

**No. 21**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**95th Legislature**  
**REGULAR SESSION OF 2010**

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Senate Chamber, Lansing, Wednesday, March 10, 2010.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor John D. Cherry, Jr.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Allen—present  
Anderson—present  
Barcia—present  
Basham—present  
Birkholz—present  
Bishop—present  
Brater—present  
Brown—present  
Cassis—present  
Cherry—present  
Clark-Coleman—present  
Clarke—present  
Cropsey—present

Garcia—present  
George—present  
Gilbert—present  
Gleason—present  
Hardiman—present  
Hunter—present  
Jacobs—present  
Jansen—present  
Jelinek—present  
Kahn—present  
Kuipers—present  
McManus—present  
Nofs—present

Olshove—present  
Pappageorge—present  
Patterson—present  
Prusi—present  
Richardville—present  
Sanborn—present  
Scott—present  
Stamas—present  
Switalski—present  
Thomas—present  
Van Woerkom—present  
Whitmer—present

Reverend Arthur C. Willis, Sr., of Pentecostal Missionary Baptist Church of Romulus offered the following invocation:

Dear Lord, we thank You for the opportunity to come before great men and women of God whom You have called to take care of the duties and the business for the state of Michigan. Lord, we pray that You would grant them wisdom, give them knowledge, and give them clear understanding as they go before You to take care of the business of the district and of the people who have sent them here.

We ask now, Lord, that You would move them to bipartisanship. Allow them to do those things that are pleasing in Your sight. Grant them wisdom as they take care of the business of the state. Take care of their health, and take care of their families.

We give You praise, honor, and glory. In Jesus' name. Amen.

The President, Lieutenant Governor Cherry, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senators Brown, Richardville and Thomas entered the Senate Chamber.

Senator Cropsey moved that Senator Hardiman be temporarily excused from today's session. The motion prevailed.

Senator Cropsey moved that the Committee on Government Operations be discharged from further consideration of the following appointments:

#### **Director of the Michigan Department of Agriculture**

Mr. Donald Koivisto of 2516 Lake Lansing Road, Lansing, Michigan 48912, county of Ingham, is appointed for a term commencing January 17, 2010 and expiring at the pleasure of the Governor.

#### **Director of the Department of Natural Resources and Environment**

Ms. Rebecca Humphries of 13480 Beckwith Drive, N.E., Lowell, Michigan 49331, county of Kent, is appointed for a term commencing January 17, 2010 and expiring at the pleasure of the Governor.

The motion prevailed, a majority of the members serving voting therefor, and the appointments were placed on the order of Messages from the Governor.

Senator Thomas moved that Senators Brater, Gleason and Clarke be temporarily excused from today's session. The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 9:

**House Bill Nos. 5406 5752 5822 5823 5824**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, March 9, for her approval the following bill:

**Enrolled Senate Bill No. 1045 at 1:32 p.m.**

The Secretary announced that the following official bills were printed on Tuesday, March 9, and are available at the legislative website:

**Senate Bill Nos. 1211 1212 1213 1214 1215 1216 1217**

By unanimous consent the Senate proceeded to the order of  
**General Orders**

Senator Cropsey moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Sanborn as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

#### **Senate Bill No. 1139, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 11b (MCL 125.2161b), as added by 2008 PA 155.

**Senate Bill No. 1097, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 11a (MCL 380.11a), as amended by 2006 PA 515.

**House Bill No. 5662, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43509, 43532, and 43533 (MCL 324.43509, 324.43532, and 324.43533), sections 43509 and 43533 as amended by 1996 PA 585 and section 43532 as amended by 2002 PA 108.

**House Bill No. 5825, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2008 PA 37.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**House Bill No. 5481, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48721 (MCL 324.48721), as added by 1995 PA 57.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**House Bill No. 4512, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241 (MCL 18.1241), as amended by 1999 PA 8.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

During the Committee of the Whole, Senators Brater, Allen, Jelinek, Clarke, Gleason, Jansen, Birkholz, George, Stamas, Hardiman and Kuipers entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

The Secretary announced that the Majority Leader has made the appointment of the following Appropriations subcommittee:

**K-12, School Aid, Education** - Senator Garcia replacing Senator Stamas.

The subcommittee appointment was approved, a majority of the members serving voting therefor.

