

**No. 1**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2005**

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House Chamber, Lansing, Wednesday, January 12, 2005.

12:00 Noon.

Pursuant to the requirements of the Constitution, the Representatives-elect to the House of Representatives of the State of Michigan for the years 2005 and 2006, assembled in Representative Hall in the Capitol at Lansing on the second Wednesday in January, the 12th of January, 2005 at 12:00 o'clock noon, and in accordance with law, were called to order by Gary L. Randall, Clerk of the next preceding House.

Reverend R. John Harris, Pastor of the Milford Presbyterian Church, (PCUSA) in Milford, offered the following invocation:

“Eternal God, You have divided our lives into years so that with each new year, we can relinquish our past fears. You open Your forgiving heart and give us a fresh start. Our times are in Your hands; shape our destiny as You have planned.

Today, as we begin this the 93rd session of the Michigan House of Representatives, we commit our lives to You anew. We ask that You would bless the Representatives as Your servants. And may these who lead honor and encourage their new Speaker Craig DeRoche. These Representatives have come with their hearts and minds filled with great agendas, but even these, our leaders, are never more than mortals on a journey from dust to dust. So it is to You that we look for sacred visions that are greater than party visions and certainly greater than the visions any one of us could carry into this Chamber. By Your Holy Spirit, accommodate Your will to our political process, that it may be used to lead Michigan to Your own future filled with hope. And when this session is done and this Chamber is again empty, may all who have come here to serve the state of Michigan know that their work has not been in vain. Encourage them in the certain conviction that they will one day hear from You the only two words worth living for: ‘Well, done,...good and faithful servants.’

In the name of our Lord and Saviour. Amen.”

**Communications from State Officers**

November 22, 2004

The Honorable Gary Randall  
Clerk of the House of Representatives  
State Capitol Building  
Lansing, Michigan 48913

Dear Clerk Randall:

Enclosed is a certified list of the members-elect to the State House of Representatives as shown by the November 2, 2004 general election returns on file with this office. Also enclosed is a copy of the official canvass of the votes cast at the election.

Sincerely,  
Christopher M. Thomas  
Director of Elections

United States of America  
 THE STATE OF MICHIGAN  
 DEPARTMENT OF STATE

I, Terri Lynn Land, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that attached is the list of the members-elect for the State House of Representatives for the term January 1, 2005 to January 1, 2007, as shown by the November 2, 2004 general election returns on file in this office.

[SEAL]

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State at the Capitol, in the City of Lansing.

November 22, 2004

Terri Lynn Land  
 Secretary of State

**State of Michigan**

General Election - November 2, 2004

Representatives Elect

State Legislature

<b>House District</b>	<b>Party</b>	<b>Name</b>	<b>Address</b>
1	REP	Edward J. Gaffney	283 Kenwood Court, Grosse Pointe Farms 48236
2	DEM	Lamar Lemmons, Jr.	8523 E. Outer Drive, Detroit 48213
3	DEM	Lamar Lemmons, III	11000 Chalmers, Apt. #4, Detroit 48213
4	DEM	Mary D. Waters	PO Box 07545, Detroit 48207
5	DEM	Bill McConico	18134 Dequindre, Detroit 48234
6	DEM	Marsha G. Cheeks	2295 Longfellow, Detroit 48206
7	DEM	Virgil Smith	19450 Gloucester, Detroit 48203
8	DEM	George Cushingberry, Jr.	18201 Cherrylawn, Detroit 48221
9	DEM	Tupac A. Hunter	24461 Pembroke, Detroit 48219
10	DEM	Gabe Leland	19403 West Warren Apt. #2, Detroit 48228
11	DEM	Morris W. Hood, III	8872 Cloverlawn, Detroit 48204
12	DEM	Steve Tobocman	PO Box 9746, Detroit 48209
13	DEM	Barbara A. Farrah	15442 Kennebec, Southgate 48195
14	DEM	Ed Clemente	1704 Riverbank, Lincoln Park 48146
15	DEM	Gino H. Polidori	22950 Park, Dearborn 48124
16	DEM	Jim A. Plakas	6631 Golfview, Garden City 48135
17	DEM	Andy Dillon	26284 Graham, Redford Twp. 48239
18	DEM	Glenn S. Anderson	34300 Parkgrove Drive, Westland 48185
19	REP	John R. Pastor	18723 Vanderhaven, Livonia 48152
20	REP	John C. Stewart	14956 Maplewood, Plymouth 48170
21	REP	Philip J. LaJoy	1256 Crowndale Lane, Canton 48188
22	DEM	Hoon-Yung Hopgood	PO Box 25, Taylor 48180
23	DEM	Kathleen Law	29866 Lowell, Gibraltar 48173
24	REP	Jack Brandenburg	37596 Huron Pointe Drive, Harrison Township 48045
25	DEM	Steve Bieda	32721 Valley Drive, Warren 48093
26	DEM	Marie Donigan	612 South Dorchester Avenue, Royal Oak 48067
27	DEM	Andy Meisner	582 East Drayton, Ferndale 48220
28	DEM	Lisa Wojno	27314 Larose, Warren 48093
29	DEM	Clarence E. Phillips	809 Bay Street, Pontiac 48342
30	REP	Tory Rocca	37139 Camelot Drive #271, Sterling Heights 48312

