HB 5695 to the floor with recommendation that it pass. The vote was as follows:

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

Nays: None

Excused: Sen. Rocca

The motion prevailed and the bill was reported.

The Chairman made a motion to recommend immediate effect for HB 5695. Without objection, immediate effect was recommended.

The Chairman made a motion to excuse absent members. Without objection Sen. Rocca was excused.

There being no further business before the committee, the Chairman moved to adjourn the committee. Without objection, the committee was adjourned at 5:01 p.m.

Date Adopted by Committee: 10/18/2016