



**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, February 15, 2011 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 2:38 p.m.

Members present: Senators Jones, Schuitmaker, Rocca, and Bieda  
Members excused: None

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Senator Jones called the meeting to order.

Senator Jones announced the order of business for the day.

Approval of the minutes from February 8<sup>th</sup>, 2011

SB 25	Sen. Jones	Health; death; final disposition of fetal remains; define, and clarify authorization requirements.
SB 54	Sen. Jones	Health; death; final disposition of fetal remains; clarify authorization requirements and provide penalties for noncompliance.
SB 55	Sen. Jones	Criminal procedure; sentencing guidelines; sentencing guidelines for violation of requirements for final disposition of fetal remains; establish.
SB 92	Sen. Bieda	Probate; powers of attorney; written acknowledgment of responsibilities by agent appointed under a power of attorney; require.

Senator Bieda moved to adopt the minutes from February 8<sup>th</sup>, 2011 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones laid before the committee Senate Bill 92 (Sen. Bieda). Senator Jones announced that the bill would be testimony only, as more work would be done before it was voted upon by the committee.

Senator Bieda explained his bill to the committee members and answered question from the committee.

Felicia Wasson, representing the AARP, supported the bill and did not wish to testify.

Those who gave testimony on the bills were as follows:

Kate White, representing Elder Law of Michigan—Support

Brad Geller, representing the Michigan Office of Services to the Aging—Support with amendments

David Worthams, representing the Michigan Bankers Association—Support with amendments

Senator Jones placed before the committee Senate Bills 25, 54, and 55 (Sen. Jones). Senator Jones explained that the bills to the committee and answered questions from the committee. Senator Jones called forth Ed Rivet, representing Michigan Right to Life, to give further explanation. Mr. Rivet then answered questions from the committee.

The following people submitted cards, but did not wish to testify, on Senate Bills 25, 54, and 55:

Shelli Weisberg, representing the ACLU of Michigan—Oppose

Mary Pollock, representing the Michigan National Organization for Women—Oppose

Jean Doss, representing Planned Parenthood—Oppose

Andrew Schepers, representing the Michigan State Medical Society—Oppose

Tom Hickson, representing the Michigan Catholic Conference—Support

Chris Veneklase, citizen, testified in support of the bills. Mr. Veneklase then answered questions from the committee.

Representative Genetski testified in support of the bills.

Representative Huuki testified in support of the bills.

Matthew Allswede, M.D., representing the Michigan Section of the American Obstetrics and Gynecology, testified in opposition to the bills. Dr. Allswede noted his organizations work with the sponsor's office to improve the bills and their commitment to continue working on the legislation. Dr. Allswede then answered questions from the committee.

Senator Schuitmaker moved to adopt the substitute (S-1) to Senate Bill 25. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved that Senate Bill 25 (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, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

The committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Rocca moved to adopt the substitute (S-1) to Senate Bill 54. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Rocca moved that Senate Bill 54 (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, and Rocca (3/4)

Nays: none (0)

Pass: Senator Bieda (1)

Excused: none (0)

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 55. By an affirmative vote of the majority of members serving, the substitute was adopted. Voting as follows:

Yeas: Senators Jones, Schuitmaker, Rocca, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

Senator Schuitmaker moved that Senate Bill 55 (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, and Bieda (4/4)

Nays: none (0)

Pass: none (0)

Excused: none (0)

The committee further recommended that the bill be given immediate effect by unanimous consent.

Senator Jones announced that the coming week's committee meeting would be held on Wednesday, February 23<sup>rd</sup> at 8:30 am due to events occurring on Tuesday.

Senator Jones adjourned the committee at 3:26 p.m.

2/23/11  
Date Approved by Committee