31	DEM	Fred Miller	162 Riverside Drive, Mount Clemens 48046
32	REP	Dan Acciavatti	49839 Miller Court, New Baltimore 48047
33	REP	Leon Drolet	22615 Francis, St. Clair Shores 48082
34	DEM	Brenda Clack	3120 Helber Street, Flint 48504
35	DEM	Paul Condino	21170 Winchester, Southfield 48076
36	REP	Brian Palmer	11070 West Gates Road, Romeo 48065
37	DEM	Aldo Vagnozzi	26193 Kiltartan, Farmington Hills 48334
38	REP	Craig M. DeRoche	1620 West Lake, Novi 48377
39	REP	David Law	6766 Glenway Drive, West Bloomfield 48322
40	REP	Shelley Goodman Taub	1959 Shore Hill Drive, Bloomfield Hills 48302
41	REP	Robert Gosselin	2915 Lenox, Troy 48098
42	DEM	Frank Accavitti, Jr.	15506 South Park, Eastpointe 48021
43	REP	Fran Amos	4079 Aquarina, Waterford 48329
44	REP	John P. Stakoe	PO Box 763, Highland 48356
45	REP	John Garfield	1347 Ruby, Rochester Hills 48309
46	REP	James Marleau	3181 Sandoval, Lake Orion 48360
47	REP	Joe Hune	PO Box 919, Hamburg 48139
48	DEM	John J. Gleason	604 Leland Street, Flushing 48433
49	DEM	Lee Gonzales	2460 Murphy Road, Flint 48504
50	DEM	Paula K. Zelenko	5425 Sitka Street, Burton 48519
51	REP	Dave Robertson	5511 Wakefield Road, Grand Blanc 48439
52	DEM	Pam Byrnes	17381 North M-52, Chelsea 48118
53	DEM	Chris Kolb	803 Edgewood Place, Ann Arbor 48103
54	DEM	Alma Wheeler Smith	PO Box 970977, Ypsilanti 48197
55	DEM	Kathy Angerer	PO Box 157, Dundee 48131
56	DEM	Herb Kehrl	2539 Deborah Drive, Monroe 48162
57	DEM	Dudley Spade	PO Box 157, Tipton 49287
58	REP	Bruce Caswell	8940 East Bacon Road, Hillsdale 49242
59	REP	Rick Shaffer	19958 Crescent Beach, Three Rivers 49093
60	DEM	Alexander C. Lipsey	2324 South Park Street, Kalamazoo 49001
61	REP	Jack Hoogendyk	8607 West R Avenue, Kalamazoo 49009
62	REP	Mike Nofs	PO Box 219, Battle Creek 49016
63	REP	Lorence Wenke	9180 West Gull Lake Drive, Richland 49083
64	REP	Rick Baxter	7000 Hanover Road, Hanover 49241
65	REP	Leslie Mortimer	PO Box 1222, Jackson 49204
66	REP	Chris Ward	5034 South Old US 23, Brighton 48114
67	DEM	Dianne Byrum	4933 Bellevue Road, Onondaga 49264
68	DEM	Michael C. Murphy	PO Box 12276, Lansing 48901
69	DEM	Gretchen Whitmer	1456 Meadowbrook Lane, East Lansing 48823
70	REP	Judy Emmons	506 East Carson City Road, Sheridan 48884
71	REP	Rick Jones	PO Box 115, Grand Ledge 48837
72	REP	Glenn Steil, Jr.	4828 Greenhill Court S.E., Grand Rapids 49546
73	REP	Tom Pearce	5530 Sunfish Lake Avenue, Rockford 49341
74	REP	William Van Regenmorter	1920 Fruitwood Street, Jenison 49428
75	REP	Jerry Kooiman	1708 Adams S.E., Grand Rapids 49506
76	DEM	Michael G. Sak	236 Valley N.W., Grand Rapids 49504
77	REP	Kevin Green	4754 Karel Jean Court SW, Wyoming 49509
78	REP	Neal Nitz	PO Box 148, Baroda 49101
79	REP	John M. Proos, IV	2695 Hillview Lane, St. Joseph 49085
80	REP	Tonya Schuitmaker	29924 60th Avenue, Lawton 49065
81	REP	Phillip J. Pavlov	1577 South Allen Road, St. Clair 48079
82	REP	John Stahl	3790 Five Lakes Road, North Branch 48461
83	DEM	John Espinoza	121 Wells Street, Crosswell 48422
84	REP	Tom Meyer	1963 South Van Dyke Road, Bad Axe 48413
85	REP	Richard J. Ball	5370 West Garrison Road, Laingsburg 48848
86	REP	Dave Hildenbrand	2700 Timpson Avenue, Lowell 49331
87	REP	Gary Newell	7310 MacArthur Road, Saranac 48881
88	REP	Fulton J. Sheen	303 East Grant, Plainwell 49080
89	REP	Barbara Vander Veen	6185 Alger, Allendale 49401

