

No. 4
STATE OF MICHIGAN
Journal of the Senate
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REGULAR SESSION OF 2013

Senate Chamber, Lansing, Thursday, January 24, 2013.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

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

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present
Hood—present

Hopgood—present
Hune—present
Hunter—excused
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Messages from the Governor

The following message from the Governor was received and read:

January 22, 2013

I respectfully submit to the Senate the following appointment to office:

Central Michigan University Board of Control

Tricia A. Keith of 1918 Lloyd Avenue, Royal Oak, Michigan 48073, county of Oakland, succeeding Marilyn French Hubbard, is appointed for a term expiring December 31, 2020.

Sincerely,
Rick Snyder
Governor

The appointment was referred to the Committee on Government Operations.

General Orders

Senator Meekhof 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 pro tempore, Senator Schuitmaker, designated Senator Gregory as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 44, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 2011 PA 18.

The bill 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:

Senate Bill No. 60, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2a (MCL 28.422a), as amended by 2012 PA 377.

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.

During the Committee of the Whole, Senator Johnson entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 60

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

Senator Hildenbrand asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Hildenbrand's statement is as follows:

I have some special guests in the east Gallery whom I would like to introduce to my colleagues and staff, and I would like to present them very quickly with a Special Tribute. From the Holland Home in Grand Rapids, I have Dave Clouse, president and CEO; Dave Tiesenga, CFO; and Carol VerBeek, who is chairman of the Board at Holland Home.

I would also like to say a few things about Holland Home. It was formed in 1892, a long time ago, on the corner of Michigan Street and College Avenue in Grand Rapids. It started as a home for just eight people. Today, Holland Home is Michigan's largest nonprofit provider of senior services, and it was the first registered senior care retirement community in the state. They employ more than 1,100 people and serve over 2,500 people daily. Holland Home is the 40th-largest nonprofit continuing care community in the nation.

I want to give them special recognition today, and thank them for their continued commitment to West Michigan and the state of Michigan.

The following bill was read a third time:

Senate Bill No. 60, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2a (MCL 28.422a), as amended by 2012 PA 377.

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. 2

Yeas—31

Bieda	Gregory	Kahn	Proos
Booher	Hansen	Kowall	Richardville
Brandenburg	Hildenbrand	Marleau	Robertson
Casperson	Hood	Meekhof	Rocca
Caswell	Hopgood	Moolenaar	Schuitmaker
Colbeck	Hune	Nofs	Smith
Emmons	Jansen	Pappageorge	Walker
Green	Jones	Pavlov	

Nays—5

Anderson	Warren	Whitmer	Young
Johnson			

Excused—1

Hunter

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Resolutions

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following resolutions:

Senate Resolution No. 7

Senate Resolution No. 8

House Concurrent Resolution No. 1

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

Senator Kowall offered the following resolution:

Senate Resolution No. 7.

A resolution to declare January 27 - February 2, 2013, as Catholic Schools Week in the state of Michigan.

Whereas, There are 55,908 students attending 233 Catholic elementary and high schools throughout our great state; and
Whereas, The Constitution of Michigan states: "Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged"; and

Whereas, Catholic schools provide young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and nation; and

Whereas, The Catholic Church sees parents as the primary educators and that parental supervision and involvement play a major role in the education of students; and

Whereas, Catholic school parents pay tuition in addition to supporting public schools through their taxes; and

Whereas, Catholic schools comply with the same health and safety regulations required of public schools, but without compensation from the state government; and

Whereas, The viability of Catholic schools should be encouraged so that declines in Catholic school enrollment, which necessitate increases in public expenditures in the School Aid Fund, can be avoided; and

Whereas, Catholic schools educate many students who are non-Catholic and many students who are economically disadvantaged; and

Whereas, With their traditionally high academic standards and high graduation rates, all supported by strong moral values, Catholic schools and their graduates make a positive contribution to American society; and

Whereas, Community service is a value instilled in every Catholic school student; and

Whereas, January 27 - February 2, 2013, has been designated as Catholic Schools Week, with the theme "Catholic Schools Raise the Standards," as denoted by the National Catholic Educational Association (NCEA) and the United States Conference of Catholic Bishops; and

Whereas, The common good of the state of Michigan is strengthened through the continued existence of Catholic schools; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare January 27 - February 2, 2013, as Catholic Schools Week in the state of Michigan, due to the great accomplishments and contributions of Catholic schools in and to our state; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Catholic Conference with our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Meekhof moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Kowall asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Kowall's statement is as follows:

January 27 - February 2, 2013, has been designated as Catholic Schools Week, with the theme "Catholic Schools Raise the Standards," as denoted by the National Catholic Education Association and the United States Conference of Catholic Bishops.

There are 55,908 students attending 233 Catholic high schools and elementary schools throughout our great state. Catholic schools provide young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and in our nation. The Catholic Church sees parents as the primary educators and that parental supervision and involvement play a major role in the education of our students.

Catholic schools educate many students who are non-Catholic and many students who are economically disadvantaged. With their traditionally high academic standards and high graduation rates, all supported by strong moral values, Catholic schools and their graduates make contributions to American society and our great state of Michigan.

Senator Meekhof offered the following resolution:

Senate Resolution No. 8.

A resolution for the adoption of the Standing Rules of the Senate.

Resolved by the Senate, That the following rules be and are hereby adopted as the Standing Rules of the Senate:

**SENATE RULES
CHAPTER I - SECTION 1
SENATE ORGANIZATION**

1.101 PRESIDING OFFICER

a) The Lieutenant Governor shall be the President of the Senate and shall preside over all sessions of the Senate or, in his or her absence, the President pro tempore, Assistant President pro tempore, or Associate President pro tempore shall preside.

b) The Lieutenant Governor may vote only when the Senators are equally divided in their vote (see Const. Art. 5, Sec. 25).

c) In the absence of the President of the Senate, President pro tempore, Assistant President pro tempore, or Associate President pro tempore, the Secretary of the Senate shall preside until the Senate shall appoint a Senator to act as presiding officer or until the President of the Senate, President pro tempore, Assistant President pro tempore, or Associate President pro tempore shall appear. In the absence of all, or all but one Senator, the Secretary of the Senate shall preside.

1.102 AUTHORITY OF THE PRESIDENT OF THE SENATE

a) The presiding officer shall call the Senate to order at the hours provided by the Constitution, by these rules, or at the hour established by the Senate at its last meeting.

b) Unless Rule 1.205 b) is in effect, following the invocation and Pledge of Allegiance, the presiding officer shall instruct the Secretary of the Senate to record the attendance. The attendance **ROLL CALL** shall be taken by using the electronic voting system for one (1) minute, except for the first session in January or if the electronic voting system is not operational, the presiding officer shall instruct the Secretary of the Senate to call the roll orally and record and announce the results.

1.103 THE PRESIDENT OF THE SENATE'S CONTROL WITHIN THE CHAMBER

The presiding officer shall preserve order and decorum and shall have general control within the Chamber. During every session of the Senate, the Sergeant at Arms is under the direct supervision of the presiding officer. Every question of order and procedure shall be decided by the presiding officer, subject to an appeal by the Senate.

1.104 ELECTION OF SENATE OFFICERS

a) A President pro tempore, Assistant President pro tempore, and Associate President pro tempore shall be elected by a vote of a majority of the Senators elected and serving. They shall be elected at the first session of a quadrennium. All officers elected by the Senate are to hold office until their successors are elected and qualified or until the expiration of their term, whichever occurs first.

b) Prior to the commencement of the quadrennium session, the majority party shall meet in an organizational caucus and elect a Majority Leader, Majority Floor Leader, Majority Whip, Majority Caucus Chairperson, Assistant Majority Leader, Assistant Majority Floor Leader, Assistant Majority Whip, and Assistant Majority Caucus Chairperson. At a similar organizational caucus, the minority party shall elect a Minority Leader, Minority Floor Leader, Minority Whip, Minority Caucus Chairperson, Assistant Minority Leader, Assistant Minority Floor Leader, Assistant Minority Whip, and Assistant Minority Caucus Chairperson.

c) All majority party Senate Officers shall serve at the pleasure of the majority party caucus. All minority party Senate Officers shall serve at the pleasure of the minority party caucus.

d) All majority and minority caucuses shall be subject to the provisions of Section 8 of the Open Meetings Act (see MCL 15.268).

1.105 APPOINTMENT OF COMMITTEES

a) The Senate Majority Leader shall appoint all committees except when the Senate shall otherwise order. The Senate Majority Leader may appoint subcommittees of standing committees when some of the members of that subcommittee are not also members of that standing committee. Such subcommittees shall contain at least one majority member and one minority member who are members of that standing committee and shall have one more majority party member than minority party member.

b) The Senate Majority Leader shall make appointments of minority party members from a list submitted by the Senate Minority Leader, and shall consider the preferences, seniority, and experience of the members in making appointments. The Senate Majority Leader may accept the list submitted by the Senate Minority Leader in whole or in part. If the Senate Majority Leader rejects names on the list and their corresponding committee assignments, the Senate Minority Leader shall submit replacement nominations.

c) All appointments to standing and select committees and subcommittees appointed by the Senate Majority Leader shall be subject to the approval of the Senate given by a majority of the Senators elected and serving. All appointments to conference committees shall be effective upon appointment by the Senate Majority Leader until disapproved by the Senate given by a majority of the Senators elected and serving.

1.106 ELECTION OF A SECRETARY OF THE SENATE

A Secretary of the Senate shall be elected as an officer of the Senate. The Secretary of the Senate shall take and subscribe to the Constitutional Oath of Office for the true and faithful discharge of the duties of office. The Secretary of the Senate is responsible for the constitutional and statutory duties of this office and is also authorized to sign papers, forms, documents and contracts on behalf of the Senate.

1.107 SENATE PARLIAMENTARIAN

The Secretary of the Senate, or a member of the staff of the Secretary of the Senate, shall serve as the Senate Parliamentarian to advise the Senate on questions relating to parliamentary law and procedure.

1.108 SENATE BROADCAST AND WEBCAST

The Secretary of the Senate, with the concurrence of the Senate Majority Leader, is authorized to broadcast **AND WEBCAST** Senate session.

1.109 SENATE JOURNALS

a) The Secretary of the Senate shall keep a correct Journal of each day's proceedings of the Senate, supervise its publication, and make corrections from day to day as may be necessary. During the consideration and passage of appropriation bills, the Secretary of the Senate is authorized to correct totals that may have been affected by amendments made to items in the bill. The corrections shall be made in the bill and the Journal.

b) The Secretary of the Senate shall have ~~copies of~~ the Journal distributed to the offices of the President of the Senate and Senators daily, and shall make ~~copies~~ **THE JOURNAL** available to the general public.

c) When the Senate goes into Executive Session, the proceedings of the Senate shall be kept in a separate Journal, which shall be open to inspection by Senators only, unless otherwise ordered. Such Journal shall be published after the close of the session, at the end of the regular Journals of the Senate proceedings, unless otherwise ordered by the Senate.

1.110 INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

a) All bills and joint resolutions to be introduced shall be submitted to the Secretary of the Senate to be available for introduction on the next succeeding Senate legislative day, and accompanied by ~~12~~ **EIGHT (8)** true copies. Once submitted to the Secretary of the Senate, all bills and joint resolutions become the property of the Senate and cannot be withdrawn. Each bill, conference report, substitute bill and joint resolution shall be approved as to form and numbering of sections by the Legislative Service Bureau prior to being submitted for introduction. Bills and joint resolutions may be submitted for introduction during the interim between sessions.

b) Each Senate bill and joint resolution when introduced and each House bill and joint resolution when first received from the House shall be read a first and second time by title.

c) Senators may move to co-sponsor a Senate bill or Senate joint resolution when it is in possession of the Senate and not in a Senate committee. The first named member is the sponsor. After final passage of a Senate bill or adoption of a Senate joint resolution, or upon final action on a Senate bill or Senate joint resolution returned from the House, the presiding officer may open the voting board to allow Senators to add their names as co-sponsors. A sponsor or co-sponsor may move to remove his or her name from a Senate bill or Senate joint resolution when it is in possession of the Senate and not in a Senate committee, provided that at least one Senator remains listed as the sponsor.