**Messages from the Governor****Director of the Michigan Department of Agriculture**

Mr. Donald Koivisto of 2516 Lake Lansing Road, Lansing, Michigan 48912, county of Ingham, is appointed for a term commencing January 17, 2010 and expiring at the pleasure of the Governor.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

**Roll Call No. 100****Yeas—38**

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

Senators Prusi and Birkholz asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Prusi's statement is as follows:

I rise to strongly support the appointment of Don Koivisto, and I do it with a great deal of pleasure and a great deal of pride. Don Koivisto occupied the seat which I have the privilege to hold right now for twelve years of distinguished service in the State Senate. The people of the Upper Peninsula sent him back to Lansing from the years of service in the House through his years in the Senate.

We are quite proud of Don and the accomplishments he has had in public service, particularly since he has taken over an administrative function in the Department of Agriculture. There is no disputing that agriculture is a vital part of Michigan's economy and Michigan's social scene. Don has done just a wonderful job with the limited resources that have been appropriated through these years of budget struggle. He understands the issues that confront our agricultural industry. He understands the relationships between the Legislature and the department and the folks out there in the field.

He has done an incredible job with the limited tools and resources we have given him. I would encourage members to support his appointment as the director of the Department of Agriculture.

Senator Birkholz's statement is as follows:

I, too, rise to support the appointment of Don Koivisto as director of the Michigan Department of Agriculture. He not only is very knowledgeable on the subjects of agriculture, farming operations, and how to work through government, but he is also a very solution-driven director. He works to make things happen for the betterment of our state and the betterment of our agriculture industry.

And, very importantly, my ag folks love working with Director Koivisto. So I strongly support his appointment.

**Director of the Department of Natural Resources and Environment**

Ms. Rebecca Humphries of 13480 Beckwith Drive, N.E., Lowell, Michigan 49331, county of Kent, is appointed for a term commencing January 17, 2010 and expiring at the pleasure of the Governor.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

**Roll Call No. 101****Yeas—38**

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

Senators Birkholz and Basham asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Birkholz's statement is as follows:

We had a hearing last week with now-Director Rebecca Humphries to be reconfirmed as director of the Department of the Natural Resources and Environment. The committee found Rebecca Humphries to be a person of integrity and professional experience, rooted in the application of sound science; a person with a wealth of natural resources management experiences and years of dedication to the state and the long-term health of our natural resources.

She is a person committed to the fundamental success of the state of Michigan; a person with a clear vision of what we need to do to ensure the sustainability of our natural resources; a person who has and can work cooperatively with our regulated community in a partnership for the betterment of the state; and a person who deeply cares about the welfare of Michigan and its citizens.

For these reasons and so many others, we recommend the approval of Rebecca Humphries as the director of the Michigan Department of Natural Resources and Environment. I move for the advice and consent of the nomination of Rebecca Humphries.

Senator Basham's statement is as follows:

In the interests of bipartisanship—and I have not heard this term used today—I would say ditto to the chair of conservation's remarks relative to Rebecca Humphries. I think the state will be well-served with her appointment.

I would encourage members to support her appointment.