90	REP	Bill Huizenga	45 Sanford Street, Zeeland 49464
91	REP	David Farhat	3461 Whispering Woods Drive, Muskegon 49444
92	DEM	Doug Bennett	2339 Windy Ridge Drive, Muskegon 49442
93	REP	Scott Hummel	PO Box 412, Dewitt 48820
94	REP	Roger Kahn	3177 Monticello, Saginaw 48603
95	DEM	Carl M. Williams	3424 Fulton Street, Saginaw 48601
96	DEM	Jeff Mayes	4297 Zander Drive, Bay City 48706
97	REP	Tim Moore	9685 South Creek View Drive, Farwell 49738
98	REP	John Moolenaar	PO Box 2244, Midland 48641
99	REP	Bill Caul	PO Box 384, Mt. Pleasant 48858
100	REP	Goeff Hansen	PO Box 167, Hart 49420
101	REP	David Palsrok	2051 12th Street, Manistee 49660
102	REP	Darwin L. Booher	PO Box 971, Ewart 49631
103	DEM	Joel A. Sheltroun	PO Box 443, West Branch 48661
104	REP	Howard Walker	8481 Underwood Ridge, Traverse City 49686
105	REP	Kevin A. Elsenheimer	PO Box 114, Bellaire 49615
106	DEM	Matt Gillard	PO Box 284, Alpena 49707
107	DEM	Gary McDowell	10820 Glen Street, Rudyard 49780
108	REP	Tom Casperson	5372 K. 5 Road, Escanaba 49829
109	DEM	Stephen Adamini	27 Oak Hill Drive, Marquette 49855
110	DEM	Rich Brown	606 East Longyear Street, Bessemer 49911

The roll of the House was called by the Assistant Clerk, who announced that all of the Representatives-elect were present except Reps. Newell and Vander Veen.

### Oath of Office

The Representatives-elect appeared at the Clerk's desk and took and subscribed the constitutional oath of office, which was administered by the Hon. Clifford W. Taylor, Chief Justice of the Michigan Supreme Court.

The Acting Clerk announced that the first business in order was the selection of seats in accordance with the Statute.

The Statute having been read, the members in the order or their total length of service in the House selected seats as their names were called by the Clerk. Tegan Dillon and Garrett Huizenga drew numbers for the selection of seats for members as provided, by Statute, all seats being selected as follows:

1—Leslie Mortimer	56—Mary D. Waters
2—Tory Rocca	57—Dianne Byrum
3—Jack Hoogendyk	58—Lamar Lemmons, III
4—Brian Palmer	59—George Cushingberry, Jr.
5—Craig M. DeRoche	60—Joel A. Sheltroun
6—Chris Ward	61—Lamar Lemmons, Jr.
7—Dan Acciavatti	62—Michael G. Sak
8—Richard J. Ball	63—Andy Meisner
9—Tonya Schuitmaker	64—Paula K. Zelenko
10—Robert Gosselin	65—Aldo Vagnozzi
11—Leon Drolet	66—Herb Kehrl
12—Bill Huizenga	67—Doug Bennett
13—John P. Stakoe	68—Fred Miller
14—Philip J. LaJoy	69—Bill McConico
15—James Marleau	70—Gretchen Whitmer
16—Tom Casperson	71—Michael C. Murphy
17—David Farhat	72—Morris W. Hood, III
18—David Palsrok	73—Lee Gonzales
19—Bruce Caswell	74—Gino H. Polidori
20—Dave Hildenbrand	75—Dudley Spade

21—Neal Nitz	76—Stephen Adamini
22—Rick Baxter	77—Rich Brown
23—Judy Emmons	78—Brenda Clack
24—Dave Robertson	79—Barbara A. Farrah
25—John Garfield	80—Frank Accavitti, Jr.
26—Kevin A. Elsenheimer	81—Pam Byrnes
27—Shelley Goodman Taub	82—Lisa Wojno
28—Bill Caul	83—Carl M. Williams
29—John M. Proos, IV	84—Glenn S. Anderson
30—Phillip J. Pavlov	85—Kathleen Law
31—Rick Shaffer	86—Hoon-Yung Hopgood
32—John R. Pastor	87—Marie Donigan
33—Jack Brandenburg	88—Ed Clemente
34—Barbara Vander Veen	89—Kathy Angerer
35—Kevin Green	90—Clarence E. Phillips
36—Goëff Hansen	91—Matt Gillard
37—Darwin L. Booher	92—Virgil Smith
38—Fran Amos	93—Jim A. Plakas
39—Scott Hummel	94—Jeff Mayes
40—Jerry Kooiman	95—Gabe Leland
41—Gary Newell	96—Andy Dillon
42—Tom Pearce	97—Fulton J. Sheen
43—Rick Jones	98—Marsha G. Cheeks
44—Glenn Steil, Jr.	99—Tupac A. Hunter
45—John Moolenaar	100—Steve Tobocman
46—Howard Walker	101—Alma Wheeler Smith
47—Mike Nofs	102—John Espinoza
48—John C. Stewart	103—Gary McDowell
49—David Law	104—Edward J. Gaffney
50—Roger Kahn	105—Joe Hune
51—Lorence Wenke	106—Chris Kolb
52—William Van Regenmorter	107—Alexander C. Lipsey
53—Tim Moore	108—Paul Condino
54—Tom Meyer	109—Steve Bieda
55—John Stahl	110—John J. Gleason

