



MEMBERS:

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

THE SENATE
COMMITTEE ON JUDICIARY
SENATOR RICK JONES
CHAIRMAN

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

Senate Committee on Judiciary

A meeting of the Senate Committee on Judiciary was held on Tuesday, January 31, 2012 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:30 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 4589 Rep. Somerville Torts; governmental immunity; liability for a defect in a sidewalk; clarify that inference regarding a defect of less than 2 inches applies to any sidewalk maintained by a municipal corporation.

SB 901 Sen. Schuitmaker Civil procedure; alternate dispute resolution; condominium act; revise arbitration provisions to reflect adoption of uniform arbitration act.

SB 902 Sen. Schuitmaker Civil procedure; alternate dispute resolution; arbitration; make arbitration provisions of the revised judicature act subject to uniform arbitration act.

SB 903 Sen. Schuitmaker Civil procedure; alternate dispute resolution; uniform arbitration act; enact.

For Testimony Only:

SB 863 Sen. Hildenbrand Weapons; licensing; waiver for certain individuals to carry weapon in weapon-free zones; expand to include employees of licensed private investigators.

Senator Bieda moved to adopt the minutes from January 24, 2012 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones entertained a motion to report Senate Bill 59 (Sen. Green) with recommendation that the bill be referred to the Senate Committee on Natural Resources, Environment and Great Lakes. Senator Schuitmaker moved that Senate Bill 59 be reported out of committee with the recommendation that the bill be referred to the Senate Committee on Natural Resources, Environment and Great Lakes. 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)

Absent: none (0)

Senator Jones placed before the committee House Bill 4589 (Rep. Somerville). Senator Jones announced that there was a substitute under consideration for House Bill 4589. Matt Muxlow, representing Representative Somerville, explained the bill to committee members and answered questions.

The following persons testified on House Bill 4589 and answered questions from the committee members:

- Samantha Harkins, representing the Michigan Municipal League—Support

The following persons submitted cards, but did not testify, on House Bill 4589:

- Bill Flory, representing the Michigan Association for Justice—Neutral

Senator Bieda moved to adopt the S-2 Substitute to House Bill 4589. 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)

Absent: none (0)

Senator Bieda moved that House Bill 4589 (S-2) 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)

Absent: none (0)

Senator Schuitmaker moved to recommend immediate effect for House Bill 4589 (S-2). Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bills 901-903 (Sen. Schuitmaker) for testimony. Senator Schuitmaker explained the bill package to committee members and answered questions.

The following persons testified on Senate Bills 901-903 and answered questions from committee members:

- Martin Weisman and William Weber, representing the Alternative Dispute Resolution Section of the State Bar of Michigan—Support (Also submitted written testimony on file with the clerk)

Senator Jones placed before the committee Senate Bill 863 (Sen. Hildenbrand) for testimony. Senator Hildenbrand explained the bill to committee members and answered questions.

The following persons testified on Senate Bill 863 and answered questions from the committee members:

- Peter Psarouthakis and Larry Julian, representing the Michigan Council of Professional Investigators—Support

Senator Jones adjourned the committee at 2:49 p.m.

2/7/12

Date Approved by Committee

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