1.111 NUMBERING, LETTERING AND PRINTING OF BILLS AND JOINT RESOLUTIONS

a) The Secretary of the Senate shall assign Senate bill numbers to all Senate bills in the order they are submitted for introduction. All joint resolutions shall be assigned letters in the order they are submitted for introduction.

b) The Secretary of the Senate shall attend to the printing or reproduction of all bills, joint resolutions, acts, or documents ordered printed or reproduced by the Senate. The heading of every bill and joint resolution ordered reproduced shall contain the number of the bill or letter of the joint resolution, name of the Senator or Senators introducing the bill or joint resolution, date of introduction, and the name of the committee to which the bill or joint resolution is referred (see Const. Art. 4, Sec. 26).

1.112 ANNOUNCEMENT OF PRINTING AND ENROLLMENT OF BILLS AND JOINT RESOLUTIONS

The Secretary of the Senate shall print in the Journal each day the number of all Senate and House bills and letters of all joint resolutions which have been printed or reproduced and distributed to the offices of the President of the Senate and Senators, and the numbers of the Senate bills which have been enrolled and presented to the Governor.

1.113 CARE AND PRESERVATION OF BILLS AND RESOLUTIONS

The Secretary of the Senate shall be responsible to the Senate for the care and preservation of every bill and resolution introduced in the Senate and each bill and resolution received from the House, which responsibility shall only be relieved by a receipt from an authorized person.

1.114 ENROLLMENT OF BILLS AND PRESENTATION TO THE GOVERNOR

a) After a Senate bill has passed both Houses, the Secretary of the Senate shall attend to the enrollment printing. The Secretary of the Senate shall present the enrolled bill to the Governor, obtaining a receipt, on which the exact date and time shall be shown for the bill deposited in the Executive Office.

b) The Secretary of the Senate may be authorized by a motion to enroll a Senate bill while the Senate is not in session if that bill has passed both Houses and no action is pending. The Secretary of the Senate shall notify the Senate of such action on the next Senate legislative day.

c) When a Senate bill is approved by the Governor, the Secretary of the Senate shall obtain a receipt from the Governor's office verifying the exact date and time the bill was filed with the Secretary of State. At the end of each year, the Secretary of the Senate shall deposit with the Secretary of State the official printed copy of the Senate bill as passed by both Houses and obtain a receipt.

1.115 ENROLLMENT OF JOINT RESOLUTIONS

a) After a Senate joint resolution has been adopted by both Houses, the Secretary of the Senate shall attend to the enrollment printing. The Secretary of the Senate shall certify and file the enrolled joint resolution with the Secretary of State and others as directed by the joint resolution.

b) The Secretary of the Senate may be authorized by a motion to enroll a Senate joint resolution while the Senate is not in session if that joint resolution has been adopted by both Houses and no action is pending. The Secretary of the Senate shall notify the Senate of such action on the next Senate legislative day.

c) When filing an enrolled Senate joint resolution with the Secretary of State, the Secretary of the Senate shall obtain a receipt verifying the exact date and time filed. At the end of each year, the Secretary of the Senate shall deposit with the Secretary of State the official printed copy of the Senate joint resolution as adopted by both Houses and obtain a receipt.

1.116 BILL AND RESOLUTION HISTORY

The Secretary of the Senate shall keep a record and index of all bills and resolutions received by the Senate. This record shall include the title, bill or resolution number, joint resolution letter, name of the sponsor and co-sponsor(s) introducing the bill or resolution, name of the committee to which the bill or resolution is referred, and an entry of all action, including the date, taken on the bill or resolution.

1.117 SENATE ADMINISTRATION AND OFFICE BUDGETS

a) The Senate Majority Leader shall assign duties to Senate employees not specified by other rules, and shall have final approval authority for all expenses for the operation of the Senate, except as provided by law.

b) In the absence of the Senate Majority Leader, the Assistant Majority Leader shall assume the duties and responsibilities of the Senate Majority Leader.

c) The Secretary of the Senate shall create a budget with the concurrence of the Senate Majority Leader, discuss it with the Senate Minority Leader and present it to the Committee on Appropriations at the beginning of each budget year. The form of the budget shall parallel, as closely as practical, the departmental budgets presented to the Committee on Appropriations.

d) The Senate financial records shall be open for public inspection. Upon a request that describes the financial record sufficiently to enable the Senate to find the financial record, a person has a right to inspect, copy, or receive copies of that financial record of the Senate. Documents shall be available for inspection during normal business hours. The Secretary of the Senate shall keep a record of these requests. A copy of the Senate financial records shall be on file with the Secretary of the Senate, who shall have overall authority to administer the Senate financial records under the direction of the Senate Majority Leader. The Secretary of the Senate shall provide to each Senator access to information regarding the status of the Senator's staff account, office operations account, and committee operations account for any standing committee that he or she chairs. The Senate Majority Leader shall have access to the reports for the accounts of all Senators.

1) The Secretary of the Senate shall serve as the Senate Information Officer to respond to requests for Senate financial records from the public and the media on behalf of a Senator or the Senate. All requests must include the first and last name, mailing address, and phone number of the requester. When the Secretary of the Senate receives a written request for a public record, the Secretary shall immediately, but not more than ~~5~~**FIVE (5)** business days after the day the request is received unless otherwise agreed to in writing by the person making the request, respond to the request by ~~+~~**ONE (1)** of the following:

A) Grant the request.

B) Issue a written notice to the requesting person denying the request.

C) Grant the request in part and issue a written notice to the requesting person denying the request in part.

D) Under unusual circumstances, issue a notice extending for not more than ~~+~~**TEN (10)** business days the period during which the Senate shall respond to the request. The Senate shall not issue more than ~~+~~**ONE (1)** notice of extension for a particular request.

If the Senate fails to respond to the written request within these guidelines, there will be a fine of \$250 and all Senate copying and inspection fees shall be waived.

2) As used in this section, "financial record" means a budget, account, contract, purchase order, an expenditure authorization, voucher, check, warrant, lease, audit report, balance sheet, travel voucher, or other such summaries of financial transactions.

The following information contained in Senate financial records is exempt from disclosure under this rule:

A) Information of a personal nature contained in financial records where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy. Such exempt information would include, but not be limited to, the following:

(i) An employee's social security account number, financial institution record, electronic transfer fund number, deferred compensation, savings bonds, W-2 and W-4 forms, and any court enforced judgment.

(ii) An employee's benefit selection.

(iii) Telephone bill detail including the telephone number and name of individual called.

(iv) Unemployment compensation and workers' disability compensation records.

B) Records and information specifically described and exempted from disclosure under statute or subject to attorney-client privilege.

C) A bid or proposal by a person to enter into a contract or agreement, until the time for the public opening of bids or proposals, or if a public opening is not to be conducted, until the time for the receipt of bids or proposals has expired.

D) Commercial or financial information or trade secrets voluntarily provided to the Senate for use in developing government policy if submitted upon a promise of confidentiality by the Senate.

E) Communications, notes, and electronic data within the Senate or between the Senate and other public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to the final Senate determination of policy or action.

3) The Senate may charge a reasonable fee for providing a copy of a financial record. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor, the cost of search, examination, review, and the deletion of exempt information from nonexempt information.

4) The Senate may also charge a reasonable fee for providing for the inspection of financial records. This fee may include the actual incremental cost of supervising the inspection including labor, the cost of search, examination, review, and the deletion of exempt information from nonexempt information.

The Senate may adopt any such other rules and policies as are necessary to provide for the orderly dissemination of materials to the public.

e) Each Senator shall be allotted separate budget amounts for the annual staff account and the annual office operations account, as determined by the Senate Majority Leader, to be used on a fiscal year basis. Each standing committee chairperson shall be allotted a separate budget amount for the annual committee operations account, as determined by the Senate Majority Leader. The amounts allocated to these accounts may be adjusted for all Senate offices by the Senate Majority Leader. Any unused amount in a fiscal year shall not be carried into the succeeding year. A Senator shall not exceed the annual limits for each of these accounts without approval of the Senate Majority Leader.

f) The Senate Majority Leader shall establish guidelines to allow Senators to transfer a limited amount of funds between their own staff account and their office operations account.

1.118 SECRETARY OF THE SENATE ADMINISTRATIVE DUTIES

a) With the approval of the Senate Majority Leader, the Secretary of the Senate shall appoint a staff to conduct the business of the Senate.

b) The Secretary of the Senate shall exercise supervisory care and control of the Senate Chamber, all Senate rooms, corridors, furniture, and equipment. Upon approval of the Senate Majority Leader, the Secretary of the Senate shall purchase all necessary furniture, carpet, equipment, postage, supplies, and services for use by the Senate.

c) The Secretary of the Senate shall install and maintain any equipment approved for use by the Senate.

d) The Secretary of the Senate shall have responsibility for the development and maintenance of a system for preserving records of the Senate and its committees. The Secretary of the Senate shall issue guidelines for the organization and preservation of these records.

e) The Secretary of the Senate shall be responsible for keeping the Senate seal and for affixing the Senate seal to official Senate documents, as authorized by the Senate Majority Leader. The Senate seal shall be comprised of the coat of arms of the State of Michigan encompassed by the words: "Senate - State of Michigan".

f) The Secretary of the Senate shall maintain a schedule of Senate committee rooms.

g) The Secretary of the Senate shall make and maintain an official tape of all sessions of the Senate. Copies of the official tape shall be made only upon application approved by the Senate Majority Leader. All official tapes of the Senate sessions shall be transferred to the State Archives four years following the end of each biennial session of the Senate.

h) The Secretary of the Senate shall compile and maintain a list of appointments by the Governor subject to the advice and consent power of the Senate. This list shall contain the name and function of the office, the holder of the office, the date of appointment, and the expiration date of the officeholder's term. This list shall be posted on the Senate Website.

i) The Secretary of the Senate shall compile and maintain a list of the appointments that the Senate Majority Leader or the Senate Minority Leader are authorized to make to various boards and commissions. This list shall contain the name and function of the office, the holder of the office, the date of appointment, and the expiration date of the officeholder's term. This list shall be posted on the Senate Website.

1.119 DUTIES OF THE SERGEANT AT ARMS

a) The Sergeant at Arms shall be the chief security officer of the Senate. Under the direction of the Senate Majority Leader, the Secretary of the Senate shall supervise and direct the work of the Sergeant at Arms, Assistant Sergeants at Arms, and Couriers and may commission the Sergeant at Arms and Assistant Sergeants at Arms, who meet the certification requirements of this state, as law enforcement officers with the powers provided under the Legislative Sergeant at Arms Police Powers Act (see MCL 4.381-4.382).

b) The Sergeant at Arms shall attend the Senate during its sessions and maintain order under the direction of the presiding officer. The Sergeant at Arms shall execute the commands of the presiding officer and of the Senate, and all processes issued by authority thereof.

c) The Sergeant at Arms shall have general charge, and maintain order, in the gallery, Chamber, and committee rooms of the Senate. The Sergeant at Arms shall see that all staff and visitors are seated.

1.120 EXECUTIVE SESSION

On a motion made and carried that the Senate go into executive session, the presiding officer shall direct all persons, except Senators, the Secretary of the Senate, and personnel as authorized by the Senate, to withdraw. The vote of a majority of the Senators voting shall be required on a motion for executive session, except for executive sessions called under Rule 2.104. During an executive session, the doors shall remain closed and every Senator and officer shall keep confidential all proceedings and matters enjoined by order of the Senate (see Const. Art. 4, Sec. 20).

CHAPTER I - SECTION 2 MEMBER RESPONSIBILITIES

1.201 OATH OF OFFICE

The oath of office to Senators-elect shall be administered following the November general election up to and including the first day of regular session, or as soon thereafter as a Senator-elect may appear. The oath shall be administered by the Lieutenant Governor, a Justice of the Supreme Court, a Judge of the Court of Appeals, or the Secretary of the Senate (see Const. Art. 11, Sec. 1).