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Ward and Waters offered the following resolution:

**House Resolution No. 1.**

A resolution prescribing the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That the following rules be adopted as the Standing Rules of the House of Representatives:

**STANDING RULES  
OF THE  
HOUSE OF REPRESENTATIVES  
IN ACCORDANCE WITH THE MICHIGAN CONSTITUTION  
ARTICLE IV, SECTION 16**

**CHAPTER I  
GENERAL PROVISIONS**

**Meetings, Officers and Quorum.**

Rule 1. (1) The House shall meet in regular session at the seat of government on the second Wednesday in January of each year at twelve o'clock noon. In each odd-numbered year, it shall proceed with its organization, the election of a Speaker, a Speaker Pro Tempore, two Associate Speakers Pro Tempore, from its membership, and a Clerk for the

ensuing term of the Legislature. All elections shall be by roll call and shall require a majority of the Members voting to elect.

(2) A majority of the Members elected to and serving in the House shall constitute a quorum to do business, but a smaller number may adjourn from day to day and not less than 15 Members voting in favor thereof may compel the attendance of absent Members and fix penalties for non-attendance. (See Const 1963, Art 4 §§ 13 and 14)

**Admission to Floor—Defined.**

Rule 2. (1) No person shall be admitted on the floor of the House for a period of 30 minutes immediately preceding the time set for any call to order during any session of the House through adjournment, except as follows:

- (a) Representatives and Senators;
  - (b) Former Legislators, unless otherwise restricted;
  - (c) Sergeants at arms, pages, and Clerk's staff who are specifically designated to be working on the House floor during session;
  - (d) Executive directors and the Governor's legislative liaisons who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Speaker;
  - (e) Immediate family of Representatives who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Majority Floor Leader;
  - (f) Legislative staff who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Majority Floor Leader;
  - (g) Media correspondents accredited by the Clerk of the House who are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Clerk. Media correspondents shall not use the center aisle or be at the Members' desks during roll call votes; and
  - (h) Such other persons as may be invited by the Speaker.
- (2) Unless special permission is granted by the Majority Floor Leader or Clerk of the House, no group or individual shall be allowed access to the floor when the House is not in session.
- (3) Members may have not more than one member of their immediate family seated at the Member's desk during session. All other immediate family members shall be seated in an area designated by the Majority Floor Leader.
- (4) Any person who is a lobbyist, shall thereby forfeit his or her right to be admitted on the floor of the House at any time. The words "floor of the House," when used in these rules, shall mean the space of the main floor of Representative Hall, together with adjacent rooms on the second floor of the Capitol under the jurisdiction of the Clerk, including the Democrat and Republican caucus rooms and the corridor behind the House rostrum.
- (5) Guests may be introduced only by permission of the Presiding Officer after the House has been called to order and before the attendance roll call has been concluded. Guests are to use the center aisle only if being escorted by a Member or House staff.
- (6) Use of the center aisle should be kept at a minimum to afford decorum of the Chamber.
- (7) The Floor Leader must grant approval for the distribution of items on the floor. In addition, all printed material intended for distribution on the floor must pertain to "that day's calendar" and be endorsed (stamped with Member stamp) by the Member requesting the distribution.

**Bar of the House.**

- Rule 3. (1) Any Member, having answered attendance roll call at the opening of any session, or who enters after attendance roll call, shall thereafter be deemed to be present until leave of absence is obtained from the House. Any Member having entered upon the floor of the House after the House has been called to order, shall be deemed present if within the bar of the House.
- (2) The words "within the bar of the House," when used in these rules, shall mean the space occupied and used by the House or any committee or other legislative room or office under the jurisdiction of the Clerk.
- (3) No person shall use a cell phone within the bar of the House.
- (4) All persons within the bar of the House shall be in proper business attire.

**CHAPTER II  
OFFICERS  
SPEAKER**

**Definitions.**

Rule 4. Speaker is any Member elected as Speaker under Rule 1 of these rules.

**Duties as Presiding Officer.**

Rule 5. The Speaker, or the designee of the Speaker, shall take the Chair each day at the hour to which the House "shall have adjourned or recessed". The Presiding Officer shall call the House to order and lead the Members in

reciting the Pledge of Allegiance and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

Rule 6. (1) The Presiding Officer shall preserve order and decorum; may speak to points of order, rising for that purpose; and shall decide questions of order, subject to an appeal to the House. When two or more Members rise at once, the Presiding Officer shall name the Member who is first to speak.

(2) The Presiding Officer shall not permit announcements that are not governmentally related.

(3) When deemed appropriate, only the Presiding Officer shall lead the House in observing a moment of silence.

#### **Duties of Speaker as Chief Administrator.**

Rule 7. (1) Payment to all persons, authorized under paragraphs (2), (3), and (4) to expend House funds for transportation, lodging, meals, registration fees and related items, shall be made in accordance with an established set of expenditure regulations as predetermined and prepublished to Members by the Speaker. 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 Speaker, it is desired to revise the regulations, the Speaker may make such revision upon 15-day notice to all Members.

