



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 11, 2011 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:32 p.m.

Members present: Senators Jones, Rocca, Bieda
Members excused: Senator Schuitmaker

Senator Jones called the meeting to order.

Senator Jones announced that the agenda for the committee:

Approval of Minutes

- | | | |
|---------|------------------|---|
| SB 688 | Sen. Schuitmaker | Crimes; perjury; unsworn declaration made under penalty of perjury; include as a statement punishable as perjury. |
| SB 689 | Sen. Schuitmaker | Civil procedure; evidence; uniform unsworn foreign declarations act; create. |
| HB 4881 | Rep. Horn | Courts; probate court; provisions regarding the election of a state presiding probate judge; eliminate. |
| SB 707 | Sen. Schuitmaker | Civil procedure; discovery; uniform interstate depositions and discovery act; adopt. |

Senator Bieda moved to adopt the minutes from October 4, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones announced that the committee would take testimony on the bills on today's agenda, and hold off voting as committee members would be moving back and forth with other committees.

Senator Bieda left the committee room at 2:36 p.m.

Senator Jones placed before the committee Senate Bills 688 and 689 (Sen. Schuitmaker). Rebecca DeVooght, Chief of Staff for Senator Schuitmaker, explained the bills to committee members.

The following persons testified and answered questions on Senate Bills 688 and 689:

- Kieran Marion, representing the Uniform Law Commission—Support

Senator Jones placed before the committee House Bill 4881 (Rep. Horn). Melanie Ellison, representing Representative Horn, explained the bill to committee members.

The following persons testified and answered questions on House Bill 4881:

- Bill Kandler, representing the Michigan Probate Judges Association—Support

Senator Jones placed before the committee Senate Bill 707 (Sen. Schuitmaker). Rebecca DeVooght, Chief of Staff for Senator Schuitmaker, explained the bill to committee members.

The following persons testified and answered questions on Senate Bill 707:

- Kieran Marion, representing the Uniform Law Commission—Support

Senator Jones recessed the committee at 2:41 p.m.

Senator Bieda entered the committee room at 2:44 p.m.

Senator Jones reconvened the committee at 2:44 p.m.

Senator Rocca moved that Senate Bill 688 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Rocca moved to recommend immediate effect for Senate Bill 688. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones moved to adopt the Jones Amendment to Senate bill 689. 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Bieda moved that Senate Bill 689 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Bieda moved to recommend immediate effect for Senate Bill 689. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved that House Bill 4881 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Bieda moved to recommend immediate effect for House Bill 4881. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved that Senate Bill 707 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, Rocca, Bieda (3/4)

Nays: none (0)

Pass: none (0)

Excused: Senator Schuitmaker (1)

Senator Bieda moved to recommend immediate effect for Senate Bill 707. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved to excuse absent members. Without objection, absent members were excused.

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

10/18/11
Date Approved by Committee

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