



MEMBERS:

SEN. TONYA SCHUITMAKER, VICE CHAIRMAN
SEN. TORY ROCCA
SEN. STEVE BIEDA, MINORITY VICE CHAIR

THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
CHAIRMAN

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Senate Committee on Judiciary

A meeting of the Senate Committee on Judiciary was held on Tuesday, June 7, 2011 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, Schuitmaker, Rocca and Bieda
Members absent: none

Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

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| HB 4411 | Rep. Haines | Health; occupations; conviction of first, second, or third degree criminal sexual conduct; allow permanent revocation of license or registration. |
| HB 4412 | Rep. Huuki | Health; occupations; conviction of first, second, or third degree criminal sexual conduct; revise sanction disciplinary subcommittee must impose and include permanent revocation. |
| SB 64 | Sen. Jones | Housing; landlord and tenants; 7-day notice to quit for tenants who injure or threaten to injure other tenants or employees; require. |
| SB 65 | Sen. Schuitmaker | Housing; landlord and tenants; provision relating to the termination of lease for certain controlled substance offenders; modify. |

Senator Rocca moved to adopt the minutes from May 31st, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee Senate Bills 64 (Sen. Jones) and 65 (Sen. Schuitmaker). Senator Jones explained the bills and the substitute for SB 64 to the committee members.

The following persons testified on Senate Bills 64 and 65 and answered questions from committee members:

- Charles Hubbard, citizen—Support
- Rick Galardi, representing the Property Mangement Association of Mid-Michigan—Support
- Jim Schaafsma, representing the Michigan Advocacy Project—Oppose (Organization submitted written testimony on file with clerk)
- Karlene Lehman, representing the Detroit Metropolitan Apartment Association—Support (Submitted written testimony on file with clerk)
- Phillip Neuman, representing the Detroit Metropolitan Apartment Association—Support

The following persons submitted cards, but did not wish to testify, on Senate Bills 64 and 65:

- Michelle Fox, representing Riverfront Apartment—Support
- Leah Panagopoulos, representing the Property Management Association of Mid-Michigan and Unified Management—Support
- Tammy Morhouse, representing the Property Management Association of Michigan and Capitol Commons Apartment—Support
- Tabitha Zimmy, representing the Rental Property Owners Association of Michigan—Support
- Karyn Ferrick, representing the Administration/Department of Human Services—Supportive of the proposed substitute
- Mia McNeil, representing the Property Management Association of Michigan—Support

The following persons submitted cards in support, but did not wish to testify, on Senate Bills 64 and 65:

- James Oaks, Senior Apartment Director representing Village Green of Ann Arbor, Glenwood, Homestead Commons, Village Green on Lake St. Clair, Mill Creek Townhouses, Village on the Park Royal Oak, and Village Place
- Lee Ann Varner, Senior Apartment Director representing Village Green of Canton, Village Green Townhomes, Village Green of Rochester, Village Green of Rochester Hills, Village on the Park Ann Arbor
- Sadie Sumner, Senior Apartment Director representing Delta Manor, Elmwood Park Plaza, Greenwich Village, Kiwanian, Village Green of Lincoln Park, Seaway Tower, Williams Pavilion
- Michael Kolb, Assistant Apartment Director representing Canterbury Park/Merriman Woods, Village Green on Franklin, Village Green on Southgate West, Surrey Park
- Ryan Kirby, Assistant Apartment Director representing Glens at Rolling Ridge, Village Green of Lansing I/II, Timber Ridge, Stone Ridge, Cedar Ridge, Village on the Park, Village Green of Waterford,
- Brian Ebner, Assistant Apartment Director representing Village Green of Farmington Hills, Village on the Park Rochester Hills, Washington Square
- Sarah Girand, Senior Apartment Director representing Village Green of Belleville, Maple Village of Southgate, Pendleton Park, Village Green of Southgate, Village Green of Troy East, Village Green of Wyandotte
- Dave Ferszt, Vice President and representing the Regent Parks of Troy

Senator Jones explained that amendments had been drafted to address some concerns raised by members. Senator Bieda offered an amendment to the S-2 of Senate Bill 64, and Senator Rocca offered an amendment to Senate Bill 65.

Senator Bieda moved to adopt amendment #1 to the substitute (S-2) to Senate Bill 64. By an affirmative vote of the majority of members serving, the amendment was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)
Absent: none (0)

Senator Bieda moved to adopt the substitute (S-2) as amended as a clean substitute to Senate Bill 64. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Absent: none (0)

Senator Bieda moved that Senate Bill 64 S-2 be reported out of committee as amended as a clean substitute 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, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Absent: none (0)

Without objection, the committee further recommended that Senate Bill 64 S-2 as amended as a clean substitute be given immediate effect by unanimous consent.

Senator Rocca moved to adopt amendment #1 to Senate Bill 65. By an affirmative vote of the majority of members serving, the amendment was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Absent: none (0)

Senator Rocca moved that Senate Bill 65 be reported out of committee as amended as a clean substitute 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, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Absent: none (0)

Without objection, the committee further recommended that Senate Bill 65 as amended as a clean substitute be given immediate effect by unanimous consent.

Senator Jones placed before the committee House Bills 4411 (Rep. Haines) and 4412 (Rep. Huuki). Reps. Haines testified in explanation of the bills and substitutes.

Senator Bieda moved to adopt the substitute (S-1) to House Bill 4411. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Absent: none (0)

Senator Rocca moved that House Bill 4411 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, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Absent: none (0)

Senator Schuitmaker moved to recommend immediate effect for House Bill 4411 S-1. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Schuitmaker moved to adopt the substitute (S-1) to House Bill 4412. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

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

Nays: none (0)

Pass: none (0)

Absent: none (0)

Senator Schuitmaker moved that House Bill 4412 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, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Absent: none (0)

Senator Schuitmaker moved to recommend immediate effect for House Bill 4412 S-1. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones adjourned the committee at 3:25 p.m.

6/14/11

Date Approved by Committee

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