(2) The Speaker may authorize persons to make expenditures from the general funds of the House for administrative purposes. The Speaker may from time to time, with the concurrence of the Minority Leader and the Majority Floor Leader, enter into contracts for the purchase and payment of benefits affecting employees, Members of the House, retirees and their successors in interest.

(3) Regular standing committees of the House shall be allotted such funds as the Speaker may authorize. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members, than the number of Members of the standing committee. The funds may be expended for items specified in paragraph (1) and for contractual services, publications and supplies. All expenditures under this paragraph shall be approved by the committee Chair and the Speaker and for items specified in paragraph (1) shall be in accordance with the regulations and guidelines provided for by paragraph (1).

(4) Additional committees may be authorized by resolution of the House which resolutions shall set forth the maximum budget of such committees. Members, alternates and substitute Members of such additional committees shall be appointed by the Speaker unless otherwise specified in the resolution. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members than the number of Members specified in the resolution. Budgeted funds may be expended for items specified in paragraph (1), for contractual services, publications, supplies and any other items specified in the resolution. Payments for contractual services may be authorized by the committee Chair and the Speaker. All expenditures under this paragraph for items specified in paragraph (1) shall be in accordance with the regulations and guidelines provided for by paragraph (1).

#### **Appointments by the Speaker.**

Rule 8. The Speaker shall appoint all committees, except where the House shall otherwise order. If the Speaker makes permanent or temporary additions to any standing or special committee, the names and the appointments shall be published in the House Journal prior to their taking any action as a Member of that committee, except when the House is adjourned or in recess, in which case the addition or appointment shall appear in the next House Journal.

#### **Appointment of Employees by Speaker.**

Rule 9. Except as otherwise provided in these rules, the Speaker, or the Speaker's designee, shall appoint all employees of the House. The compensation for all employees and officers of the House shall be fixed by the Speaker, or the Speaker's designee. All employees of the House shall maintain a status as non-tenured, at-will employees. All employees of the House work at the pleasure of the Speaker, or the Speaker's designee, shall be subject to the Speaker's, or the Speaker's designee's, orders, and may be transferred to a different position, demoted, suspended, or summarily removed by the Speaker, or the Speaker's designee.

#### **Naming of Acting Speaker.**

Rule 10. The Speaker, may, by filing a written notice with the Clerk, substitute any Member to perform the duties of the Presiding Officer, but not for a longer time than one day without leave of the House. Such notice shall be spread upon the House Journal.

#### **Voting.**

Rule 11. The Speaker and Presiding Officer may vote on all elections, on all divisions called for by any Member, and on all questions taken by yeas and nays.

#### **Putting the Question.**

Rule 12. (1) The Presiding Officer shall distinctly put all questions in this form: "All in favor of (as the question may be), say 'aye' and after the affirmative vote is expressed, "All opposed, say 'nay'." If in doubt the Presiding Officer may order a division of the House. A division of the House may be had on the demand of ten Members, or a

roll call of the House may be demanded by one-fifth of the Members present (see Const 1963, Art 4 § 18) on any pending question and in such case the record of the votes and names of the voting Members shall be entered in the House Journal.

(2) When a division of the House is ordered, the voting board shall be used, and the Clerk shall announce the vote and the Presiding Officer shall declare the result. On a tie vote the question shall be deemed as lost. A majority of those voting shall decide any question on a rising vote unless otherwise provided.

#### **Recognition During Roll Call.**

Rule 13. (1) After a question has been stated by the Presiding Officer, and the calling of the roll has been started by the Clerk, the Presiding Officer shall not recognize a Member for any purpose, until after the announcement of the vote by the Clerk except:

- (a) Upon points of order;
- (b) To request an excuse for another Member;
- (c) To announce intent not to vote for reason of potential conflict of interest; and
- (d) To request that the board be cleared.

(2) The Presiding Officer shall preserve order and direct Members who are not in their seats to resume them.

(3) The Clerk shall enter upon the House Journal the names of those voting “aye” and the names of those voting “nay”, which roll call shall be consecutively numbered by the Clerk and so recorded in the House Journal.

### **SPEAKER PRO TEMPORE**

#### **Powers and Duties.**

Rule 14. (1) In the absence of the Speaker, the Speaker Pro Tempore shall exercise the powers and perform the duties of Speaker, and shall preside over the House, unless the Speaker shall have designated another Member to preside for any day.

(2) In the absence of the Speaker and the Speaker Pro Tempore, an Associate Speaker Pro Tempore shall exercise the powers and perform the duties of Speaker and shall preside over the House, unless the Speaker shall have designated another Member to preside for any day.

(3) In the absence of a designated Presiding Officer, the Clerk shall preside and if a quorum is present may designate a temporary Presiding Officer of the same party as the Speaker.

### **CLERK**

#### **Roll Call.**

Rule 15. The Clerk shall serve as parliamentarian of the House. The Clerk shall take the roll at the opening of each session of the House and announce whether or not a quorum is present. The Clerk shall enter upon the House Journal the names of the Members present for attendance roll call, the names of the Members specifically excused from session, and the names of the Members absent from session. The term “roll call” as used in these rules shall mean a record roll call.