1.202 CONTESTED ELECTIONS

a) A petition for a recount shall be filed not later than ~~48~~ **FORTY-EIGHT (48)** hours following the completion of the canvass of the votes cast at an election. A copy of the petition shall be given by the contestant to the Secretary of the Senate (see MCL 168.879). Notice of receipt of the petitions shall be announced by the Secretary of the Senate and printed in the Journal.

b) Each contestant requesting a recount shall deposit with the Secretary of State, Bureau of Elections, the amount provided by law for each precinct in which he or she has requested a recount (see MCL 168.881).

c) Upon completion of a recount, the Board of State Canvassers shall forward a report of the results to the Secretary of the Senate and the report shall be announced by the Secretary of the Senate and printed in the Journal (see MCL 168.879).

d) In the case of two **(2)** or more persons having equal and the highest number of votes for any office, as canvassed by the Board of State Canvassers, the Board of State Canvassers shall certify the result of the canvass to the Legislature and in joint convention the Legislature shall choose one of said persons to fill the office. When the determination of the Board of State Canvassers is contested, the Legislature in joint convention shall decide which person is elected (see MCL 168.846).

1.203 PROCEDURE FOR EXCLUSION

a) A Senator-elect shall not be given the oath of office or seated as a Senator if he or she has been convicted of subversion or has, within the preceding ~~20~~ **TWENTY (20)** years, been convicted of a felony involving breach of the public trust (see Const. Art. 4, Sec. 7) or has within the preceding ~~20~~ **TWENTY (20)** years, been convicted of a felony involving dishonesty, deceit, fraud, or a breach of public trust and that conviction was related to the person's official capacity while the person was holding any elective office or position of employment in local, state, or federal government (see Const. Art. 11, Sec. 8). Upon finding by a majority vote of the Senators elected and serving that a Senator-elect has committed an offense within the provisions of this rule, he or she shall be declared to be unqualified for membership in the Senate and his or her office declared vacant.

b) Questions arising from challenges to the elections or returns of its members shall be decided by a vote of a majority of the Senators elected and serving (see Const. Art. 4, Sec. 16). In cases of contested elections or returns, notice setting forth the grounds of the contest shall be given by the contestant to the Secretary of the Senate not later than January 7 following the general election, or not later than ~~20~~ **TWENTY (20)** days following the special election.

c) The Senate, with concurrence of two-thirds of its members elected and serving, may expel a member. The reasons for such expulsion shall be printed in the Journal (see Const. Art. 4, Sec. 16).

1.204 EXCUSED ABSENCE

The Senate may excuse any Senator from attendance for any stated period, and the excused absence shall be printed in the Journal. The Senate may revoke an excuse at any time.

1.205 SENATORS DEEMED PRESENT UNLESS EXCUSED

a) A Senator who answers an attendance roll call or who enters after an attendance roll call and reports his or her presence to the Secretary of the Senate shall be considered present thereafter unless an excused absence is granted.

b) A Senator may be recognized prior to the invocation and the attendance roll call only for the purpose of presenting a motion to adjourn. Should such a motion to adjourn prevail, there shall be no official invocation and attendance roll call for that day.

1.206 COMPENSATION FOR SENATORS

The compensation of Senators is determined by the State Officers Compensation Commission, as provided by law. Senators shall not collect from the Senator's staff account any compensation, expense allowance, or mileage reimbursement.

1.207 FACILITIES FOR SENATORS

Each Senator shall be entitled to facilities, equipment, furnishings, and expenses that are necessary to fulfill the duties of office. The location of facilities and the sufficiency of equipment, furnishings, and expenses shall be determined through guidelines issued by the Senate Majority Leader.

1.208 EXPENSE REIMBURSEMENT

Expense reimbursement for travel, lodging, meals, registration fees, and related items shall be made in accordance with an established set of regulations as determined and published by the Senate Majority Leader. The regulations shall set forth the guidelines for amounts, methods of payment, and time of payment for such items. When, in the judgment of the Senate Majority Leader, the regulations need revision, the Senate Majority Leader may make the revision upon ~~15-day~~ **FIFTEEN (15)-DAY** notice to all Senators. The regulations shall include the following:

a) Out-of-state expenses of a Senator, or Senate employee, shall not be paid by the Senate unless a written request has been approved by the parties specified in the regulations and by the Senate Majority Leader, and has been filed with the Secretary of the Senate prior to departure.

b) The request shall state the purpose for making the trip, the relevance of the trip to legislative matters, and an estimate of the cost.

c) A Senator, or Senate employee, shall file a written and signed post-travel report with the Secretary of the Senate not more than ~~20-TWENTY (20)~~ calendar days after returning. These reports shall be retained by the Secretary of the Senate until no longer required by law. If a report is not filed within ~~20-TWENTY (20)~~ calendar days after returning, expenses may not be reimbursed by the Senate. Senate funds received in advance of departure shall be returned in full if the report is not filed within ~~20-TWENTY (20)~~ calendar days after returning. The report shall include a summary of the relevant legislative information, material pertinent thereto, and itemized expenditures.

d) An expenditure for travel by a Senator, or Senate employee, shall not be paid by the Senate unless that expenditure is itemized and receipted (except in cases in which receipts are not ordinarily provided).

e) Expenses for out-of-state travel by Senators shall be printed in the Journal on a quarterly basis.

f) A Senator, or an employee of a Senator, shall not incur out-of-state travel expenses after the Senator is defeated in a Senate primary or general election, or upon the failure of the Senator to file for election while serving the balance of his or her unexpired term, unless approved by the Senate Majority Leader.

1.209 MAILING

a) The mailing or printing at Senate expense of any personal or campaign material is prohibited.

b) A Senator, or committee of the Senate, shall not use state funds to mail ~~1,000-ONE THOUSAND (1,000)~~ or more pieces of substantially similar material ~~30-THIRTY (30)~~ days or less before a primary or general election, in which the Senator is a candidate. This rule does not apply if the mailing is a summary of a ballot proposal and is approved by the Senate Majority Leader.

c) The Senate shall not make payment for a mass mailing sent outside the district of the Senator making the mailing. In determining whether a violation of this rule has occurred, recognition shall be given to established mass mailing techniques.

d) The Senate Majority Leader shall develop and disseminate guidelines for printing and mass mailing.

e) The cost of pieces mailed by a Senator which were paid for by Senate funds shall be tabulated and recorded by the Secretary of the Senate.

**CHAPTER I - SECTION 3
LEGISLATIVE CONDUCT AND ETHICS****1.301 LEGISLATIVE CONDUCT**

Each Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and shall, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office.

1.302 ATTENDANCE AND VOTING

Every Senator is expected to vote on each roll call vote, unless absent or prohibited from voting by Rule 1.306. A Senator who misses a roll call vote may request that a vote intention be printed in the Senate Journal reflecting how he or she would have voted.

1.303 IMPROPER INFLUENCE

A Senator shall not accept anything that will influence his or her official act, decision, or vote.

1.304 CONFLICTING EMPLOYMENT

A Senator shall not allow any personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.305 UNDUE INFLUENCE

A Senator shall not use his or her influence in any matter that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.306 DISCLOSURE AND DISQUALIFICATION

A Senator having a personal, private, or professional interest in a bill, of which he or she has knowledge, shall not vote on the bill and shall disclose in writing his or her interest in the bill. A personal, private, or professional interest in a bill is an interest that would provide a benefit particular to a Senator or a benefit particular to any individual or entity to

whom the Senator is financially or legally obligated or is personally related. The disclosure shall be filed with the Secretary of the Senate to be printed in the Journal immediately following the record of the vote on the bill. If a Senator votes on a bill that might appear at the time of the vote to provide a benefit particular to that Senator or a benefit particular to any individual or entity to whom the Senator is financially or legally obligated or is personally related, a Senator may submit a statement explaining his or her reasons for voting. The statement shall be printed in the Journal.

1.307 SEXUAL HARASSMENT

Sexual harassment of Senators and Senate employees is prohibited and will not be tolerated by the Senate. The Senate Majority Leader shall establish a Senate Majority Leader policy to implement this prohibition.

1.308 SENATE EMPLOYEES AND CONFLICTS

Senate employees shall be accountable to the intent of Chapter I - Section 3 where applicable.

1.309 IMPROPER USE OF STAFF AND FACILITIES

a) A Senator shall not convert for personal, business and/or campaign use, unrelated to Senate business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, ~~teletype~~ **FACSIMILE** machines, computers, postage, and copy machines.

b) Personal business and incidental campaign calls, when charged to the state, are clearly contrary to the proper use of these facilities.

c) Personal and business calls must be charged to the caller's residence telephone, personal credit card, special billing number or made from a cellular telephone or pay station. Individuals making unreimbursed personal calls from state facilities shall be subject to appropriate sanctions.

d) In situations where it is not possible to utilize any of the methods outlined above to make a personal call, or when other incidental expenses are incurred, the Senate's operating procedure shall allow reimbursement to the State of Michigan for such calls and expenses.

1.310 ADVISORY OPINIONS

All questions relating to the interpretation and enforcement of these rules concerning legislative conduct and ethics shall be referred to the Committee on Government Operations. A Senator who has a question regarding legislative conduct and ethics may submit a factual situation to the Committee on Government Operations with a request for an advisory opinion establishing the standard of public duty. The Committee shall respond to each inquiry. All opinions shall, after hearing, be numbered, dated, and printed in the Journal. No opinion shall identify the requesting Senator without his or her consent.

1.311 PENALTIES FOR VIOLATION

If a Senator is alleged to have violated the provisions of the rules regulating ethics and conduct, the Committee on Government Operations shall determine if the facts underlying the allegation are sufficient to merit a hearing. If a hearing is held, the Senator charged with a violation shall be given notice and granted the opportunity to appear at the hearing and be represented by counsel. The determination and any disciplinary action shall be made and taken only by a two-thirds (**2/3**) vote of the Senators elected and serving on recommendation of the Committee on Government Operations. A Senator determined to have violated the provisions of the rules regulating ethics and conduct may be reprimanded, censured, or expelled. Any actions undertaken under this section shall be separate from any prosecutions or penalties otherwise provided by law.

CHAPTER I - SECTION 4

SENATE EMPLOYEES

1.401 EMPLOYEES OF EACH SENATOR

a) All Senators may appoint necessary staff in accordance with Senate rules and subject to policies established by the Senate Majority Leader. These employees shall be directly responsible to the Senator. A Senator shall not appoint any employee who is related within the first degree of consanguinity or direct affinity to any Senator elected or serving. A Senator shall not appoint any employee who is related within the second or third degree of consanguinity or direct affinity to any Senator elected or serving without permission of the Senate Majority Leader.

b) A person shall not begin employment nor receive any compensation until a Senator has provided the Secretary of the Senate with the necessary information about the employee.

c) A Senate employee shall not convert for personal, business and/or campaign use, unrelated to Senate business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, ~~teletype~~ **FACSIMILE** machines, computers, postage, and copy machines.

d) Personal business and incidental campaign calls, when charged to the state, are clearly contrary to the proper use of these facilities.

e) Personal and business calls must be charged to the caller's residence telephone, personal credit card, special billing number or made from a cellular telephone or pay station. Individuals making unreimbursed personal calls from state facilities shall be subject to appropriate sanctions.

f) In situations where it is not possible to utilize any of the methods outlined above to make a personal call, or when other incidental expenses are incurred, the Senate's operating procedure shall allow reimbursement to the State of Michigan for such calls and expenses.

1.402 COMMITTEE CLERKS

Clerks for standing committees (except for the Appropriations Committee) shall serve under the direction of the Senate Majority Leader. The person designated as committee clerk must perform all duties established by the State Constitution and Senate rules and must attend committee clerk training sessions provided by the Secretary of the Senate.

1.403 EMPLOYEE APPOINTMENT

The Senate Majority Leader shall appoint employees as may be necessary for the work of the Senate. The Senate Majority Leader shall appoint minority staff employees from a list submitted by the Senate Minority Leader.

1.404 EMPLOYEE COMPENSATION

a) Compensation for Senate employees shall be established by each Senator within the limits of the budget guidelines in accordance with Senate rules and subject to policies issued by the Senate Majority Leader.

b) The Senate general fund shall not provide more than two (2) fringe-benefit packages for the staff of each minority Senator or more than four (4) fringe-benefit packages for the staff of each majority Senator unless otherwise determined by the Senate Majority Leader.

