



MEMBERS:

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

THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
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Senate Committee on Judiciary

A meeting of the Senate Committee on Judiciary was held on Tuesday, September 27, 2011 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:35 p.m.

Members present: Senators Jones, Schuitmaker, Rocca, Bieda
Members excused: none

Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

HB 4109	Rep. Daley	Health; abortion; partial-birth abortions; prohibit.
HB 4110	Rep. Glardon	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of performing a partial-birth abortion; enact.
SB 135	Sen. Robertson	Children; parental rights; process for judicial waiver of parental consent requirement; clarify.
SB 580	Sen. Casperson	Crimes; other; penalties for failure to report a missing child or death of a child to law enforcement agencies in a timely manner; establish.
SB 626	Sen. Rocca	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of failing to report death of minor or to report child as missing; enact.
SB 321	Sen. Jones	Insurance; no-fault; medical marihuana coverage in insurance policies; exempt required coverage for.

Senator Schuitmaker moved to adopt the minutes from September 13, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Bieda moved to adopt the minutes from September 20, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee House Bills 4109 (Rep. Daley) and 4110 (Rep. Glardon). Senator Jones explained the bill to committee members and answered questions. Senator Schuitmaker offered an amendment to House Bill 4109 and explained the amendment.

Senator Bieda moved to adopt the Schuitmaker Amendment to House Bill 4109. 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 (3/4)

Nays: none (0)

Pass: Senator Bieda (1)

Excused: none (0)

The following persons submitted cards, but did not wish to testify, on House Bills 4109 and 4110:

- Bill Kandler, representing the American Congress of OB/GYNs—Oppose
- Sarah Scranton, representing Planned Parenthood—Oppose
- Shelli Weisberg, representing the American Civil Liberties Union of Michigan—Oppose
- Mary Pollock, representing the Michigan National Organization for Women—Oppose
- Ed Rivet, representing Right to Life of Michigan—Support
- Tom Hickson, representing the Michigan Catholic Conference—Support
- Dan Jarvis, representing the Michigan Family Forum—Support

Senator Bieda offered forth two amendments to House Bill 4109 and explained the amendments to committee members.

Senator Bieda moved to adopt the Bieda Amendment #1 to House Bill 4109. 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 (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Bieda moved to adopt the Bieda Amendment #2 to House Bill 4109. 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 (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved that House Bill 4109 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, Schuitmaker, Rocca, Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Rocca moved to recommend immediate effect for House Bill 4109. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Schuitmaker moved that House Bill 4110 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)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for House Bill 4110. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 135 (Sen. Robertson). Senator Robertson explained the bill to committee members and answered questions.

The following persons testified and answered questions on Senate Bill 135:

- Sarah Scranton, representing Planned Parenthood—Oppose (Also submitted written testimony on file with clerk)
- Shelli Weisberg, representing the American Civil Liberties Union of Michigan—Oppose
- Ed Rivet, representing Right to Life of Michigan—Support
- Mary Pollock, representing the Michigan National Organization for Women—Oppose (Also submitted written testimony)

The following persons submitted cards, but did not wish to testify, on Senate Bill 135:

- Tom Hickson, representing the Michigan Catholic Conference—Support
- Dan Jarvis, representing the Michigan Family Forum—Support

Senator Rocca moved that Senate Bill 135 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 (3/4)

Nays: none (0)

Pass: Senator Bieda (1)

Excused: none (0)

Senator Schuitmaker moved to recommend immediate effect for Senate Bill 135. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 321 (Sen. Jones). Senator Jones explained the bill to committee members and answered questions.

The following persons testified and answered questions on Senate Bill 321:

- Peter Kuhnmuensch, representing the Insurance Institute of Michigan—Support (Also submitted written testimony on file with clerk)
- Tim Beck, citizen and one of the authors of the Michigan Medical Marijuana Act—Support

The following persons submitted cards, but did not wish to testify, on Senate Bill 321:

- Mary Linderman, representing Cannabis Patients United—Oppose

Senator Schuitmaker moved that Senate Bill 321 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)

Excused: none (0)

Senator Schuitmaker moved to recommend immediate effect for Senate Bill 321. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 580 (Sen. Casperson) and 626 (Sen. Rocca). Senator Casperson and Senator Rocca explained the bills and substitutes to the committee members and answered questions.

Senator Rocca moved to adopt the substitute (S-1) to Senate Bill 580. 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)

Excused: none (0)

Senator Schuitmaker moved that Senate Bill 580 (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)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 580 (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 Senate Bill 626. 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)

Excused: none (0)

Senator Rocca moved that Senate Bill 626 (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)

Excused: none (0)

Senator Bieda moved to recommend immediate effect for Senate Bill 626 (S-1). Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones adjourned the committee at 3:38 p.m.

10/4/11
Date Approved by Committee

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