



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
CHAIR

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

COMMITTEE MEETING MINUTES
August 19, 2015

A meeting of the Senate Committee on Judiciary was scheduled for Wednesday, August 19, 2015, at 1:00 p.m., in room 110 of the Farnum Building.

The agenda summary is as follows:

1. HB 4499 (Rep. Glenn) Civil procedure; civil actions; evidentiary standard to establish and abate a public nuisance; modify.
2. HB 4500 (Rep. Runestad) Consumer protection; identity theft; identity theft prevention act; modify to include uniform forfeiture reporting act requirements.
3. HB 4503 (Rep. Cole) Law enforcement; reports; reports of disposition of certain forfeited property; require, and provide a penalty for failing to report.
4. HB 4504 (Rep. Kesto) Criminal procedure; forfeiture; uniform forfeiture reporting act; enact.
5. HB 4505 (Rep. Lucido) Criminal procedure; forfeiture; evidentiary standard for certain drug forfeitures; modify.
6. HB 4506 (Rep. Sheppard) Criminal procedure; forfeiture; reports of disposition of certain forfeited property; amend public health code to require, and provide a penalty for failing to report.
7. HB 4507 (Rep. Iden) Criminal procedure; forfeiture; seizure and forfeiture of property for abatement of nuisance to be reported to the department of state police under the uniform forfeiture reporting act; require.
8. HB 4508 (Rep. Irwin) Criminal procedure; forfeiture; forfeiture of vehicle used by individual to purchase or possess 1 ounce or less of

marihuana; create exception.

The Chairman called the meeting to order at 1:04 p.m. He instructed the Clerk to call the roll. At that time, the following members were present; Sen.(s) Jones, Schuitmaker, Rocca, Colbeck, a quorum was present.

The Chairman entertained a motion to adopt the minutes from June 30, 2015. Senator Schuitmaker so moved, and without objection the minutes were adopted.

Senator Bieda Arrived at 1:05 p.m.

The Chairman invited Rep. Kesto to give an overview of House Bills 4499-4508

The following people gave testimony to show their position on House Bills 4499-4508:

Shelli Weisberg, ACLU of Michigan – support (HB 4499, 4500, 4503, 4504, 4505, 4506, 4507, 4508)

Holly Harris, Fix Forfeiture – support (HB 4499, 4500, 4503, 4504, 4505, 4506, 4507, 4508)

Jorge Marin, Americans for Tax Reform – support (HB 4499, 4500, 4503, 4504, 4505, 4506, 4507, 4508)

Sgt. Amy Dehner, Michigan State Police – neutral (HB 4499, 4500, 4503, 4504, 4505)

Charmie Gholson, Michigan Moms United – support/neutral (HB 4500, 4503, 4504, 4505, 4506, 4507)

Cullen Harkness, Meridian Township Prosecuting Attorney – oppose (HB 4505)

Jason Kern, Albion DPS – oppose (HB 4505)

Bryan Bandy, Calhoun County Sheriff's office – oppose (HB 4505)

David Gilbert – Calhoun Prosecuting Attorney (HB 4505)

Scott Kipp, Albion DPS – oppose (HB 4505)

Charles Davis, Wayne County Prosecutors office – neutral (HB 4505)

The Chairman read in testimony cards from the following individuals for House Bills 4499-4508:

John Shea, Criminal Defense Attorneys of Michigan – support (HB 4499, 4500, 4503, 4504, 4505, 4506, 4507, 4508)

Barbara Levine, Citizens Alliance on Prisons and Public Spending – support (HB 4499, 4500, 4503, 4504, 4505, 4506, 4507, 4508)

Mike Pendy, Prosecuting Attorneys Association – neutral (HB 4505)

Mike Pendy, Prosecuting Attorneys Association – support (HB 4499, 4500, 4503, 4504, 4506, 4507, 4508)

Alan Cropsey, Attorney General Bill Schuette – support (HB 4499, 4500, 4503, 4504, 4505, 4506, 4507)

Amanda Fisher, NFIB – support (HB 4499, 4500, 4503, 4504, 4505, 4506, 4507)

The Chairman made a motion to report House Bill 4499 to the floor with recommendation that it then pass.

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

Nays: None

Excused: None

The motion prevailed and the bill was reported.

The Chairman made a motion to report House Bill 4500 to the floor with recommendation that it then pass.

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

Nays: None

Excused: None

The motion prevailed and the bill was reported.

The Chairman made a motion to report House Bill 4503 to the floor with recommendation that it then pass.

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

Nays: None

Excused: None

The motion prevailed and the bill was reported.

The Chairman made a motion to adopt the Colbeck Amendment to HB 4504

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

Nays: None

Excused: None

The motion prevailed and the amendment was adopted.

The Chairman made a motion to report House Bill 4504 as amended to the floor with recommendation that it then pass.

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

Nays: None

Excused: None

The motion prevailed and the bill was reported.

The Chairman made a motion to adopt the Jones Amendment to HB 4505.

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

Nays: None

Excused: None

The motion prevailed and the amendment was adopted.

The Chairman made a motion to report House Bill 4505 as amended to the floor with recommendation that it then pass.

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

Nays: None

Excused: None

The motion prevailed and the bill was reported.

The Chairman made a motion to report House Bill 4506 to the floor with recommendation that it then pass.

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

Nays: None

Excused: None

The motion prevailed and the bill was reported.

The Chairman made a motion to report House Bill 4507 to the floor with recommendation that it then pass.

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

Nays: None

Excused: None

The motion prevailed and the bill was reported.

Being no further business before the Committee, The Chairman adjourned the Senate Committee on Judiciary without objection at 2:09 p.m.

Date Adopted by Committee: 9/22/2015