1.405 EMPLOYEES AS CANDIDATES

Any Senate employee who files a nominating petition or pays a fee for ballot access or files an affidavit of candidacy for a full-time elective office shall be placed on an unpaid leave of absence.

1.406 TERMINATION OF EMPLOYMENT

The Senate Majority Leader shall have the right to terminate the services of any employee and the pay of the employee shall stop on the day of dismissal. This rule shall not apply to any employee elected by the Senate or those employees specifically provided for by other Senate rules.

**CHAPTER II - SECTION 1
COMMITTEE ORGANIZATION**

2.101 AUTHORIZATION FOR STANDING COMMITTEES

Permanent standing committees, when created by rule of the Senate, shall exist and function both during and between sessions (see MCL 4.221).

2.102 POWERS AND RESPONSIBILITIES OF COMMITTEES

a) Any Senator, while acting as a member of a committee, shall have authority to administer oaths to such persons as shall be examined before the committee of which he or she is a member (see MCL 4.85).

b) Any committee may, by resolution of the Senate, be authorized to administer oaths, subpoena witnesses, and examine the books and records of any persons, partnerships, or corporations involved in a matter properly before any committee (see MCL 4.101).

c) Any witness, or attorney representing a witness, may be punished for contempt by the Legislature (see MCL 4.82 and 4.101), under either of the following circumstances:

1) During a committee investigation and pursuant to a committee subpoena, he or she:

a) Refuses to be sworn or testify, or

b) Fails on demand to produce any papers, books, or documents in regards to any matter under investigation, or

c) Otherwise neglects or refuses to obey the committee subpoena.

2) He or she is guilty of deliberately interfering with the duties and powers of the Legislature while in attendance at a committee hearing.

d) Contempt of the Legislature shall be punishable as provided by law (see MCL 4.82 and 4.83).

2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

Agriculture (5 members)

Appropriations (16 members)

Banking and Financial Institutions (7 members)

Economic Development (7 members)

Education (5 members)

Energy and Technology (9 members)

Families, Seniors and Human Services (4 members)

Finance (7 members)

Government Operations (5 members)

Health Policy (8 members)

Insurance (7 members)

Judiciary (4 members)

Local Government and Elections (4 members)

Natural Resources, Environment and Great Lakes (7 members)

Outdoor Recreation and Tourism (7 members)

Redistricting (9 members)

Reforms, Restructuring and Reinventing (7 members)

Regulatory Reform (7 members)
 Transportation (7 members)
 Veterans, Military Affairs and Homeland Security (5 members)
 Statutory standing committees:
 Administrative Rules (5 members) (see MCL 24.235)
 Legislative Council (6 members and 3 alternates) (see MCL 4.1103)
 Legislative Retirement Board of Trustees (2 members) (see MCL 38.1026)
 Michigan Capitol Committee (4 members) (see MCL 4.1701)

2.104 COMMITTEE ON GOVERNMENT OPERATIONS

a) All appointments to office submitted by the Governor, and any other executive business, shall be referred to the Committee on Government Operations. No appointment shall be voted upon until it has been printed in the Journal.

1) Any appointment not disapproved within ~~60~~**SIXTY (60)** session days after receipt shall stand confirmed (see Const. Art. 5, Sec. 6).

2) On all appointments to office reported favorably, the question shall be on advising and consenting to the appointment. On all appointments reported unfavorably or without recommendation, the question shall be on the disapproval of the appointment.

3) The vote of a majority of the Senators elected and serving by record roll call vote shall be required to approve or disapprove any appointment to office submitted by the Governor. Any appointments considered by the Senate shall be in open session, unless a majority of the Senators elected and serving shall vote in favor of an executive session (see Const. Art. 4, Sec. 19).

b) If an appointment is made at a time when the ~~60~~**SIXTY (60)** days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. The Senate Majority Leader shall notify the Secretary of the Senate at least ~~10~~**TEN (10)** calendar days prior to the date of the scheduled session. The Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

c) Effective upon written notification to the Secretary of the Senate, the chairperson of the Committee on Government Operations may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Government Operations on a gubernatorial appointment or an executive order. The Senate standing committee shall adopt by committee vote a recommendation to the Committee on Government Operations.

d) Executive orders issued by the Governor, except those dealing with matters of appropriations or expenditure reductions, shall be referred to the Committee on Government Operations. Any executive order dealing with matters of executive reorganization may be disapproved by a resolution concurred in by a majority of the members elected to and serving in each House within ~~60~~**SIXTY (60)** calendar days after receipt at a regular session, or a full regular session if of shorter duration. Unless disapproved within that time, the executive order shall become effective at a date thereafter to be designated by the Governor (see Const. Art. 5, Sec. 2).

e) Executive orders dealing with matters of appropriations or expenditure reductions shall be referred to the Committee on Appropriations (see MCL 18.1391).

f) The Committee on Government Operations shall receive for review all reports presented by the legislative auditor general.

g) Effective upon written notification to the Secretary of the Senate, the chairperson of the Committee on Government Operations may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Government Operations on an auditor general report. The Senate standing committee shall adopt by a committee vote a recommendation to the Committee on Government Operations.

2.105 COMMITTEE CHAIRPERSONS AND TEMPORARY MEMBERS

a) The first named member of any committee shall be the chairperson, the second named member shall be the majority vice chairperson, and the remaining members of the committee shall rank in the order in which they are named. The first named member of the minority party shall be the minority vice chairperson. In the temporary absence of the chairperson and majority vice chairperson, the highest ranking member in attendance shall act as chairperson. When all members of a subcommittee are also members of the standing committee, the committee chairperson shall appoint the subcommittee members.

b) In the apparent prolonged absence of a member of a committee, the Senate Majority Leader shall fill the vacancy by appointing a committee member who shall serve until the absent Senator returns. A temporary committee member shall not be appointed chairperson of the committee by the Senate Majority Leader.

2.106 CALLING OF A COMMITTEE

It shall be the duty of any committee to meet at the call of the chairperson, or on the written request of a majority of the members of the committee. The call or request must contain the date, time, and place of the meeting. No committee of any status shall sit during a session of the Senate, except during recess, unless leave is granted by the Senate. No committee shall use the Senate Chamber for a public hearing during any regular or special session of the Legislature.

2.107 NOTICE OF MEETINGS AND PUBLIC HEARINGS

a) A committee may hold a meeting or public hearing on any bill or resolution referred to the committee and on any issue relevant to the subject matter of the committee. Notice of the meeting or hearing, its subject, date, time, and place, shall be given in writing to the Secretary of the Senate who shall print it in the Journal and on the Senate calendar and post it where appropriate (see Const. Art. 4, Sec. 17). Oral ~~notice of the~~ **ANNOUNCEMENT REGARDING A** meeting or public hearing may be given to the Senate during a session by the chairperson, or a member, of the committee holding the meeting or public hearing.

b) Notice of all committee meetings and public hearings shall comply with the Michigan Open Meetings Act (see MCL 15.261-15.275).

2.108 COMMITTEE STAFFING

In addition to the allocation for staff as provided in Rule 1.117(e), the committee chairperson may appoint additional committee personnel as authorized by the Senate Majority Leader. The Senate Majority Leader may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.109 COMMITTEE EXPENSES

No committee may receive reimbursement for expenses unless authorized by the Senate Majority Leader. A report of committee expenses, prepared by the chairperson and the Secretary of the Senate from the documents on file in the Secretary of the Senate's office and approved by the chairperson, shall be filed quarterly with the Secretary of the Senate. The report shall include the date, payee, amount, and purpose of the expenditure. The Secretary of the Senate shall print in the Journal that the expense report is on file and open for public inspection.

CHAPTER II - SECTION 2 COMMITTEE PROCEDURE

2.201 COMMITTEE QUORUM

A quorum of a committee is a majority of the committee. The affirmative vote of a majority of the committee members serving is required to adopt an amendment or substitute to a bill or resolution and to report any matter to the Senate. A member must be present at the time a roll call is taken for his or her vote to count toward the required majority concurrence.

2.202 COMMITTEE RECORDS

a) Each committee clerk shall keep a record of the assigned standing committee proceedings, including the date and time of each meeting, the committee members present and absent, and all action on bills and resolutions in the committee with the names and votes of members (see Const. Art. 4, Sec. 17). A member of the committee wishing to explain his or her vote may file a written explanation with the clerk of the committee within two **(2)** legislative days after the vote is taken, which explanation shall be attached to the minutes. All minutes shall be available for public inspection during reasonable business hours. The committee record of its proceedings shall be transmitted biennially to the Secretary of the Senate within ~~30~~ **THIRTY (30)** days of the final adjournment of the Legislature. The Secretary of the Senate shall be responsible for the storage of the committee minutes and records of its proceedings, which shall be available for public inspection upon request.

b) The committee clerk of each committee shall keep the committee files, recordings, tapes, records, memoranda, or written documents in storage cabinets which are separate from his or her other records. The committee clerk shall provide the Secretary of the Senate with the identification numbers of the storage cabinets containing the committee records. The Secretary of the Senate shall tag the designated storage cabinets and maintain a record of this information.

2.203 COMMITTEE REPORTS

a) All committees shall file a report of their activities following each meeting. All reports shall be submitted on a form prescribed and furnished by the Secretary of the Senate. The reports shall include the date, time, and place of the committee meeting, the members in attendance, the vote of each committee member on any bill, resolution, or other business, and the committee's recommendation on immediate effect for any bill and shall be submitted to the Secretary of the Senate. The committee recommendation for immediate effect shall be considered on House bills at the time of Senate passage and on Senate bills upon their return from the House unless the Senate has previously given the bill immediate effect. All committees shall submit an attendance report to the Secretary of the Senate within two **(2)** Senate legislative days of the committee meeting. The Secretary of the Senate shall cause all committee reports and attendance reports to be printed in the Journal.

b) Except for a committee report recommending a substitute, any bill, resolution, or other business reported out of any committee shall be filed with the Secretary of the Senate as soon as possible and not later than 4:00 p.m. on the next calendar day (excluding weekends and holidays). A committee report recommending a substitute shall be filed not later than 4:00 p.m. on the second calendar day (excluding weekends and holidays). The Secretary of the Senate shall have the authority to retrieve any report not filed by these deadlines.

c) If a bill, joint resolution or other business is reported back to the Senate with the recommendation that it be referred to a second committee, the reported bill, joint resolution or other business, and any amendments, shall be referred to that committee in accordance with Rule 3.106.

d) All business not reported by a committee shall be returned to the Secretary of the Senate at the conclusion of each biennium.

2.204 ITEMS REPORTED WITHOUT RECOMMENDATION

All items reported without recommendation, with or without amendments, by any committee shall lie on the table unless otherwise ordered by the Senate. To take from the table any item placed on the table in this manner shall require the vote of a majority of the Senators elected and serving.

2.205 MANUAL OF COMMITTEE PROCEDURE

The rules of parliamentary law and practice in the most recent edition of Mason's "Manual of Legislative Procedure" shall govern committee procedure in all cases except when they are inconsistent with the standing rules and published precedents of the Senate and its committees.

2.206 COMMITTEE TELEVISIONING, WEBCASTING AND CONDUCT

a) Senate committee meetings may be taped, or televised live **OR WEBCAST** through the equipment operated by the Secretary of the Senate staff.

b) No person shall engage in any conduct during a Senate committee meeting which undermines the decorum of the meeting. All individual electronic devices during a committee meeting shall be turned off or left on non-audible alert. Failure to follow a warning issued by the chairperson may result in the device(s) being confiscated upon direction of the committee chairperson for the remainder of the meeting.

CHAPTER III - SECTION 1 ORDER OF BUSINESS

3.101 TIME OF SESSION

The Senate shall convene at 10:00 a.m. Tuesday through Thursday except on state holidays, unless otherwise ordered by the Senate.

