MEMBERS:
SEN. SANBORN, MAJORITY VICE CHAIR
SEN. CASSIS
SEN. STAMAS
SEN. HUNTER, MINORITY VICE CHAIR
SEN. CLARKE
SEN. OLSHOVE

STATE OF MICHIGAN

THE SENATE

BANKING AND FINANCIAL INSTITUTIONS COMMITTEE

SENATOR RANDY RICHARDVILLE
CHAIR

205 FARNUM
P.O. BOX 30036
LANSING, MICHIGAN 48909-7536
PHONE: (517) 373-3543
FAX: (517) 373-0927

DRAFT
MINUTES

A meeting of the Senate Banking and Financial Institutions Committee was held on Wednesday, December 10, 2008, in the Farnum Building, Room 210. Senator Richardville called the meeting to order at 8:45 a.m.

Attendance was recorded as follows:
Present: Senators Richardville (C), Cassis, Stamas, Clarke, and Olshove
Absent: None
Excused: Sanborn, Hunter

Senator Richardville announced the order of business:

Adoption of 12-03-08 minutes.

HB 5008	Rep. HuizengaTrade; securities; uniform securities act; repeal and enact uniform securities act (2002).
HB 5018	Rep. Meisner Criminal procedure; sentencing guidelines; sentencing guidelines for uniform securities act (2002) violation; enact, and eliminate provisions relating to repealed securities act.
HB 6614	Rep. Tobocman Civil procedure; foreclosure; foreclosure of mortgages judicially and by advertisement; require to comply with home foreclosure prevention act.
HB 6615	Rep. Johnson Civil procedure; foreclosure; home foreclosure prevention act; create.
SB 1666	Sen. Richardville Civil procedure; foreclosure; foreclosure of mortgages judicially and by advertisement; require to comply with home foreclosure prevention act.
SB 1667	Sen. Clarke Civil procedure; foreclosure; home foreclosure prevention act; create.

Senator Cassis moved that the committee adopt the 12-03-08 minutes.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

Senator Richardville explained to those in attendance that committee members who served on different committees may be coming in and out of the room at different times, as there were several committees meeting at the same time as the Senate Banking and Financial Institutions Committee and, therefore, voting may be delayed at times.

Senator Richardville announced that the next order of business before the Committee was HBs 5008 and 5018.

Senator Richardville welcomed Mr. Dale Hull, legislative liaison for Representative Bill Huizenga, and requested that Mr. Dull give a brief summary of HB 5008. Mr. Hull requested permission to be joined by Mr. Cyril Moscow and Mr. Hugh Makens, representing the Business Law section of the Michigan Bar. Senator Richardville granted Mr. Hull's request, and a detailed explanation of the bills and their need for adoption was presented to the committee for consideration.

Senator Richardville recognized Representative Huizenga upon his arrival.

Senator Richardville announced those individuals who submitted a card but did not wish to speak:

> Ms. Jenita Moore, representing the Office of Financial and Insurance Regulation (OFIR)—SUPPORT
>
> Ms. Joelle Demand, representing the MI Bankers Association—SUPPORT

Mr. Murray Brown, representing the Michigan Mortgage Lenders Association, submitted a card in support of the bills, but did not wish to speak.

Being no further testimony on the bills, Senator Richardville requested a motion to adopt the S-1 for HB 5008.

Senator Cassis moved to adopt the S-1 for HB 65008.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to report HB 5008 (S-1) with recommendation.

Senator Cassis moved to report HB 5008 (S-1).

Yeas: Richardville, Cassis, Clarke and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to give HB 5008 (S-1) immediate effect.

Senator Clarke moved to give HB 5008 (S-1) immediate effect.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

The Senate Banking and Financial Institutions Committee reported HB 5008 (S-1) with recommendation and further recommended that the bill be given immediate effect.

Senator Richardville requested a motion to adopt the S-1 for HB 5018.

Senator Cassis moved to adopt the S-1 for HB 5018.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to report HB 5018 (S-1) with recommendation.

Senator Cassis moved to report HB 5018 (S-1) with recommendation.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to give HB 5018 (S-1) immediate effect.

Senator Olshove moved to give HB 5018 (S-1) immediate effect.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

The Senate Banking and Financial Institutions Committee reported HB 5018 (S-1) with recommendation and further recommended that the bill be given immediate effect.

Senator Richardville announced that the next order of business before the Committee was HBs 6614 and 6615, and SB 1666.

