



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, April 16, 2013 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:31 p.m.

Members present: Senators Jones, Rocca, and Bieda

Members excused: Senator Schuitmaker

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

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.

SB 285 Sen. Bieda Crimes; animals; penalties for crimes against animals; enhance, and make other revisions.

SB 286 Sen. Jones Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of animal cruelty; enact and amend.

HB 4264 Rep. Leonard Criminal procedure; sentencing; consecutive sentencing for financial exploitation of vulnerable adult; allow.

Senator Jones placed before the committee Senate Bills 76 & 77 (Sen. Booher). Senator Jones announced that there were substitutes before the committee for consideration. Kara Butters, staff for Senator Booher, explained the bills and substitutes to committee members and answered questions.

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

- Sgt. Amy Dehner, Michigan State Police—Neutral
- Shelli Weisberg, ACLU of Michigan—Oppose
- Tim P., Coalition for a Useful Registry—Oppose
- John Shea, Criminal Defense Attorneys of Michigan—Oppose
- Jim Casha, Ontario, Canada resident—Oppose

Senator Jones moved that the S-3 substitute be adopted to Senate Bill 76. The motion prevailed by an affirmative vote of the majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Jones moved that Senate Bill 76 (S-3) 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 76 (S-3) be given immediate effect by unanimous consent.

Senator Jones moved that the S-1 substitute be adopted to Senate Bill 77. The motion prevailed by an affirmative vote of the majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Senators Jones, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Jones moved that Senate Bill 77 (S-1) 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 77 (S-1) be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 285 & 286 (Sens. Bieda & Jones). Senator Bieda explained the bills to committee members and answered questions. Senator Bieda offered and explained his amendment to Senate Bill 285.

The following persons testified on Senate Bills 285 & 286 and answered questions from committee members:

- Amy Slameka & Raj Prasad, Wayne County Prosecutors Office—Support
- Vicki Deisner, American Society for the Prevention of Cruelty to Animals (ASPCA)—Support
- Jill Fritz, Humane Society of the United States (HSUS)—Support
- Laura Cotes, citizen—Support

The following persons submitted testimony cards, but did not wish to speak, on Senate Bills 285 & 286:

- Jim Graham, Michigan Humane Society-Westland—Support
- Rebecca Hall, ASPCA—Support
- Janet Rojo, ASPCA—Support
- Dr. Zendejas, ASPCA/HSUS—Support
- Nancy M'Glothlin, HSUS/ASPCA—Support
- Terri Noffsinger, citizen—Support
- Pam Sordyl, citizen—Support
- Italia Millan, citizen—Support
- Don Hughes, citizen—Support
- Denise Roberts, citizen—Support
- Karen Richardson, citizen—Support
- Sunday Haruie, citizen—Support
- Sandra Giardini, citizen—Support
- Barbara Moran, citizen—Support
- Joyce Janicki, citizen—Support
- Katherine Cross, citizen—Support
- Michelle Way, citizen—Support
- Julie Baker, citizen—Support
- Elaine Greene DeLaney, Friends for the Dearborn Animal Shelter—Support
- Sandra Boulton, Friends for the Dearborn Animal Shelter—Support
- Aaron Winters, Kalamazoo Humane Society—Support
- John DiLeonardo, HSUS/ASPCA/Puppy Mill Awareness—Support
- Olivia Sanchez, HSUS/ASPCA/Puppy Mill Awareness—Support

Senator Jones moved to adopt the Bieda Amendment #1 to Senate Bill 285. 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Rocca moved that Senate Bill 285 as amended as a clean substitute 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Rocca moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 285 as amended as a clean substitute be given immediate effect by unanimous consent.

Senator Bieda moved that Senate Bill 286 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Bieda moved the committee recommend immediate effect. Without objection, the committee further recommended that Senate Bill 286 be given immediate effect by unanimous consent.

Senator Jones placed before the committee House Bill 4264 (Rep. Leonard). Representative Leonard and his guest, Vikki Bayehaley, explained the bill to committee members and answered questions.

The following persons submitted testimony cards, but did not wish to speak, on House Bill 4264:

- Cami Pendell, Michigan Judges Association—Support
- David Worthams, Michigan Bankers Association—Support
- Mike Pendy, Prosecuting Attorneys Association of Michigan—Support
- Jim Casha, Ontario, Canada resident—Support

Senator Jones moved that House Bill 4264 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Jones moved the committee recommend immediate effect. Without objection, the committee further recommended that House Bill 4264 be given immediate effect by unanimous consent.

Senator Bieda moved to adopt the minutes from April 9, 2013 with unanimous consent. Without objection, the minutes were adopted.

Senator Bieda moved to excuse absent members. Without objection, absent members were excused.

Senator Jones adjourned the committee without objection at 3:02 p.m.

Date Approved by Committee: April 23, 2013

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