3.102 ORDER OF BUSINESS

The order of business of the Senate shall be as follows:

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Attendance Roll Call
5. Motions and Communications
6. Messages from the Governor
7. Messages from the House
8. Conference Reports
9. Third Reading of Bills
10. General Orders
11. Resolutions
12. Introduction and Referral of Bills
13. Statements
14. Adjournment

3.103 CHANGE OF ORDER OF BUSINESS

The Senate may change, bypass, or return to any order of business at any time by the consent of a majority of those voting.

3.104 QUORUM OF THE SENATE

a) A majority of Senators elected and serving shall constitute a quorum (see Const. Art. 4, Sec. 14).

b) Routine business on which no vote of the Senate is required may be disposed of on any day, with or without a quorum present, and proper entries shall be printed in the Journal.

c) In the absence of a quorum, a motion is in order to order a Call of the Senate, recess or adjourn.

3.105 COMMUNICATIONS TO THE SENATE

The Secretary of the Senate shall compile official communications received by the Senate and shall make them available to all Senators. The presiding officer shall refer all communications which are informational only, to the Secretary of the Senate in one order for their printing in the Journal.

3.106 COMMITTEE REPORTS ON THE CALENDAR

a) All committee reports in the possession of the Secretary of the Senate shall be placed on the Senate calendar under the heading of Committee Reports. The Senate calendar shall be closed for printing at 4:00 p.m. on Tuesday, Wednesday and Friday. If a Senate committee is scheduled to meet on a Friday, Saturday or Sunday, the Senate calendar for a Tuesday session shall be closed for printing at 9:30 a.m. on Monday. If there is a Friday session, the calendar shall be closed at 4:00 p.m. on Thursday. If Monday is a state holiday, the Senate calendar for Tuesday shall be closed for printing on Friday at 12:00 noon.

b) A Senator may object to a committee report on the basis of its sufficiency or proper authorization. The presiding officer shall place the objection before the Senate for its decision.

c) All committee reports shall be laid over one (1) day. After one session day a committee report shall be considered accepted and the item shall be referred as appropriate.

3.107 RESOLUTION CONSENT CALENDAR

a) The Senate Majority Floor Leader and the Senate Minority Floor Leader or members who are their designees shall jointly compile a list to be known as the resolution consent calendar. It shall consist of Senate resolutions, Senate concurrent resolutions, and House concurrent resolutions which do not require committee referral and consideration, and the adoption of which may be accomplished by a majority of those voting. Resolutions which are subject to the voting requirements of Senate Rule 3.501, or governed by a voting requirement in statute, shall not be placed on the resolution consent calendar.

b) Resolutions on the consent calendar shall be disposed of in a single vote. Before stating the question of adoption of the consent calendar, the presiding officer shall ask if there are objections. The objection of any Senator to the placement of one (1) or more items on the resolution consent calendar shall result in the removal of the stated item or items from that calendar.

CHAPTER III - SECTION 2 INTRODUCTION OF BILLS

3.201 FIVE DAYS' POSSESSION

No bill shall be passed or become law at any regular session of the Legislature until it has been printed or reproduced and in possession of the Senate for at least five (5) days (see Const. Art. 4, Sec. 26).

3.202 BILLS AND RESOLUTIONS AMENDED BY THE HOUSE

All bills, joint resolutions and concurrent resolutions returned by the House with amendments shall be laid over one (1) day. Consideration of bills and joint resolutions shall be resumed the following day under the same order of business. Consideration of resolutions shall be resumed the following day under the order of Resolutions.

3.203 REFERRAL OF BILLS AND RESOLUTIONS

a) The Senate Majority Leader shall refer all bills and joint resolutions to a standing committee no later than one (1) Senate legislative day after being submitted to the Secretary of the Senate. The presiding officer shall announce the reference of all bills and joint resolutions.

b) A bill introduced pursuant to the timely filing of a notice of objection by the Joint Committee on Administrative Rules to a proposed administrative rule shall be read twice and placed on the Senate calendar under the order of business of General Orders (see MCL 24.245a(3)).

c) The Senate Majority Leader may change the original referral of a bill or resolution by oral notice to the Senate or written communication submitted to the Secretary of the Senate before the end of session on the next Senate legislative day following the day of the original referral. Notices of the written communication shall be announced by the Secretary of the Senate during session and both oral and written notifications shall be printed in the Journal.

d) It shall be in order at any time before the final passage of any bill or the adoption of any resolution to move its commitment or recommitment **TO COMMITTEE**.

e) The vote of a majority of the Senators elected and serving shall be required to discharge a committee from further consideration of any item referred to that committee.

3.204 RESOLUTIONS

a) All resolutions shall be accompanied by nine (9) true copies. Resolutions which are not subject to provisions in other Senate rules shall be read once by title to the Senate, and referred to the Committee on Government Operations. Once submitted to the Secretary of the Senate, resolutions become the property of the Senate and shall remain in the possession of the Secretary of the Senate. Concurrent resolutions shall be transmitted to the House on adoption.

b) Once a resolution is submitted to the Secretary of the Senate, any Senator and the President of the Senate wishing to co-sponsor it shall complete a form provided by the Secretary of the Senate. A member must be present and specifically request to be named as a co-sponsor of a resolution. After adoption of a Senate resolution, the presiding officer may open the voting board to allow Senators to add their names as co-sponsors.

c) After a Senate concurrent resolution has been adopted by both Houses and is returned to the Senate, the Secretary of the Senate is authorized to order the printing of the concurrent resolution unless amended by the House or otherwise directed by the Senate.

3.205 PRINTING

All bills and joint resolutions shall be printed or reproduced after introduction unless otherwise ordered by the Senate. No bill or joint resolution shall be reported from a standing committee until it has been printed or reproduced.

3.206 THE BILL TITLE

The title of a bill shall include:

a) The object of the bill, and

b) A reference to the section(s), act, and compilation numbers when amending any act which has been compiled.

3.207 THREE SEPARATE READINGS

Every bill and joint resolution shall receive three (3) separate readings prior to its being passed or adopted. The presiding officer shall announce whether it is the first, second, or third reading. The first and second readings may be by title only.

The third reading of a bill or joint resolution shall be in full unless otherwise ordered unanimously by the Senate. The third reading of a bill or joint resolution shall be on a day subsequent to that on which it is read a second time or is reported by the Committee of the Whole (see Const. Art. 4, Sec. 26).

3.208 INITIATIVE PETITIONS

a) Initiative petitions received by the Secretary of the Senate from the Secretary of State shall be stamped with the date and time measured in hours and minutes. The Secretary of the Senate shall deliver the initiative petition to the Senate Majority Leader to be available for referral to committee on the next Senate legislative day (see Const. Art. 2, Sec. 9).

b) Each initiative petition, when introduced, shall be read a first and second time by title and referred to committee. When reported out of committee, each initiative petition shall be placed on the order of Third Reading of Bills.

c) Any law proposed by initiative petition shall be either enacted or rejected by the Legislature without change or amendment within ~~40~~**FORTY (40)** days from the time such petition is received in the office of the Secretary of the Senate (see Const. Art. 2, Sec. 9).

d) If the Senate rejects an initiative petition, the Senate may propose a different measure on the same subject by a yeas and nays vote on separate roll calls. If the different measure is passed by both Houses of the Legislature, both measures shall be submitted to the electors for approval or rejection at the next general election (see Const. Art. 2, Sec. 9).

CHAPTER III - SECTION 3 MOTIONS

3.301 RECOGNITION

The presiding officer shall recognize Senators to speak in the order in which they press their "request to speak" button, except when a Senator seeks recognition to introduce guests or to raise a point of order. A Senator, when recognized, shall address the presiding officer, standing at the microphone nearest to his or her desk.

3.302 PRECEDENCE OF MOTIONS

The following motions shall take precedence in the order listed:

1. To fix the time to which to adjourn
2. To adjourn
3. To take a recess
4. To lay on the table
5. For the previous question
6. To postpone to a day certain
7. To commit or recommit **TO COMMITTEE**
8. To amend
9. To postpone indefinitely

3.303 MOTION IN WRITING

No motion shall be debated until stated by the presiding officer or Chair. Any motion shall be reduced to writing on demand of the presiding officer, Chair or any Senator. The written motion shall be presented to the Secretary of the Senate and read before it is debated.

3.304 MOTION WITHDRAWAL

Any motion may be withdrawn by the maker of the motion before it is amended or adopted.

3.305 NONDEBATABLE MOTIONS

a) The motions to adjourn, to recess, to reconsider, to lay on the table, for the previous question, to suspend the rules, and all questions relating to the priority of business shall be decided without debate.

b) A nondebatable motion is not in order if the Senator, making the motion, speaks immediately before offering the motion, except a member may explain an amendment and then move to withdraw it from consideration.

3.306 CONSIDERATION FOLLOWING A RECESS

When a recess is taken during the pendency of any question, the consideration of the question shall be resumed on the reassembling of the Senate.

3.307 MOTION TO LAY ON THE TABLE

A motion to lay on the table shall carry with it all pending subsidiary questions except in case of laying an appeal or a motion to reconsider on the table. A motion taken from the table shall be divested of all subsidiary motions except motions to amend. The vote of a majority of the Senators elected and serving shall be required for a motion to remove any item from the table. Items laid on the table must first be removed from the table before they are eligible for further consideration by the Senate.

3.308 MOVE THE PREVIOUS QUESTION

a) Any Senator may move the previous question. The previous question shall be ordered by a majority of the Senators voting. The motion for the previous question may be limited by the mover to one or more of the questions preceding the main question. The effect of ordering the previous question shall be to close debate instantly, bringing the Senate to an immediate vote on the pending question or questions in their regular order. If the previous question is ordered on the third reading of a bill or joint resolution, only amendments to the bill or joint resolution that have been filed with the Secretary of the Senate prior to the motion calling for the previous question shall be considered, but the amendments shall not be debated. The yeas and nays may be demanded on any vote taken while the previous question is in effect.

b) A motion to reconsider is in order under operation of the previous question before voting is completed on all pending items affected by the previous question.

c) A motion for a Call of the Senate shall not be in order after the previous question has been ordered. No Senator shall dissent orally by making a statement of protest while the previous question is in effect. The previous question having been ordered, any question of order or appeal from the decision of the presiding officer shall be decided without debate.

3.309 MOTION TO DIVIDE

Any Senator may call for a division of the question. If supported by a majority of the Senators voting, the question shall be divided providing it contains propositions sufficiently distinct in substance that, if one is taken away, a substantive proposition remains for the decision of the Senate.

3.310 MOTION TO STRIKE OUT AND INSERT

A motion to amend by striking out and inserting other words shall be indivisible. However, the words proposed to be struck out or inserted may be amended.

3.311 MOTION TO RECONSIDER

a) No motion for the reconsideration of any vote shall be in order unless:

1) The subject matter on which the vote was taken is in the possession of the Senate, and

2) It is made on the same day the vote is taken or within the next two (2) Senate legislative days.

b) The same question shall not be reconsidered more than once.

c) The vote of a majority of the Senators elected and serving shall be required to reconsider the vote by which any bill or joint resolution was passed or adopted or the vote by which an amendment or substitute (but not an amendment to an amendment or a substitute) was adopted on Third Reading by the Senate.

d) A motion to reconsider may be laid on the table. The tabling of a motion to reconsider the vote by which any bill or joint resolution failed to pass or be adopted by the Senate shall require the vote of a majority of the Senators elected and serving and shall postpone indefinitely the consideration of the bill or joint resolution.

e) Tabling of a motion to reconsider shall not carry with it the original question but shall be a refusal to reconsider. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.

3.312 INDEFINITE POSTPONEMENT

To postpone indefinitely further consideration of any bill, resolution, or other matter shall require the vote of a majority of the Senators elected and serving, and the vote on such a motion shall not be reconsidered.

3.313 MOTION FOR CALL OF THE SENATE

A Call of the Senate during session shall be ordered by a majority of the Senators voting whether a quorum or not. After a Call of the Senate is ordered, the doors shall be closed and the Senators shall not be permitted to leave the Senate floor without permission of the Senate. The roll of the Senate shall be taken by the Secretary of the Senate and the absentees noted. The Sergeant at Arms, or persons duly empowered by a majority of the Senators voting, may be dispatched and may arrest any or all of the Senators absent without leave.