#### **Conduct of Religious Exercises.**

Rule 16. The Clerk shall arrange for a Member to offer an invocation which will not exceed 2 minutes in length at the opening of each session of the House. This invocation shall be general in nature. For special occasions, the Clerk may arrange for religious services as needed.

#### **Publication and Correction of House Journal.**

Rule 17. (1) The Clerk shall make up and complete the House Journal in conformity with the rules, supervise the daily publication thereof, and make such corrections therein from day to day as may be necessary. During the consideration and passage of appropriation bills, the Clerk is authorized to correct totals that may have been affected by amendments made to items in the bill, such corrections to be made to the official bill.

(2) The House Journal shall be the only official record of the proceedings of the House.

#### **House Calendar.**

Rule 18. The Clerk shall keep the several orders of business separate and distinct, and shall prepare and make available to each Member each day a list of the business under each order of business.

#### **Printing, Announcement of Printing and Enrollment of Bills.**

Rule 19. The Clerk shall attend to the printing or reproduction of all bills, acts or documents ordered printed or reproduced by the House. The Clerk shall announce each day the numbers of all bills and joint resolutions, both House and Senate, which have been printed or reproduced and placed upon the files of the Members, and the number of House bills which have been enrolled and presented to the Governor.



**Responsibility for Care of Bills; Presentation of Enrolled Bills to Governor.**

Rule 20. The Clerk shall be responsible to the House for the care and preservation of each bill introduced into the House, and for each bill received from the Senate up to the time of its return to that body, which responsibility shall only be relieved by a receipt from a proper person when the bill passes from his or her possession. The Clerk of the House may be authorized by a motion to enroll a House bill while the House is not in session if that bill has passed both Houses and no action is pending. The Clerk of the House shall notify the House of such action on the next House legislative day. When a bill has been finally passed by the two Houses, the Clerk shall present to the Governor an enrolled copy thereof, taking a receipt therefore showing the day, hour and minute at which such copy was deposited in the executive office.

**Appointment of Assistants.**

Rule 21. The Clerk shall, by and with the consent of the Speaker, appoint an Assistant Clerk and other assistants in the performance of the duties required of the Clerk. All assistants of the Clerk and employees of the House assigned to the Clerk's office shall maintain a status as non-tenured, at-will employees. All assistants and employees of the House assigned to the Clerk's office work at the pleasure of the Clerk or Speaker, shall be subject to the orders of the Clerk or Speaker, and may be transferred to a different position, demoted, suspended, or summarily removed by the Clerk or Speaker. The compensation for assistants and employees of the Clerk's office shall be fixed as provided in Rule 9.

**Accreditation of News Media.**

Rule 22. (1) The Clerk of the House shall pass upon the applications of all members of the news media. Persons desiring to be accredited as official media correspondents at the two-year session shall file a written application with the Clerk. When issuing credentials, the Clerk shall instruct the media person as to conduct on the House floor by issuing guidelines.

(2) Members of the press corps shall comply with all House rules and guidelines and shall, while on the House floor during session, display credentials at all times.

**Responsibility for Care of House and Televising House Session.**

Rule 23. (1) The Clerk of the House shall exercise supervisory care and control of the Hall of the House of Representatives and all House rooms and equipment assigned to the office of the Clerk. The Clerk shall from time to time, upon prior written authorization by the Speaker, have made such repairs and alterations in the House Chambers and the rooms and corridors connected therewith and their furniture and equipment, as may be necessary.

(2) Consistent with the standing rules of the House, and any guidelines or procedures adopted by the House Television Oversight Committee, the Clerk shall be responsible for televised coverage of House session and committee meetings.

(3) As directed by the Speaker, the Clerk shall enter into contractual agreements for rental of House facilities.

**Incapacity of Clerk.**

Rule 24. In case of the inability of the Clerk, from sickness or other cause, to perform the duties of that office, the Assistant Clerk, as provided for in rule 21, shall be charged with the responsibility of the Clerk and shall perform the Clerk's duties. In case a vacancy exists in the office of Clerk, the Assistant Clerk, as provided for in rule 21, shall assume the Clerkship and perform the duties of Clerk until a successor has been elected.

**Notices in Cases of Extra Sessions.**

Rule 25. Whenever the Legislature shall be called to meet in extraordinary session or in case of emergency, the Clerk of the House shall notify Members and staff of the date and time of convening.

**SERGEANT AT ARMS****Definitions.**

Rule 26. The Sergeant at Arms shall be the chief police officer of the House and shall be appointed by the Speaker. Under the direction of the Speaker, the Clerk of the House shall supervise and direct the work of the Sergeant at Arms and Assistant Sergeants at Arms, 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)

**Powers and Duties.**

Rule 27. The Sergeant at Arms shall have charge, under the direction of the Clerk, of the Assistant Sergeants at Arms and pages, and control of all police, safety and security regulations. The Sergeant at Arms shall have authority to serve subpoenas and warrants issued by the House or any duly authorized officer or committee, or cause the same to be done

by one of the Assistant Sergeants at Arms, or a duly authorized agent. The Sergeant at Arms shall see that all visitors are seated and at no time are standing on the floor or balconies of the House. The Sergeant at Arms shall ensure that reasonable decorum is maintained in the lobby immediately in front of the entrance to Representative Hall to ensure access for Representatives and to ensure equal treatment for all citizens.

