



**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, October 25, 2011 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:33 p.m.

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

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Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

- |        |            |   |
|--------|------------|---|
| SB 524 | Sen. Proos | Torts; other; "Good Samaritan" law; expand to include certified lifeguards.                         |
| SB 767 | Sen. Jones | Torts; defenses; use of an automated external defibrillator; provide immunity for school employees. |

For Testimony Only:

- |        |                |   |
|--------|----------------|---|
| SB 545 | Sen. Gleason   | Family law; marriage and divorce; divorce; require a divorce effects program before entry of judgment of divorce.   |
| SB 546 | Sen. Hunter    | Family law; marriage and divorce; prerequisites for issuance of a marriage license; require premarriage program or longer waiting period.   |
| SB 547 | Sen. Moolenaar | Family law; child custody; child parenting plan; require in child custody disputes.   |
| SB 548 | Sen. Emmons    | Occupations; marriage and family therapists; engaging in the practice of marriage and family therapy; exempt certain clergy and religious practitioners from licensing requirement. |

SB 549 Sen. Hunter Family law; marriage and divorce; premarital education; require statement of whether parties have received premarital education in marriage certificate.

Senator Rocca moved to adopt the minutes from October 18, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones entertained a motion to report Senate Bill 705 (Sen. Hunter) with recommendation that the bill be referred to the Senate Committee on Banking and Financial Institutions. Senator Rocca moved that Senate Bill 705 be reported out of committee with the recommendation that the bill be referred to the Senate Committee on Banking and Financial Institutions. 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: none (0)

Absent: Senator Bieda (1)

Senator Bieda entered the committee room at 2:34 p.m.

Senator Jones placed before the committee Senate Bill 524 (Sen. Proos). Senator Proos explained the bill to committee members and answered questions. Senator Proos' guest, Liz Emrich, offered additional explanation and answered questions from committee members

Senator Jones recessed the committee at 2:45 p.m.

Senator Jones reconvened the committee at 2:46 p.m.

Senator Jones announced that Senate Bill 524 would continue to be worked on, but the committee would not be voting on it at the day's meeting.

Senator Jones placed before the committee Senate Bill 767 (Sen. Jones). Senator Jones explained the bill to committee members.

The following persons testified and answered questions on Senate Bill 767:

- Bill Flory and Todd Tennis, representing the Michigan Association for Justice—Oppose
- Sarah Poole, representing the American Heart Association—Support

Senator Schuitmaker moved that Senate Bill 767 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 767. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 545 (Sen. Gleason), 546 (Sen. Hunter), 547 (Sen. Moolenaar), 548 (Sen. Emmons), and 549 (Sen. Hunter) for testimony. Senators Moolenaar and Gleason

explained the package of bills to committee members. Senator Moolenaar also submitted written testimony on file with clerk.

The following persons testified and answered questions on Senate Bills 545-549:

- Kathy Hagenian, representing the Michigan Coalition Against Domestic and Sexual Violence—Oppose (SB 545 and 547)
- Dan Jarvis, representing the Michigan Family Forum—Support (also submitted written testimony on file with clerk)
- James E. Sheridan, Chief Judge, 2A District Court of Adrian, MI—Support (also submitted written testimony on file with clerk)
- Frederic J. Goff, citizen—Support (also submitted written testimony on file with clerk)
- Dr. Martin Covey, representing the Michigan Family Forum and Spring Arbor University—Support (SB 545 and 547; also submitted written testimony on file with clerk)
- Robert Kerr, representing Dads and Moms PAC—Support (SBs 545, 546, 548, 549), Oppose (SB 547; also submitted written testimony on file with clerk)

The following persons submitted cards, but did not testify, on Senate Bills 545-549:

- Shelli Weisberg, representing the American Civil Liberties Union of Michigan—Oppose (SB 545 and 546)
- Tom Hickson, representing the Michigan Catholic Conference—Support (SB 545, 546, 548, 549), Oppose (SB 547)
- Bill Kandler, representing the Michigan Probate Judges Association—Oppose (SB 547)
- Elizabeth Lyon, representing the State Bar of Michigan—Oppose (SB 547)
- Mary Pollock, representing the Michigan National Organization for Women—Oppose (SB 547 as written)
- James Muffett, representing Citizens for Traditional Values—Support
- Bill Kandler, representing the Family Law Section-State Bar of Michigan—Oppose (SB 547; also submitted written testimony on file with clerk)
- Mary Lovik, representing the Michigan Domestic Violence Prevention and Treatment Board—Oppose (SB 545 & 547 as drafted; also submitted written testimony on file with clerk)

Senator Rocca left the committee room at 3:03 p.m.

Senator Jones adjourned the committee at 3:57 p.m.

11/1/11  
Date Approved by Committee

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