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

Senator Cropsey moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**Senate Bill No. 185**

**Senate Bill No. 492**

**House Bill No. 4172**

**House Bill No. 5621**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 185, entitled**

A bill to amend 1972 PA 348, entitled “An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,” (MCL 554.601 to 554.616) by adding section 1b.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 102**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 492, entitled**

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending sections 2 and 13 (MCL 125.2652 and 125.2663), section 2 as amended by 2007 PA 204 and section 13 as amended by 2007 PA 202.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 103**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom

Cassis  
CherryHunter  
Jacobs

Patterson

Whitmer

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4172, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21530; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 104****Yeas—38**Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
CherryClark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter  
JacobsJansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Nofs  
Olshove  
Pappageorge  
PattersonPrusi  
Richardville  
Sanborn  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification,

administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5621, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 2008 PA 122.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 105**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to



define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

**Messages from the House**

**Senate Bill No. 722, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21529; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 106**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

Senator Cropsey moved that consideration of the following resolutions be postponed for today:

**Senate Resolution No. 41**

**Senate Resolution No. 75**

**Senate Resolution No. 88**

**Senate Concurrent Resolution No. 35**

**Senate Resolution No. 115**

The motion prevailed.

**House Concurrent Resolution No. 41.**

A concurrent resolution to memorialize the Congress of the United States to enact the federal Food Desert Oasis Act to encourage the location of grocery stores in certain communities.

Whereas, A food desert is defined as an area without supermarkets or convenient access to fresh, nutritious, and affordable food. Detroit and other urban communities in Michigan suffer greatly from this trend; and

Whereas, Roughly 550,000 Detroiters must travel twice as far, or even farther, to get to the nearest grocery store than they have to travel to get to a fast food restaurant. This fact, combined with the lack of access to reliable public transportation and many citizens' lack of ability to drive a vehicle, leads to unhealthy eating habits borne not out of choice, but out of necessity. These citizens are statistically more likely to suffer or die prematurely from a diet-related disease, when holding other key factors constant; and

Whereas, Efforts in Pennsylvania to create inner-city grocery stores have led to new stores and over 1,400 new jobs; and

Whereas, Grocery store development in underserved locations goes far beyond addressing the issue of ease of access to include jobs, community economic development, and improved selection, quality, and price of food. Legislation currently before Congress would address this serious issue through pilot programs and the creation of incentives. Clearly, there is a great need to bring fairness, equality, justice, and health to all those citizens currently suffering from a lack of access to fresh food items; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Food Desert Oasis Act to allow grocery stores locating in cities designated as having food deserts to be eligible for an increased rehabilitation tax credit and a food desert employment tax credit; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the United States House of Representatives Agriculture Committee and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Cropsey moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Local, Urban and State Affairs.

The motion prevailed.

Senators Cherry, Clarke, Jansen and Switalski were named co-sponsors of the concurrent resolution.

**Introduction and Referral of Bills**

Senators Jacobs and Kuipers introduced

**Senate Bill No. 1218, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567a (MCL 600.2567a), as amended by 2006 PA 662.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Kuipers and Jacobs introduced

**Senate Bill No. 1219, entitled**

A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending sections 8 and 12 (MCL 54.268 and 54.272), as amended by 2002 PA 489.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senator Prusi introduced

**Senate Bill No. 1220, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," (MCL 474.51 to 474.70) by adding section 10h.

The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Cassis, Kuipers, Cropsey, Pappageorge and Gilbert introduced

**Senate Bill No. 1222, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2008 PA 472.

The bill was read a first and second time by title and referred to the Committee on Finance.

**House Bill No. 5406, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

**House Bill No. 5752, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2001, 2005, and 2030 (MCL 324.2001, 324.2005, and 324.2030), as added by 2004 PA 587, and by adding sections 1911 and 2045; and to repeal acts and parts of acts.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

**House Bill No. 5822, entitled**

A bill to amend 1976 PA 328, entitled "An act to regulate animals running at large; to provide for compensation for damage done by animals running at large; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 433.11) and by adding section 4a; and to repeal acts and parts of acts.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Agriculture and Bioeconomy.

**House Bill No. 5823, entitled**

A bill to amend 1959 PA 66, entitled "An act to prohibit the running at large on or the grazing upon any land owned by or under the control of the department of conservation, by cattle, horses, sheep and swine; to provide for the enforcement of this act; and to prescribe penalties for the violation of the provisions of this act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11 (MCL 322.581, 322.582, 322.583, 322.584, 322.585, 322.586, 322.587, 322.589, 322.590, and 322.591) and by adding section 12.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Agriculture and Bioeconomy.