### **CHAPTER III MEMBERS**

#### **Conduct in Debate.**

Rule 28. When any Member is about to speak in debate or present any matter to the House, the Member shall rise and respectfully address the Presiding Officer, confine remarks to the question under debate and avoid personalities and reference by name.

#### **Members Called to Order.**

Rule 29. If any Member in speaking transgresses the rules of the House, the Presiding Officer shall, or any Member may, call the transgressor to order, in which case the Member so called to order shall immediately sit down and shall not rise unless to explain or proceed in order.

#### **Times Members May Speak.**

Rule 30. No Member shall speak more than once on the same question without leave of a majority of those voting, unless the Member is the prime sponsor of the matter pending, or Chair of the committee that reported it, in which case he or she shall be privileged to speak twice. The prime sponsor, and Members designed as floor managers, shall be the first recognized to speak by the Presiding Officer.

### **VOTING**

#### **Voting by the Electronic Roll Call System.**

Rule 31. (1) When taking the ayes and nays on any questions to be voted upon, the electronic roll call system may be used, and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

(2) When the House is ready to vote upon any questions requiring a roll call, and the vote is to be taken by the electronic roll call system, the Presiding Officer shall announce:

“The question before the House is (designating the matter to be voted upon). All in favor shall vote ‘aye’, all opposed shall vote ‘nay’. The House will now proceed to vote.”

When sufficient time has been allowed the Members to vote, the Presiding Officer shall announce: “Have all Members voted?” After a short pause, the Presiding Officer shall say: “The Clerk shall close the board.” Any Member shall be privileged to vote or change his or her vote after the board has been closed by rising and, when recognized by the Presiding Officer, announcing his or her vote before the result of the vote has been announced by the Clerk. After a sufficient time has passed to allow late voting, the Presiding Officer shall say: “The Clerk shall tally, display, and announce the vote.”

The Clerk shall immediately announce and display the result to the House. The Clerk shall enter upon the House Journal the result in the manner provided by the rules of the House.

(3) No Member shall vote for another Member, nor shall any person not a Member cast a vote for a Member. In addition to such penalties as may be prescribed by law, any Member who shall vote or attempt to vote for another Member may be punished in such manner as the House may determine. If a person not a Member shall vote or attempt to vote for any Member that person shall be barred from the floor of the House for the remainder of the session and may be further punished in such manner as the House may deem proper, in addition to such punishment as may be prescribed by law.

(4) Upon the passage of any question the vote shall be taken by the ayes and nays and entered upon the House Journal on request of one-fifth of the Members shown to be present by the House Journal entries. (See Const 1963, Art 4 § 18)

#### **Vote Explanations.**

Rule 32. (1) Any Member shall be privileged to reserve the right to explain his or her “no/nay” vote on a record roll call vote, but the Member shall reserve the right at the time of voting and not otherwise. To be printed in the House Journal, the “no/nay” vote explanation shall be submitted in writing to the office of the Clerk of the House within one hour of the time the Majority Floor Leader announces there will be no further voting today. The “no/nay” vote explanation shall not exceed three minutes verbally nor be greater than 500 words.

(2) If a Member desires to abstain from voting because of a potential conflict of interest, the Member may rise, announce his or her intent not to vote, and reserve the right to explain the abstention. If requested, the Member shall

be granted the right to have the explanatory statement, not to exceed 100 words, printed in the House Journal. To be printed in the House Journal, the abstention from voting explanation shall be submitted to the office of the Clerk of the House within one hour of the time the Majority Floor Leader announces there will be no further voting today. The statement may also be read from the floor following explanation of “no/nay” votes and shall not exceed three minutes.

(3) “No/nay” vote explanations or explanations of abstention from voting shall not be edited by the Clerk before publication in the House Journal.

#### **Voting Intention Explanations.**

Rule 33. No Member shall enter in the House Journal his or her voting intention unless the Member was present that legislative day and was specifically excused from that portion of the session at which time the actual vote was taken.

#### **Conduct.**

Rule 34. (1) No person shall pass between the Presiding Officer and a Member who has the floor. While the Presiding Officer is putting any question, or any Member is speaking, the Members shall not entertain private discourse or pass between the Presiding Officer and the Member speaking.

(2) The Members shall keep their seats until the Majority Floor Leader announces that no further voting will occur or the Presiding Officer announces that the House is adjourned.

## **CHAPTER IV COMMITTEES STANDING COMMITTEES**

#### **Names and Number of Members.**

Rule 35. (1) All standing committees shall be appointed by the Speaker, except where the House shall otherwise order.