Senator Richardville gave a brief summary of the bills. The bills were part of a bi-partisan, bi-cameral legislative initiative to assist homeowners who may be facing foreclosure. The bills include provisions for required notice to be given to borrowers, as well as options to avoid foreclosure.

Senator Richardville invited Representative Steve Tobocman, sponsor of HB 6614, to address the committee in regard to his bill. Representative Tobocman gave a brief overview of the problems homeowners face and his suggestions for addressing these problems.

Mr. Jeff Weisserman, representing Trott & Trott Law Firm, testified in support of the bills, with request for additional changes.

Mr. Murray Brown, representing the MI Mortgage Lenders Association and the MI Financial Services Association, testified in support of the bills.

Ms. Jenita Moore and Ms. Linda Cena, representing OFIR, testified on the bills, but gave no position.

Mr. Gary Heidel and Mary Townley, representing the Michigan State Housing Development Authority (MSHDA), testified on the bills, but gave no position.

Ms. Marcia Hune, representing the MI Credit Union League, testified in opposition of the bills.

Ms. Lorray Brown, representing the MI Advocacy Project, testified in opposition of the bills.

Senator Richardville read for the record that Ms. Joelle Demand and Mr. John Llewellyn, representing the MI Bankers Association, would have testified if time allowed with no position on the bills.

Senator Richardville thanked everyone for their comments. Keeping with the goal to move forward legislation that would assist homeowners and possibly prevent their homes from being foreclosed, Senator Richardville announced that the committee would be voting on HBs 6614 and 6615, and SB 1666. Senator Richardville assured everyone in attendance that he would continue to work with everyone on this issue and these bills.

Senator Richardville requested a motion to adopt the S-1 for HB 6614.

Senator Cassis moved to adopt the S-1 for HB 6614.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to report HB 6614 (S-1) with recommendation.

Senator Cassis moved to report HB 6614 (S-1) with recommendation.

Yeas: Richardville, Cassis, Stamas, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to give HB 6614 (S-1) immediate effect.

The motion prevailed.

The Senate Banking and Financial Institutions Committee reported HB 6614 (S-1) with recommendation and further recommended that the bill be given immediate effect.

Senator Richardville requested a motion to adopt the S-1 for HB 6615.

Senator Cassis moved to adopt the S-1 for HB 6615.

Yeas: Richardville, Cassis, Stamas and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to report HB 6615 (S-1) with recommendation.

Senator Cassis moved to report HB 6615 (S-1) with recommendation.

Yeas: Richardville, Cassis, Stamas, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to give HB 6615 (S-1) immediate effect.

Senator Cassis moved to give HB 6615 (S-1) immediate effect.

Yeas: Richardville, Cassis, Stamas, and Olshove
Nays: None

The motion prevailed.

The Senate Banking and Financial Institutions Committee reported HB 6615 (S-1) with recommendation and further recommended that the bill be given immediate effect.

Senator Richardville requested a motion to adopt the S-1 for HB 6614.

Senator Cassis moved to adopt the S-1 for HB 6614.

Yeas: Richardville, Cassis, Clarke, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to report HB 6614 (S-1) with recommendation.

Senator Cassis moved to report HB 6614 (S-1) with recommendation.

Yeas: Richardville, Cassis, Stamas, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to give HB 6614 (S-1) immediate effect.

Senator Cassis moved to give HB 6614 (S-1) immediate effect.

Yeas: Richardville, Cassis, Stamas, and Olshove
Nays: None

The motion prevailed.

The Senate Banking and Financial Institutions Committee reported HB 6614 (S-1) with recommendation and further recommended that the bill be given immediate effect.

Senator Richardville requested a motion to adopt the S-1 for SB 1666.

Senator Cassis moved to adopt the S-1 for SB 1666.

Yeas: Richardville, Cassis, Stamas and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to report SB 1666 (S-1) with recommendation.

Senator Cassis moved to report SB 1666 (S-1) with recommendation.

Yeas: Richardville, Cassis, Stamas, and Olshove
Nays: None

The motion prevailed.

Senator Richardville requested a motion to give SB 1666 (S-1) immediate effect.

Senator Cassis moved to give SB 1666 (S-1) immediate effect.

Yeas: Richardville, Cassis, Stamas, and Olshove
Nays: None

The motion prevailed.

The Senate Banking and Financial Institutions Committee reported SB 1666 (S-1) with recommendation and further recommended that the bill be given immediate effect.

The committee members approved Senator Richardville's motion to excuse absent members, Senators Sanborn and Hunter.

Being no further business before the Committee, Senator Richardville adjourned the meeting without objection at 9:59 a.m.