**House Bill No. 5824, entitled**

A bill to amend 1879 PA 248, entitled "An act to prevent animals from running at large in certain cities and villages within this state," by amending section 1 (MCL 433.51) and by adding section 13.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Agriculture and Bioeconomy.

### Statements

Senators Cropsey, Whitmer, Scott and Anderson asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cropsey's statement is as follows:

Last year, I was asked to be chair of a law enforcement task force. We held hearings here in Lansing and in Oakland County, and we heard from dozens of witnesses. One constant refrain has been that we need to fund the State Police crime labs so that they can catch up on the backlog of evidence. The closure of the Detroit crime lab led to literally tens of thousands of items of evidence being handed over to the Michigan State Police, adding to the backlog that they already had and significantly adding to the backlog.

Unfortunately, among these items of evidence were at least 12,000 rape kits, some dating back to 1996. Members, the worst part is that victims of rape, who have been through the shock and the violation of a sexual assault, who go through a humiliating post-rape examination for evidence, and who then have the courage to report their rape to the police, once again, believe that since evidence was taken, the police are looking for their rapist. And the police are but without the benefit of DNA results from these rape test kits.

The good news is an antidomestic violence group has given the Michigan State Police several hundred thousands dollars to analyze around 400 of these rape kits, but that leaves over 11,000 more to go. And that's just the backlog from the Detroit crime lab. Having 12,000 rape kits not tested is bad enough.

The sad truth is that according to studies of victims, only 20 percent of rapes are even reported to the police, and of those 20 percent that are reported, a suspect is arrested in only roughly 20 percent of the cases. So 1 out of 5 is reported and only 1 out of 5 of those reported is actually caught. So what we have is potentially only 4 percent to 5 percent of the rapists are ever caught.

This morning I received in my office a fax from the National Organization of Women demanding that we find funding to test these rape kits. I wholeheartedly agree. Somehow we need to find a way to find the funds for the crime lab to do the analysis of the rape kits in order to have justice for these rape victims.

Unfortunately, in the budget this year that the Governor gave to us, there were cuts made to the crime lab. What has the Governor proposed? Well, she has proposed giving good time to all prisoners, including sex offenders, so they can be released. And what else? Well, the reduced funding for the crime lab overtime which is a catch-up on the backlog.

I find this unconscionable on the Governor's part. When she presented her budget, she knew all along the tremendous backlog that we have in the crime lab. She knew about the 12,000 rape kits that have not been tested, but yet, she calls for cutting the overtime so that they cannot be tested. Twelve thousand women have been violated and seriously violated. Justice has been delayed. Justice delayed is justice denied. Unfortunately, with this Governor's budget, she is asking that there be further delays.

Mr. President, I ask that my remarks be printed in the Journal so that the people know of the misplaced priorities and spending are another reason why it is so hard to pass a budget here in Lansing.

Senator Whitmer's statement is as follows:

Well, the last speaker said the words "justice delayed is justice denied," and I agree. I agree so much that I have passed out a document on all of your desks that I implore you to read. If you care about Michigan citizens, if you care about justice delayed being justice denied, then read this document. It is an article written by Henry Greenspan of Ann Arbor. He teaches at U of M on FDA, ethics, and public policy.

When you talk about Michigan's one-in-the-nation drug immunity law, justice delayed is justice denied. This article goes right through and debunks much of the rhetoric that we have heard here on the Senate floor against giving Michigan citizens the right to sue when a harmful drug hurts or kills them. This makes us second-class citizens, and that's wrong.

I ask that you read this article written by this professor, who has expertise in this area, and stop listening to the rhetoric of special interest groups. Consider that justice delayed is justice denied for the sick and the people who are hurting in the state of Michigan.