CHAPTER III - SECTION 4 AMENDMENTS

3.401 TWO READINGS BEFORE AMENDMENT

No bill or joint resolution shall be amended until it has been read twice.

3.402 AMENDMENTS ON THIRD READING

a) The vote of a majority of the Senators elected and serving shall be required to adopt any amendment on Third Reading.

b) If a series of amendments is offered to a bill or joint resolution and it becomes obvious the amendments are being used as a basis of obstruction, a motion may be made that the amendments be declared obstructive and the motion shall not be debatable. If the motion prevails, the amendments shall be read en bloc and a single vote shall be taken immediately on all of the amendments. In this case, no division of the question shall be allowed.

3.403 PRINTING OF AMENDMENTS IN THE JOURNAL

a) No bill or joint resolution which has been reported with amendment or amendments by any committee shall be considered in Committee of the Whole until the amendment or amendments have been printed in the Journal. No bill or joint resolution amended in Committee of the Whole shall be considered on Third Reading of Bills until all amendments made in Committee of the Whole have been printed in the Journal.

b) All amendments shall be submitted in writing and with ~~seven (7)~~ **SIX (6)** copies and all substitutes shall be submitted with ~~ten (10)~~ **FIVE (5)** copies.

CHAPTER III - SECTION 5 VOTING PROCEDURE

3.501 ACTIONS REQUIRING AN EXTRAORDINARY MAJORITY

Action by the Senate on the following matters shall require a vote of two-thirds (2/3) of the Senators elected and serving except as otherwise noted:

a) Amendment or Repeal of Initiated Law, three-fourths (3/4) of the Senators elected and serving (Const. Art. 2, Sec. 9)

b) Expulsion of Member (Const. Art. 4, Sec. 16)

- c) Immediate Effect (Const. Art. 4, Sec. 27)
- d) Local or Special Act (Const. Art. 4, Sec. 29)
- e) Private or Local Purpose Appropriation (Const. Art. 4, Sec. 30)
- f) Overriding Veto (Const. Art. 4, Sec. 33)
- g) Bank and Trust Company Law (Const. Art. 4, Sec. 43)
- h) Courts of Limited Jurisdiction (Const. Art. 6, Sec. 1)
- i) Removal of Judge (Const. Art. 6, Sec. 25)
- j) State Borrowing (Const. Art. 9, Sec. 15)
- k) State Land Reserve Designation (Const. Art. 10, Sec. 5)
- l) Rejection or Reduction of Civil Service Pay Increases (Const. Art. 11, Sec. 5)
- m) Amendments to Michigan Constitution (Const. Art. 12, Sec. 1)
- n) Mackinac Bridge Bonds Refunding (Const. Schedule, Sec. 14)
- o) Amendments to increase the February 1, 1994 statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes, three-fourths (3/4) of the Senators elected and serving (Const. Art. 9, Sec. 3)

3.502 MAJORITY VOTE ON QUESTIONS SHORT OF THE FINAL QUESTION

When a bill or joint resolution requires, pursuant to the Constitution, the concurrence of more than a majority of the Senators elected and serving, the concurrence of such majority shall not be requisite to decide any question for amendment or relating to the merits, being short of the final question, except on the question of the adoption of a conference report, concurring in House amendments, or receding from Senate amendments to any such bill or joint resolution returned from the House to the Senate for final action.

3.503 FINAL PASSAGE BY REQUIRED VOTE

a) The vote on the final passage of any bill or the adoption of any joint resolution, including a joint resolution ratifying a proposed amendment to the federal Constitution, shall be taken by a record roll call vote, which shall be printed in the Journal (see Const. Art. 4, Sec. 26).

b) When any bill or joint resolution receives the constitutionally required assent, that fact shall be certified on the bill or joint resolution by the Secretary of the Senate.

c) When a bill is given immediate effect by a two-thirds (2/3) vote of the Senators elected and serving, that action remains in effect as the bill proceeds through the legislative process, unless the vote for immediate effect is reconsidered and defeated.

3.504 DEMAND FOR RECORDED VOTE

The record of the votes and names of the Senators voting on any question shall be printed in the Journal at the request of one-fifth (1/5) of the Senators present (see Const. Art. 4, Sec. 18), except during the Committee of the Whole.

3.505 VOTING

a) After a question is stated by the presiding officer or Chair, no motion shall be in order and no Senator shall be entitled to speak until the roll call is finished and the result is declared.

b) The electronic voting system shall be used, if operational, to determine the question before the body when the vote is taken by roll call or by division, and shall display the votes of each Senator and the running total. At the direction of the presiding officer, the Secretary of the Senate shall immediately activate the electronic voting system for one (1) minute for a roll call vote, after which the vote shall be closed and no further votes shall be entered in the record. If all Senators present have voted before one (1) minute has elapsed, the presiding officer may ask Senators if there is objection to closing the vote. If no Senator objects, the presiding officer shall instruct the Secretary of the Senate to close the board immediately and record the vote.

c) The presiding officer or Chair may close a division vote at his or her discretion when it appears that all members present have had a reasonable opportunity to vote.

d) If the electronic voting system is not operational, the presiding officer or Chair shall direct the Secretary of the Senate to conduct a roll call or a division vote orally, and to announce the results and record the roll call.

e) A Senator shall not vote for another Senator. A person not a Senator shall not vote for any Senator. In addition to penalties prescribed by law, any Senator may be punished as the Senate may determine for voting for another Senator. If a person not a Senator votes or attempts to vote, he or she, in addition to penalties prescribed by law, shall be barred from the Senate floor for the remainder of the day's session and may receive further punishment as the Senate Majority Leader deems proper.

3.506 A SENATOR'S RIGHT TO DISSENT

a) A Senator may dissent from or protest against any act, proceeding, or resolution which he or she believes is injurious to any person or the public, and have the reason for his or her dissent printed in the Journal (see Const. Art. 4, Sec. 18).

b) A Senator may dissent orally by making a statement of protest, unless the previous question is in effect, which shall not be limited in length, or by moving that a statement made personally during session on any order of business other than during the Committee of the Whole be his or her protest. A Senator may also dissent by concurring with another

Senator's protest or statement previously moved to be printed in the Journal during that day's session. Dissent statements not made during the debate preceding or immediately following the vote from which a Senator is dissenting shall be made under the order of business of Statements.

c) A Senator may dissent in writing not to exceed ~~1,000~~ **ONE THOUSAND (1,000)** words if:

- 1) He or she gives oral notice during session of an intent to file a written protest, and
- 2) On that day or prior to the end of session on the next Senate legislative day, a signed copy of the written protest is placed on each Senator's desk and filed with the Secretary of the Senate, and
- 3) No objections are raised and sustained by the end of session on the first Senate legislative day following the day oral notice was given.

d) All protests submitted in any of the above manners shall be printed in the Journal, except the Senate may refuse to print statements or material containing insulting and contemptuous matter under the guise of a protest.

e) No statement of any Senator shall be printed in the Journal unless moved by that Senator.

3.507 ANNOUNCEMENTS AND STATEMENTS

a) Announcements may be made during any order of business. Announcements are remarks concerning the session schedule, committee meetings, introduction of guests, congratulations, condolences or illness, requests to co-sponsor bills and resolutions, requests to be removed as a sponsor or co-sponsor of bills and resolutions, past vote intentions, or intentions of introducing legislation or resolutions. Announcements also include memorial remarks concerning the passing of individuals and may be made during any order of business except General Orders.

b) Statements on topics, issues or items not properly before the Senate shall be made during the order of business of Statements. Dissent statements may be made under the order of business of Statements.

c) A Senator is limited to one **(1)** statement each day under the order of business of Statements, except for dissent statements which are unlimited in number.

d) Each statement shall be limited to five **(5)** minutes orally or, if submitted in writing, shall be no greater than ~~1,000~~ **ONE THOUSAND (1,000)** words, except an oral dissent statement made on the order of Statements shall not be limited in length.

e) With the leave of the Senate, the President of the Senate may request that a statement made by the President be printed in the Journal.

CHAPTER III - SECTION 6 APPROPRIATION BILLS

3.601 GENERAL APPROPRIATION BILLS

The general appropriation bills for the succeeding fiscal year covering items set forth in the budget shall be passed or defeated in the Senate before it passes any appropriation bill for items not in the budget, except bills supplementing appropriations for the current fiscal year's operation (see Const. Art. 4, Sec. 31).

3.602 BILLS REQUIRING APPROPRIATIONS

Any bill containing an appropriation to carry out its purpose shall be considered an appropriation bill (see Const. Art. 4, Sec. 31). Appropriation bills, when reported back to the Senate favorably by a committee other than the Committee on Appropriations, shall, together with amendments proposed by that committee, be referred to the Committee on Appropriations for consideration.

3.603 ESTIMATED REVENUE

One **(1)** of the general appropriation bills as passed by the Senate shall contain an itemized statement of estimated revenue by a major source in each operating fund for the ensuing fiscal year, the total of which shall not be less than the total of all appropriations made from each fund in the general appropriation bills as passed.

CHAPTER III - SECTION 7 COMMITTEE OF THE WHOLE

3.701 FAVORABLE REPORTS

All bills and joint resolutions reported back to the Senate favorably shall be referred to the Committee of the Whole with amendments, if any, proposed by the committee, which amendments shall be considered first by the Committee of the Whole. Any bill or joint resolution may, after having been reported favorably to the Senate by a committee, be referred to a second committee. If the second committee reports the bill or joint resolution back to the Senate, the report shall include amendments, if any, that were recommended by the first committee. The reported bill or joint resolution, and any amendments, shall be referred to the Committee of the Whole.

3.702 BUSINESS IN ORDER

When the Senate resolves itself into the Committee of the Whole, General Orders shall be the only matter of business which shall be in order until the Committee rises.

3.703 BILLS AND JOINT RESOLUTIONS CONSTITUTING GENERAL ORDERS

a) Bills and joint resolutions referred to the Committee of the Whole shall constitute General Orders and shall be considered in the Committee of the Whole on a day subsequent to such referral in the order of their reference, unless the Senate or the Committee of the Whole otherwise determines.

b) No bill or joint resolution shall bypass consideration by the Committee of the Whole.

3.704 CHAIRPERSON OF THE COMMITTEE OF THE WHOLE

The presiding officer shall, when the Senate resolves itself into the Committee of the Whole, designate a Senator as chairperson of the Committee, unless otherwise ordered by the Senate. Senators shall be designated alphabetically. The Majority and Minority Floor Leaders shall submit to the Secretary of the Senate names of designees for members of their respective caucuses when they are unable to serve.

3.705 RULES IN THE COMMITTEE OF THE WHOLE

a) The rules of the Senate shall be observed in the Committee of the Whole so far as may be applicable, except limiting debate, ordering the previous question, suspension of rules, or taking the yeas and nays. However, no speech shall exceed five (5) minutes. A motion that the Committee rise shall always be in order and decided without debate. Motions in the Committee of the Whole recommending action by the Senate shall take precedence in the same order as identical motions made during a session of the Senate. Motions to recess or reconsider are in order in the Committee of the Whole.

b) No statement made during the Committee of the Whole shall be printed in the Journal.

c) In the event the Senate is in session in the Committee of the Whole at 11:55 p.m., it shall be the duty of the chairperson to declare the Committee of the Whole to have risen. The Committee of the Whole shall automatically rise and the presiding officer of the Senate shall resume the chair.

3.706 BILLS ORDERED TO THIRD READING

All bills and joint resolutions recommended for passage or adoption by the Committee of the Whole shall be placed on Third Reading of Bills by the Secretary of the Senate, and shall be taken up in the same order as they were advanced to the order of Third Reading of Bills unless otherwise ordered by the Senate.

**CHAPTER III - SECTION 8
PARLIAMENTARY PROCEDURE**

3.801 AUTHORITY AND PRECEDENCE OF SENATE RULES

a) The principal sources of authority for Senate rules are, in the order of precedence, as follows:

- 1) Constitutional Rules
- 2) Fundamental Legal Principles
- 3) Statutory Rules
- 4) Adopted Rules
- 5) Adopted Parliamentary Authority
- 6) Parliamentary Law
- 7) Customs and Usages
- 8) Judicial Decisions

Judicial decisions have the lowest precedence of the sources cited except to the extent they are interpretations of rules from one (1) of the other sources. In those instances, they take the same precedence as the source which is interpreted.

b) Rules from the source with the higher precedence prevails when there are conflicts between rules from different sources.

3.802 MANUAL OF LEGISLATIVE PROCEDURE

The rules of parliamentary practice in the most recent edition of Mason's "Manual of Legislative Procedure" shall govern all cases except when they are inconsistent with the Standing Rules and precedents of the Senate.

3.803 RULES OF A NEWLY CONVENED SENATE

The Senate rules which are in effect when the Senate adjourns sine die in an even numbered year shall be the temporary rules of the Senate when it convenes at twelve o'clock noon on the second Wednesday in January of the following odd numbered year and shall remain in effect until other temporary or permanent rules are adopted (see MCL 4.42).

3.804 AMENDMENT OR REPEAL OF SENATE RULES

The repeal or amendment of any rule shall be accomplished only by resolution. All proposed amendments or repeals of Senate rules shall be referred to the Committee on Government Operations for consideration. The adoption of a proposed resolution for the repeal or amendment of any rule shall require a majority of the Senators elected and serving.

3.805 SUSPENSION OF RULES

The suspension of any Senate rule or adopted parliamentary authority shall require a majority of the Senators elected and serving.

**CHAPTER III - SECTION 9
PRIVILEGE AND CONDUCT ON THE FLOOR**

3.901 MEMBERS OF THE MEDIA

Members of the media shall register with the Secretary of the Senate. The following provisions shall govern the registration process:

- 1) A member of the media shall be defined as a person employed by or working as:
 - a) A newspaper (as defined by U.S. postal regulations);
 - b) A broadcast station licensed by the Federal Communications Commission, or a network serving one or more licensed broadcast stations;
 - c) A cable television system with a franchise granted by a Michigan unit of government, or a network serving one (1) or more franchised cable systems;
 - d) A wire service; or
 - e) An independent contractor on assignment to report state government news for an organization described above.

2) A visiting member of the media shall register on a daily basis at least ~~30~~**THIRTY (30)** minutes before the start of session with the Secretary of the Senate.

3) The Secretary of the Senate may, under special circumstances, register representatives of the media not defined above if it is determined to be in the public interest.

4) Technicians for broadcast/cable stations shall also be registered when accompanying members of the media and shall be subject to the same rules.

5) The Secretary of the Senate may revoke the registration of any member of the media for cause. Cause shall include, but not be limited to, a change in employment status, lobbying or acting as a lobbyist agent, disrupting Senate proceedings, or refusing to comply with Senate rules or the directives of the presiding officer, Senate Majority Leader, or Secretary of the Senate. A decision to revoke registration may be appealed to the Committee on Government Operations.

6) Members of the media may talk with a **CURRENTLY-SERVING STATE Senator OR A MEMBER OF THEIR STAFF** in the front entry or the hallway behind the Senate rostrum. Members of the media, notwithstanding Senate Rule 3.902, may leave the media's designated area and talk with Senators in the Chamber immediately following adjournment.

7) Members of the media shall enter from the north main door or the two **(2)** south doors on either side of the rostrum and shall proceed directly to the areas designated for the media. If a member of the media enters through the north main door, he or she shall proceed directly to the areas designated for the media using the east or west side aisles only. Members of the media shall not enter the cloak room or the restrooms of the Senate Chamber.

8) Members of the media may film, videotape, or photograph the Senate session from the media's designated area. During the first ~~20~~ **TWENTY (20)** minutes after the attendance roll call, with permission from the Senate, members of the media shall be allowed to film, videotape, or photograph from along the full length of the east and west side aisles.

9) A member of the media, including a broadcast technician, shall be entitled to record Senate session as long as it does not disrupt the proceedings of the Senate. "Record" shall mean videotaping, photographing, filming, taping, or electronically transmitting Senate proceedings or activities on the Senate floor when the Senate is in session.

3.902 FLOOR PRIVILEGE AND CONDUCT

A) A session of the Senate shall be defined, for the purposes of this rule, as any period of time when the Senate is in session, any recess, and any ~~15-minute~~**FIFTEEN (15)-MINUTE** period before the Senate convenes and five **(5)** minutes after it adjourns. The Senate floor is defined as the Senate Chamber and adjoining Rooms S212, S204 (E. Lakin Brown Room), S204A, S201, and S207. Access to the Senate floor shall be restricted as outlined below during any session of the Senate, except that members of the public are permitted in Room S204 when a scheduled press conference is held there during session.

1) No person, other than the following, shall be admitted to the Senate floor:

- a) Senators or Representatives
- b) The President of the Senate
- c) The Governor
- d) Senators or Representatives in Congress
- e) Former Michigan Legislators
- f) The Secretary of the Senate and his or her support staff
- g) Legislative staff as authorized in guidelines issued by the Senate Majority Leader
- h) One representative of the Governor
- i) Members of the immediate family of a Senator or the President of the Senate
- j) Registered members of the media pursuant to Rule 3.901

k) A guest who has been invited by a Senator to offer the invocation, and an immediate family member of that guest.

2) No registered lobbyist or lobbyist agent, including former Legislators, shall be allowed on the Senate floor. They shall not be allowed in the hallway behind the Senate rostrum, unless en route to or from the Lieutenant Governor's Office (S215) or the Elijah Myers Room (S208).

3) A former Legislator shall not lobby on the Senate floor, except if they are admitted under Senate Rule 3.902 A) 1) g) or h).

B) No person shall engage in any conduct on the Senate floor during any session of the Senate which undermines the decorum of the Senate. All persons who are admitted to the Senate floor shall observe the following guidelines:

1) No Senator shall speak until recognized by the presiding officer, unless the Senator rises to make a point of order.

2) Except as otherwise outlined in other Senate rules, no Senator shall speak on any matter not properly before the Senate.

3) No Senator shall speak more than twice in any one debate on the same day, without leave of the Senate, except the Senator who sponsored the matter under consideration, the Senator who sponsored the bill or resolution if an amendment is under consideration, the chairperson of the committee which reported it and the chairperson of the subcommittee which considered the matter. Each speech shall not exceed five **(5)** minutes or, if submitted in writing, not exceed ~~1,000~~ **ONE THOUSAND (1,000)** words, except there is no limit on the length of a speech on Third Reading of Bills, memorial announcements, or an oral dissent statement.

4) No Senator shall speak impertinently or submit in writing impertinent statements, attack the motives of any Senator who proposes or advocates a particular position, use indecent language or other disorderly words, or refer to another Senator by name in a disparaging way.

5) No Senator shall use a display, exhibit, or prop on the Senate floor during discussions, debate, statements, or the announcement of the introduction of a bill or resolution.

6) No person other than a Senator, the President of the Senate, or the Secretary and Assistant Secretary of the Senate shall pass through the well of the Senate Chamber which is immediately in front of the Senate rostrum.

7) No person shall pass between the presiding officer and a Senator who is speaking.

8) No person other than a Senator, the President of the Senate, or the Secretary of the Senate shall use the center aisle of the Chamber.

9) No person other than a Senator shall sit in a Senator's chair.

10) No staff shall be allowed on the Senate floor unless they wait in the majority or minority lounge or the lounge at the rear of the Chamber until they are needed by a Senator and shall then be seated at a Senator's desk.

11) No member of the media shall be allowed on the Senate floor unless he or she is in the media's designated area, except as otherwise provided in Rule 3.901.

12) No smoking shall be permitted on the Senate floor.

13) All individual electronic devices shall be turned off or on non-audible alert during Senate session. Failure to follow a warning issued by the presiding officer or Chair may result in the device(s) being confiscated for the duration of the session upon direction of the presiding officer or Chair.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members serving voting therefor.

House Concurrent Resolution No. 1.

A concurrent resolution prescribing the Joint Rules of the House of Representatives and Senate.

Resolved by the House of Representatives (the Senate concurring), That the following be and are hereby adopted as the Joint Rules of the House of Representatives and Senate:

JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE

Transmission of Messages.

Rule 1. All messages necessary for conducting legislative business between the two houses shall be communicated in writing and electronically by the Secretary of the Senate and the Clerk of the House of Representatives.

Amendments.

Rule 2. It shall be in the power of either house to amend an amendment made by the other to any bill or resolution.

Conference Committees.

Rule 3. (a) The house not concurring in the amendments of the other house shall appoint conferees and notify the amending house of its action. The amending house shall request return of the bill or resolution or appoint conferees. The conference committee shall consist of three members from each house, to be appointed as each house may determine. The first named member of the house in which the bill or resolution originated shall be chairperson of the conference committee. Upon appointment of conferees by both houses, the bill or resolution shall be referred to the conference committee. When one house amends or substitutes a bill that has been returned for concurrence from the other house, but then non-concurs in that bill as amended or substituted, those amendments or that substitute shall not be referred to the conference committee. The conference committee shall serve until the conference report has been adopted by both houses or rejected by a house.

(b) The conference committee shall consist of committees of the two houses with those two committees voting separately while in conference. The adoption of a conference report shall require concurring majorities of the members of each house. The conference committees of the two houses shall vote separately while in conference. The majority of each committee shall constitute a quorum of each committee and shall determine the position to be taken toward the propositions of the conference committee. If the conferees agree, a report shall be made which shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the house of origin where the question shall be on the adoption of the conference report. If the conference report is adopted in the house of origin, the bill or resolution, including the original signed conference report, and two copies of the conference report shall be transmitted to the other house where the question shall be on the adoption of the conference report. If the conference report is adopted in the other house, the bill or resolution and the original signed copy of the conference report shall be returned to the house of origin and referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Conference Committee Clerk.

Rule 4. The conference committee clerk shall be from the house of origin, who shall notify the Secretary of the Senate and the Clerk of the House of Representatives of all scheduled meetings for public posting and shall deliver written notice to each member of the conference committee and the majority and minority leaders of each house indicating the time and place of all scheduled meetings. Conference committees on appropriation bills may use fiscal agency personnel from the same house as the Chairperson for clerks.

Conference Report: Rejection.

Rule 5. If the conference report is rejected by the house of origin, it shall appoint second conferees and notify the other house of its action. The procedure shall then be the same as for an original conference.

If the conference report is rejected by the other house, it shall appoint second conferees, notify the house of origin of its action, and transmit the bill or resolution to the house of origin. Upon receipt of the bill or resolution, the house of origin shall appoint second conferees and refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Disagreement of Conferees.

Rule 6. If the conferees are unable to agree, a report of that fact shall be made to both houses. The report, that the conferees were unable to agree, shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report that the conferees were unable to agree, and three copies shall be filed in the house of origin. Both houses shall appoint second conferees, and the house of origin shall refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Second Conference: Failure.

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either house, no further conference is in order.

Power of Conferees.

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two houses.

For all bills making appropriations, adoption of a substitute by either house shall not open identical provisions contained in the other house-passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either house open provisions not contained in either house version of the bill as a matter of difference.

When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill or resolution, the conferees may recommend amendments to conform with the agreement. In addition, the conferees may also recommend technical amendments to the other parts of the bill or resolution, such as, necessary date revisions, adjusting totals, cross-references, misspelling and punctuation corrections, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or resolution or the title.

Adoption of Conference Report.

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by "yeas" and "nays" and shall require the same number of votes constitutionally required for passage of the bill or adoption of the resolution. Conference reports shall not be considered until printed in the Journal. The Journal printing requirement may be suspended by a house by a majority vote in that house, provided that a copy of the conference report has been made available to each Member.

Conference Reports: Points of Order.

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. When a conference report is ruled out of order, the conference report is returned to the originating conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

Either House May Recede.

Rule 11. At any time while in possession of the bill or resolution, either house may recede from its position in whole or in part, and the bill or resolution upon request may be returned to the other house for that purpose. If this further action is agreed to by both houses, the bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Correction of Errors.

Rule 12. If errors are found in a bill or resolution which has been passed or adopted by both houses, the house in which the bill or resolution originated may make amendments to correct the errors and shall notify the other house of its action. If the corrective amendments are agreed to by the other house, the corrected bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

In addition, the Secretary of the Senate and Clerk of the House of Representatives, as the case may be, shall correct obvious technical errors in the enrolled bill or resolution, including adjusting totals, misspellings, the omission or redundancy of grammatical articles, cross-references, punctuation, updating bill or resolution titles, capitalization, citation formats, and plural or singular word forms.

Bills and Joint Resolutions.

Rule 13. Upon introduction, no bill shall include catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause. The Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter. However, more than one section of the Constitution may be included in the same joint resolution if the subject matter of each section is germane to the proposed amendment.

Yeas and Nays.

Rule 14. The yeas and nays shall be taken and printed in the Journal of the house taking action upon the passage or adoption of any bill, joint resolution, conference report, and amendments made by the other house to a bill or joint resolution.

No Members Present.

Rule 15. In the event the presiding officer and all members are absent on a day scheduled for meeting, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that house to order at the designated time and announce the absence of a quorum. That house shall be declared adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both houses of the Legislature adjourns to a date certain for more than two days, a committee composed of the Majority Leader of the Senate and the Speaker of the House of Representatives may, by a unanimous vote of that committee, convene either or both houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

Passage, Adoption, and Enrollment Printing.

Rule 16. Every bill passed or joint resolution adopted by both houses and returned to the house of origin shall forthwith be enrolled and signed by the Secretary of the Senate and the Clerk of the House of Representatives. Enrolled bills shall be presented to the Governor, and enrolled joint resolutions that propose an amendment to the Constitution shall be filed with the Secretary of State with a certificate attached to the effect that the joint resolution has been adopted by the Senate and House of Representatives, respectively, in accordance with the provisions of the Constitution. If the house having last passed the bill or adopted the joint resolution requests its return and such request is granted or a motion is made in the house of origin to amend errors in the bill or joint resolution or to give the bill immediate effect, the enrollment printing shall not occur.

Every bill, joint resolution, and concurrent resolution passed or adopted by either house shall be transmitted to the other house unless a motion for reconsideration is pending.

Immediate Effect.

Rule 17. Whenever both houses, by the constitutional vote, order that a bill take immediate effect, a statement shall be added at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Joint Resolutions.

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.
2. Ratification of amendments to the Constitution of the United States submitted by the Congress.
3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a 2/3 vote of the members elected and serving in each house for adoption. Other joint resolutions shall require a majority of the members elected and serving in each house for adoption. All joint resolutions shall require a record roll call vote.

Veto Override: Filing with Secretary of State.

Rule 19. When a bill is passed by both houses over the objections of the Governor or a bill is not filed by the Governor with the Secretary of State within the constitutionally mandated 14-day period, and the Legislature continues in session, an official enrolled bill with a letter from the house of origin signed by the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, shall be filed with the Secretary of State for a public act number to be assigned. The letter shall certify that the Governor's veto has been overridden by both houses of the Legislature or that the bill has not been returned within the specified time, as the case may be, in accordance with the provisions of the Constitution.

Section Numbers of Compiled Laws - Amendments.

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number and the year in which it was passed. If the bill was passed at an extra session of the Legislature, the title shall designate which extra session.

Such title shall contain the last title of the act it is proposed to amend. However, the short title (e.g., This act shall be known and may be cited as "The revised judicature act of 1961,") shall be used in acts where it has been defined by legislative enactment. The title shall also contain the chapter, part numbers and compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title, the house other than the house of origin shall replace the short title with the last full title of the act it is proposed to amend or repeal. Other corrective amendments to the title shall be made as may be necessary. The full title and amended title shall be agreed to by both houses.

When an amendment to a bill or a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in upper case bold type, and the words to be omitted shall be printed in stricken-through type. This style requirement also applies to joint resolutions that amend the Constitution of Michigan.

All bills and joint resolutions introduced, amendments to joint resolutions, substitute bills and joint resolutions, and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

Tie-bars.

Rule 21. A bill or resolution that is tie-barred to a request number shall not be considered for passage or adoption unless that tie-barred request item has been introduced. No bill or resolution shall be passed or adopted by either house until the tie-barred item has been designated in the appropriate blank space provided.

Elections in Joint Convention.

Rule 22. Whenever there is an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives. The results shall be announced by the presiding officers to their respective houses, printed in the Journal of each house, and communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

Legislative Handbook.

Rule 23. The initial appointment of the standing committee members of the two houses shall be printed in their respective Journals as soon as possible after the announcement. The Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing these appointments and other information they deem appropriate.

Compensation.

Rule 24. Compensation for members, officers, and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives, as the case may be, and transmitted directly to the payee.

If the office of a member of the Legislature becomes vacant, the compensation for the elected successor shall begin on the date of his or her oath of office.

Committee Expenses.

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of \$2,500.00 unless authorized in the resolution creating that committee.

Final Adjournment of Regular Sessions.

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

Daily Adjournment.

Rule 27. Neither house shall remain in session on any legislative day beyond 12:00 midnight. If either house is in session at 12:00 midnight, the presiding officer shall declare that house adjourned until a fixed hour for meeting on the next legislative day. That house shall stand adjourned until the next fixed meeting time.

Pending Business.

Rule 28. Any business, bill, or joint resolution which has not been defeated by either house shall be considered pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either house, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution, or veto override was defeated in a previous year unless there is a pending motion to reconsider offered in the odd-numbered year.

The House of Representatives has adopted the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor.

Senators Booher, Brandenburg, Casperson, Caswell, Hansen, Kowall, Pappageorge, Pavlov, Proos and Richardville were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senators Bieda and Jones introduced

Senate Joint Resolution F, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 19 of article VI, to remove the age limitation from eligibility criteria for judicial office.

The joint resolution was read a first and second time by title and referred to the Committee on Judiciary.

Senators Anderson, Bieda and Young introduced

Senate Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 2, 3, and 6 of article IV, to modify congressional and legislative apportionment and districting.

The joint resolution was read a first and second time by title and referred to the Committee on Government Operations.

Senators Jones, Hansen, Nofs, Rocca, Bieda and Hopgood introduced

Senate Joint Resolution H, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to revise the permissible uses of the state school aid fund.

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

Senators Jones, Hansen, Nofs and Casperson introduced

Senate Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to require that all local school districts receive the same amount of total state and local per pupil revenue for school operating purposes.

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

Senator Hansen introduced

Senate Bill No. 68, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81101, 81129, and 81130 (MCL 324.81101, 324.81129, and 324.81130), section 81101 as amended by 2012 PA 246, section 81129 as amended by 2008 PA 240, and section 81130 as amended by 2004 PA 587.

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

Senator Hansen introduced

Senate Bill No. 69, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 2012 PA 340.

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

Senator Schuitmaker introduced

Senate Bill No. 70, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 32 (MCL 400.32), as amended by 1995 PA 223.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Jansen introduced

Senate Bill No. 71, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20106, 20108, 20115, and 20142 (MCL 333.20106, 333.20108, 333.20115, and 333.20142), section 20106 as amended by 2000 PA 253, section 20108 as amended by 1990 PA 179, and section 20115 as amended by 2012 PA 499, and by adding part 218.

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

Senators Booher and Hopgood introduced

Senate Bill No. 72, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811u. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Bieda, Rocca and Jones introduced

Senate Bill No. 73, entitled

A bill to require the establishment of a vulnerable adult registry; to prescribe the duties and responsibilities of certain state departments and agencies; and to prescribe fees, penalties, and sanctions.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Anderson, Hood, Hopgood, Whitmer, Gregory, Warren, Young, Rocca, Bieda and Kowall introduced

Senate Bill No. 74, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1310b (MCL 380.1310b), as added by 2011 PA 241.

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

Senators Anderson, Gregory and Young introduced

Senate Bill No. 75, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2010 PA 195.

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

Senators Booher, Robertson, Proos, Anderson, Jones, Marleau and Hopgood introduced

Senate Bill No. 76, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 34 and 35 (MCL 28.734 and 28.735), as amended by 2005 PA 322.

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

Senators Booher, Robertson, Proos, Anderson, Jones, Marleau and Hopgood introduced

Senate Bill No. 77, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2012 PA 124.

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

Senators Casperson, Colbeck, Meekhof, Robertson, Green, Booher and Walker introduced

Senate Bill No. 78, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 504, 35101, 35501, 35502, 35503, and 52502 (MCL 324.504, 324.35101, 324.35501, 324.35502, 324.35503, and 324.52502), section 504 as amended by 2009 PA 47, section 35101 as amended by 1996 PA 290, sections 35501, 35502, and 35503 as added by 1995 PA 59, and section 52502 as added by 2004 PA 125; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senators Hansen, Walker, Jones, Robertson, Booher, Proos, Nofs and Marleau introduced

Senate Bill No. 79, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2011 PA 298, and by adding section 415.

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

Senators Hansen, Jones, Robertson, Green, Marleau and Walker introduced

Senate Bill No. 80, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 18 (MCL 388.1618), as amended by 2012 PA 201.

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

Senators Hansen, Jones, Robertson, Green, Marleau and Walker introduced

Senate Bill No. 81, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1254 and 1814 (MCL 380.1254 and 380.1814), section 1254 as amended by 1995 PA 289 and section 1814 as added by 2004 PA 417.

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

Senators Booher, Robertson, Colbeck, Moolenaar, Proos, Anderson, Green, Jones, Marleau, Hopgood and Hune introduced

Senate Bill No. 82, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2008 PA 36.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Statements

Senator Caswell asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Caswell's statement is as follows:

I would like to bring to the attention of the Senators today the issue of our work participation rate for our FIP cases. I want to let you know that in the mid-90s the federal government created a welfare-to-work program as opposed to a welfare program. For the last fiscal year, October '11 - September '12, for the first time in the history of the state, our federal work participation rate with the federal add-ons that we have earned was over 50 percent, and for the first time, we met the federal requirement for work participation.

Why is this important? No. 1, it saves us TANF money that the federal government will no longer be able to withhold from us. No. 2, it fits into the ongoing process that we have talked about of trying to make people as self-sufficient as possible by helping them where they need that help. In addition to this, the department has instituted a 20-day waiting period when people come in for welfare help to make sure that all of their needs are being met—transportation, housing, and so on. The reason behind that is when we put them into the work program, we want them to be successful. We can only do that by meeting their needs. I want to congratulate the Department of Human Services and the Michigan Works! agencies.

Finally, I would like to mention to you one more area in which we have more work to do. Six months after people leave this program, only 8 percent of them continue working. We have to get that rate up. When we get them back into the workforce, we have to keep them there. So we are going to continue to look at that and see what we can do in order to help keep these people on the job and working and to become the productive citizens they want to become.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 43, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 530 and 8132 (MCL 600.530 and 600.8132), section 8132 as amended by 2011 PA 300.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 44, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 2011 PA 18.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Rocca
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 49, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2 and 2a (MCL 28.422 and 28.422a), as amended by 2012 PA 377.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 60, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 2a (MCL 28.422a), as amended by 2012 PA 377.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 63, entitled

A bill to create the Michigan firearms freedom act; to make certain findings regarding intrastate commerce; to prohibit federal regulation of firearms, firearms accessories, and ammunition involved purely in intrastate commerce in this state; to provide for certain exceptions to federal regulation; and to establish certain manufacturing requirements.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Rocca

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Wednesday, January 23, 2013, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, January 24, 2013, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Hune (C), Booher, Emmons and Hansen

Excused: Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Thursday, January 24, 2013, at 9:00 a.m., Room 210, Farnum Building

Present: Senators Caspersen (C), Pavlov, Green, Kowall, Meekhof, Warren and Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:

Meeting held on Thursday, January 24, 2013, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Proos (C) and Anderson

Excused: Senator Walker

Scheduled Meetings**Appropriations -****Subcommittee -**

Agriculture and Rural Development - Tuesday, February 12, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Banking and Financial Institutions - Thursday, January 31, 1:30 p.m., Room 100, Farnum Building (373-5312)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 11:08 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, January 29, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate