



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, April 24, 2012 at 12:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 12:30 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

- | | | |
|--------|------------------|---|
| 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:

- | | | |
|---------|---------------|--|
| HB 4798 | Rep. Rendon | Criminal procedure; sentencing guidelines; sentencing guidelines for crime of coercing a female to have an abortion against her will; enact. |
| HB 4799 | Rep. Opsommer | Crimes; other; coercing female to have an abortion against her will; prohibit, and provide penalties. |
| HB 5134 | Rep. Jenkins | Health; abortion; oral screening of individual seeking an abortion for coercion to abort and domestic violence; require. |
| HB 5181 | Rep. O'Brien | Civil procedure; civil actions; civil action for coercion of an abortion; provide for. |
| HB 5182 | Rep. O'Brien | Health; abortion; coercive abortion prevention materials; require department to create and provide other general amendments. |

Senator Schuitmaker moved to adopt the minutes from March 27, 2012 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones entertained a motion to report Senate Bill 58 (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 58 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 (3/4)

Nays: none (0)

Pass: none (0)

Absent: Senator Bieda (1)

Senator Jones placed before the committee Senate Bills 901-903 (Sen. Schuitmaker). Senator Jones announced that there was a substitute for consideration for Senate Bill 902. Senator Schuitmaker explained the bill package to committee members and answered questions.

Senator Bieda entered the committee room at 12:33 p.m.

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

- Jules Olsman, representing the Elder Law and Disability Rights Section of the State Bar of Michigan, and the Negligence Law Section of the State Bar of Michigan—Oppose
- Catherine Jacobs, representing Loomis Evert Parsley Davis & Gottius P.C.—Support
- Martin Weisman, representing the ADR Section of the State Bar of Michigan—Support
- William Weber, representing the ADR Section of the State Bar of Michigan—Support

The following persons submitted cards, but did not testify, on Senate Bills 901-903:

- Wendy Block, representing the Michigan Chamber of Commerce—Support

The following persons submitted written testimony, but did not testify, on Senate Bills 901-903:

- Nicole Julal, representing the Uniform Law Commission—Support

Senator Bieda left the committee room at 12:45 p.m.

Senator Jones announced that the vote on Senate Bills 901-903 would be delayed in the meeting until Senator Bieda returned from another committee meeting.

Senator Jones placed before the committee House Bills 4798-4799, 5134, 5181-5182 (Reps. Rendon, Opsommer, Jenkins & O'Brien) for testimony.

The following persons testified on House Bills 4798-4799, 5134, 5181-5182 and answered questions from committee members:

- Sally Smith, citizen—Support

Senator Bieda entered the committee room at 12: 52 p.m.

Senator Schuitmaker moved that Senate Bill 901 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 Senate Bill 901. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones moved to adopt the S-1 Substitute to Senate Bill 902. 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 moved that Senate Bill 902 (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)
Absent: none (0)

Senator Jones moved to recommend immediate effect for Senate Bill 902 (S-1). Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Bieda moved that Senate Bill 903 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 Bieda moved to recommend immediate effect for Senate Bill 903. Without objection, the committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones returned to House Bills 4798-4799, 5134, 5181-5182 (Reps. Rendon, Opsommer, Jenkins & O'Brien) for additional testimony.

The following persons testified on House Bills 4798-4799, 5134, 5181-5182 and answered questions from committee members:

- Tammy Holly, representing The Justice Foundation—Support
- Cindy Kallgren, citizen—Support
- Rebecca Mastee, representing the Michigan Catholic Conference—Support
- Ed Rivet, representing Right to Life Michigan—Support (HB 4799)

The following persons submitted cards, but did not testify, on House Bills 4798-4799, 5134, 5181-5182:

- Dan Jarvis, representing the Michigan Family Forum—Support
- Bill Kandler, representing the American Congress of Obstetricians and Gynecologists—Oppose (HB 5182) (also submitted written testimony on file with the clerk)

The following persons submitted written testimony, but did not testify, on House Bills 4798-4799, 5134, 5181-5182:

- Joy Whitten, representing the Religious Coalition for Reproductive Choice in Michigan—Oppose

Senator Jones adjourned the committee at 1:16 p.m.

Date Approved by Committee: May 1, 2012

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