Senator Scott's statement is as follows:

Many of us just spent two weeks watching the Winter Olympics. A great Olympian from the past, Jesse Owens, once said, "The battles that count aren't the ones for gold medals. The struggles within yourself—the invisible inevitable battles inside of all of us—that's where it's at."

I hope that we can find it within ourselves to win a battle for our constituents, and give them auto insurance they can afford. Michigan's citizens have enough battles to fight right now. They don't need to keep fighting to pay exorbitant insurance bills. When you think of all the issues that face us here in Lansing, passing the auto insurance bills we've introduced should be one of the easiest things we can do this year. We just need to decide that it's time to do it. It's time to give our constituents a break. It's time to fix what is unfair in our current system.

We've got the bills to do this; many of us have the will to do this, so let's not wait any longer. Let's give our constituents affordable, fair auto insurance.

Senator Anderson's statement is as follows:

Unemployed workers breathed a sigh of relief last week when Republican United States Senator Bunning stopped obstructing the extension of federal emergency unemployment benefits. However, the extension that passed will only last

30 days. This means millions of unemployed workers, including 500,00 in Michigan, will soon be holding their collective breath, once again, worrying about the future.

The 30-day federal extension provides a temporary lifeline and financial stability, which is needed as our nation's economy begins its slow climb upward. A long-term extension would provide even more stability and a proven economic stimulus, both nationwide and in Michigan, but there is no guarantee that this extension will make it through the United States Senate.

Last night, I held a town hall meeting for job seekers in my district, and I had the opportunity to speak with many unemployed workers and hear their stories and their struggles. I was happy to hold this even to help share the many resources available to those who are out of work, but sadly, I couldn't offer these folks jobs—what they really need.

Here in Michigan, we can help our own unemployed families and boost economic activity in our local communities by passing an expansion of unemployment benefits that would include those participating in job training programs. We could also address the broader issue of unemployment by passing the Hire Michigan First legislation to permanently employ Michigan workers right now on state-funded projects.

These solutions are not dependent on the actions of the United States Senate. They are dependent on us, the Michigan Senate, and our willingness to help our own citizens. I urge action on these bills now, and help better the lives of the people we were elected to serve.

### Committee Reports

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Monday, March 8, 2010, at 10:30 a.m., Ferris State University, Interdisciplinary Resource Center, 1301 S. State Street, Big Rapids

Present: Senators Stamas (C), George and Anderson

Excused: Senators Hardiman, Kahn, Barcia and Brater

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:

Joint meeting held on Tuesday, March 9, 2010, at 12:30 p.m., Room 426, Capitol Building

Present: Senators Brown (C), Jelinek and Scott

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Tuesday, March 9, 2010, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Cropsey (C), Kahn and Brater

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Tuesday, March 9, 2010, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Brown, Switalski and Clark-Coleman

Excused: Senator Stamas

#### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, March 9, 2010, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Nofs, Stamas and Clarke

Excused: Senator Hunter

## COMMITTEE ATTENDANCE REPORT

The Committee on Reforms and Restructuring submitted the following:  
Meeting held on Tuesday, March 9, 2010, at 2:30 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Bishop (C), Gilbert, George, Kuipers, Prusi, Hunter and Cherry

**Scheduled Meetings****Appropriations -****Subcommittees -**

**Community Colleges** - Thursday, March 11, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Community Health Department** - Thursday, March 11, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Economic Development and Economic Development and Regulatory Reform** - Tuesday, March 16, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Higher Education** - Thursday, March 11, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Natural Resources Department** - Thursday, March 11, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Economic Development and Regulatory Reform** - Wednesday, March 17, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Economic Development and Regulatory Reform and Economic Development Appropriations Subcommittee** - Tuesday, March 16, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Education** - Thursday, March 11, 2:30 p.m., Room 210, Farnum Building (373-6920)

**Energy Policy and Public Utilities** - Thursday, March 11, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7350)

**Finance** - Thursday, March 11, 11:00 a.m., Room 110, Farnum Building (373-1758)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 11:04 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, March 11, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate