

**MINUTES OF THE COMMITTEE
ON
JUDICIARY**

Thursday, November 13, 2014

9:00 a.m.

Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by the Chair.

Members present: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin, Clemente.

Members absent/excused: None.

Representative Heise moved to approve the minutes of the October 2, 2014 meeting. There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 845, SB 931, and SB 932 before the committee:

SB 845 (Hansen) Criminal procedure; warrants; district court magistrate to issue an arrest warrant; allow.

SB 931 (Jones) Criminal procedure; warrants; district court magistrate to issue arrest warrant or search warrant electronically; allow.

SB 932 (Jones) Courts; judges; district court magistrates to decide motions to set aside default and requests to withdraw admission in civil infraction cases; allow under certain circumstances.

Senator Hansen and Jessica Averil, representing Senator Jones' office, testified in support of the bills.

Joe Baumann, representing the State Court Administrator's Office, testified in support of the bills. Questions and discussion followed.

Ken Knowlton, representing the Michigan Magistrate Association, testified in support of the bills.

The following people submitted a card in support of the bills, but did not wish to speak:

Judge Kirk Tabbey, representing the Michigan District Judges Association.

Nell Kuhnmuensch, representing the Michigan State Bar Association.

Sgt. Amy Dehner, representing the Michigan State Police.

Representative Heise offered the following amendment to SB 845:

1. Amend page 3, line 1, after "affirmation" by inserting a comma and **"IN PERSON OR BY ANY ELECTRONIC OR ELECTROMAGNETIC MEANS OF**

COMMUNICATION,".

Representative Heise moved to adopt the amendment to SB 845. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Irwin, Clemente.
Nays: None.
Pass: None.

Representative Clemente moved to report SB 845 with recommendation, as amended. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Irwin, Clemente.
Nays: None.
Pass: None.

Representative Kesto moved to report SB 931 with recommendation. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Irwin, Clemente.
Nays: None.
Pass: None.

Representative Kesto moved to report SB 932 with recommendation. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Irwin, Clemente.
Nays: None.
Pass: None.

The Chair laid SB 977 before the committee:

SB 977 (Moolenaar) Weapons; licensing; renewal of license to carry a concealed pistol; allow active duty military personnel to renew by mail.

Jon Shiflett, representing Senator Moolenaar's office, testified in support of the bill. Questions and discussion followed.

Dakota Moore, representing the National Rifle Association, testified in support of the bill.

Representative Heise offered the following amendment:

1. Amend page 5, following line 17, by inserting:

“Enacting section 1. This amendatory act takes effect January 1, 2015.”.

Representative Heise moved to adopt the amendment to SB 977. The motion prevailed 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin, Clemente.

Nays: None.

Pass: None.

Representative Kesto moved to report SB 977 with recommendation, as amended. The motion prevailed 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Cotter, Kesto, Heise, Johnson, LaFontaine, Leonard, Howrylak, Cavanagh, Lipton, Irwin, Clemente.

Nays: None.

Pass: None.

The Chair laid SB 964, SB 965, SB 966, and SB 979 before the committee:

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| SB 964 | (Pavlov) | Weapons; firearms; definition of firearm in MCL 8.3t; modify. |
| SB 965 | (Hune) | Weapons; firearms; definition of firearm in the Michigan penal code; modify. |
| SB 966 | (Jones) | Weapons; firearms; definition of firearm in NREPA; modify. |
| SB 979 | (Hildenbrand) | Weapons; firearms; definition of pneumatic guns; provide for, and prohibit certain regulations by local units of government. |

Fred Schaible, representing Senator Hildenbrand’s office, testified in support of the bills.

Sgt. Amy Dehner, representing the Michigan State Police, testified in opposition to the bills. Questions and discussion followed.

Dakota Moore, representing the National Rifle Association, testified in support of the bills.

Tom Frazier, representing the Michigan Townships Association, submitted a card in opposition to SB 979, but did not wish to speak.

John LaMacchia, representing the Michigan Municipal League, submitted a card in opposition to SB 979, but did not wish to speak.

Gary Reed, representing the Michigan Association of Chiefs of Police, submitted a card in opposition to the bills.

Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners, submitted a card in support of the bills, but did not wish to speak.

The Chair laid SB 789 and SB 790 before the committee:

SB 789 (Green) Weapons; licensing; concealed pistol licensing boards; eliminate, and transfer duties to department of state police and county clerks.

SB 790 (Green) Criminal procedure; sentencing guidelines; reference in sentencing guidelines; update.

Ryan Mitchell, representing Senator Green's Office, testified in support of the bills. Questions and discussion followed.

Pam Jarvis and Mary Hollinrake, both representing the Michigan Association of County Clerks, came forward to answer further questions in support of the bills.

Sgt. Amy Dehner, representing the Michigan State Police, testified in opposition to SB 789. Questions and discussion followed.

Dakota Moore, representing the National Rifle Association, testified in support of the bills.

Judge Kirk Tabbey, representing the Michigan District Judges Association, submitted a card in opposition to SB 789.

Dana Gill, representing the Michigan Association of Counties, submitted a card in opposition to the bills, but did not wish to speak.

Jason Gillman, representing Michigan Open Carry, submitted a card in support of SB 789, but did not wish to speak.

Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners, submitted a card in support of the bills, but did not wish to speak.

There being no further business before the committee, the Chair adjourned the meeting at 10:28 a.m.

Representative Kevin Cotter, Chair _____

Angie Lake, Committee Clerk
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