



**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, November 27, 2012 at 2:30 p.m. in Room 110 of the Farnum Building.

The meeting was called to order at 3:10 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 the following agenda for the committee:

Approval of Minutes

HB 5466 Rep. Heise Construction; contracts; certain indemnification provisions; prohibit in construction-related service contracts with public agencies.

For Testimony Only:

SB 1312 Sen. Jones Children; protection; best interest of the child determination relating to child abuse and neglect; modify.

Senator Schuitmaker moved to adopt the minutes from November 8, 2012 with unanimous consent. Without objection, the minutes were adopted.

Senator Jones placed before the committee House Bill 5466 (Rep. Heise). Senator Jones announced that there was a substitute for consideration. Senator Jones explained the bill and substitute to committee members and answered questions.

The following persons submitted testimony cards but did not wish to speak on House Bill 5466:

- Julie DeBoer, Michigan Society of Professional Surveyors—Support
- Ron Brenke, American Council of Engineering Companies—Support
- Chris Fisher, Associated Builders & Contractors of Michigan—Support
- Lance Binoniemi, Michigan Infrastructure & Transportation Association—Support
- Brad Comment, Construction Association of Michigan—Support
- Samantha Harkins, Michigan Municipal League—Oppose

- Don Wotruba, Michigan Association of School Boards—Oppose
- Judy Allen, Michigan Townships Association—Oppose

Senator Jones moved to adopt the S-4 Substitute to House Bill 5466. 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 House Bill 5466 (S-4) 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 the committee recommend immediate effect. Without objection, the committee further recommended that House Bill 5466 (S-4) be given immediate effect by unanimous consent.

Senator Jones placed before the committee Senate Bill 1312 (Sen. Jones) for testimony. Senator Jones explained the bill to committee members and answered questions.

Senator Bieda left the committee room at 3:15 p.m.

The following persons testified on Senate Bill 1312 and answered questions from committee members:

- Representative Kurt Damrow—Support
- Elizabeth Herd, citizen—Support
- Rehab Amer, citizen—Support
- Laura Beattie-Proctor, citizen—Support
- Dwin Dykema, citizen—Support
- Lydia Lohrer, citizen—Support
- Aaron Lohrer, citizen—Support
- Alexandra Jett, citizen—Support

Senator Schuitmaker left the committee room at 3:28 p.m.

The following persons submitted testimony cards but did not wish to speak on Senate Bill 1312:

- Danny Herd, citizen—Support
- Bill Kandler, Michigan Probate Judges Association—Some concerns, would like to work with sponsor

Senator Jones adjourned the committee without objection at 3:50 p.m.

Date Approved by Committee: December 4, 2012

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