(2) The standing committees of the House and the number of Members shall be as follows:

- (a) Agriculture (11)
- (b) Appropriations (29)
- (c) Banking and Financial Services (9)
- (d) Commerce (19)
- (e) Conservation, Forestry, and Outdoor Recreation (11)
- (f) Education (17)
- (g) Employment Relations, Training, and Safety (7)
- (h) Energy and Technology (19)
- (i) Family and Children Services (9)
- (j) Government Operations (8)
- (k) Health Policy (17)
- (l) Higher Education (7)
- (m) House Oversight, Elections, and Ethics (5)
- (n) Insurance (17)
- (o) Judiciary (15)
- (p) Natural Resources, Great Lakes, Land Use, and Environment (15)
- (q) Local Government and Urban Policy (11)
- (r) Regulatory Reform (9)
- (s) Senior Health, Security, and Retirement (9)
- (t) Tax Policy (17)
- (u) Transportation (17)
- (v) Veterans Affairs and Homeland Security (9)
- (3) Statutory Standing Committees:
  - (a) Administrative Rules (5)
  - (b) House Fiscal Agency (6)
  - (c) Legislative Council (6)
  - (d) Legislative Retirement (4)
  - (e) Michigan Capitol Committee (4)

(4) Any Member of any committee who is absent from attendance at any such committee meetings for three committee meetings, unless excused from attendance by the committee according to Rule 36, shall be automatically dropped from membership on such committee, and the committee automatically reduced unless the Speaker of the House shall fill such vacancy. Each committee clerk shall keep a record of attendance at all committee meetings, and shall make a written report to the office of the Clerk of the House showing the names of those present, the names of those absent, and the names of those excused from attendance, which shall be entered upon the House Journal. When

a Member has been absent for three meetings of a committee without proper excuse, the Clerk of the House shall report the name of such Member, together with the dates of said meetings, to the Speaker of the House, and advise the Member of such action. The Speaker of the House shall then fill such vacancy by appointing a Member to the committee.

(5) The daily House Journal shall report the roll call on all motions to report bills, joint resolutions and reorganization orders. (See Const 1963, Art 4 § 17)

(6) Committees shall adopt a meeting schedule at the commencement of each term which shall be printed in the House Journal. Additional meetings may be called by the Chair or by a majority of the Members in writing to the Clerk of the House. The Chair may cancel any scheduled meeting, except one called by a majority of the Members, by notice to the Members.

### **Uniform Committee Rules.**

Rule 36. (1) Committees and subcommittees shall operate under the rules of the House and the uniform committee rules which shall be published in the House Journal. The Clerk of the House shall assign committee clerks with the approval of the respective committee Chairs. Duties of committee clerks shall be prescribed by the Clerk of the House.

(2) Special committees shall operate under the same rules as standing committees insofar as practical. Conference committees on House bills shall meet at a place assigned by the Clerk.

(3) All committees will operate under the following rules and other uniform committee rules as determined and published by the Speaker:

(a) A quorum of a committee shall consist of a majority of the Members appointed and serving;

(b) Members of standing committees may not check in for a committee meeting and leave their vote. Members of committees may only cast a vote if they are present at the meeting during the vote;

(c) All motions pertaining to committee business require support from a second member of the committee before the committee can act on and carry the original motion;

(d) It shall require an affirmative vote of a majority of the Members appointed to and serving on a committee in order to:

(i) Report a bill or resolution out of committee

(ii) Amend or substitute a bill or resolution

(iii) Reconsider a vote to report a bill or joint resolution from committee

(e) Provided a quorum of a committee is present, it shall require an affirmative vote of a majority of the Members voting in order to:

(i) Table a bill or resolution

(ii) Take a bill or resolution from the table

(iii) Reconsider a vote, other than in subdivision (d)(iii)

(f) It shall require an affirmative vote of a majority of the Members voting in order to:

(i) Postpone action on a bill or resolution

(ii) Recess

(iii) Adjourn a meeting

(g) Each chair of a standing committee shall determine the agenda for a committee meeting; and

(h) The chair of a standing committee may create subcommittees and shall designate the bill(s), resolution(s) or topic(s) to be considered by each subcommittee. The chair of the standing committee shall designate a chair of the subcommittee and shall appoint Members to each subcommittee.

(4) The Speaker may designate additional Members to serve on any subcommittee of the Committee on Appropriations as voting members who do not serve on the full committee.

(5) Subcommittees of standing committees shall follow the same rules as standing committees.

(6) Meetings or public hearings of committees may be scheduled outside of Lansing with prior written approval of the Speaker. Subcommittees must have the prior written approval of the chair of the standing committee and the Speaker in order to conduct a public hearing or meeting outside of Lansing.

(7) All meetings or public hearings of committees or subcommittees shall comply with the following procedures in order to assure public access (See Const 1963, Art 4 §§ 16 and 17):

(a) All meetings or public hearings shall be open to the public and accessible;

(b) The right of any person to attend a meeting or public hearing includes the right to tape-record, videotape, and/or broadcast live on radio or television;

(c) As defined in paragraph (7)(b), the right of any person to attend a meeting or public hearing may not be conditioned on prior approval of, or notice to, the committee or subcommittee;

(d) All decisions of a committee or subcommittee shall be made at a public meeting. A committee may not round robin a bill nor may the roll call vote of a committee be left open;

(e) The right of a person to attend a meeting or public hearing shall not be limited by a requirement that she or he register or otherwise provide his or her name or other identifying information to the committee, the committee chair, a subcommittee or a subcommittee chair;

(f) A person shall not be excluded from a meeting or public hearing of a committee or subcommittee except for a breach of the peace or in order to protect the health and safety of all persons in attendance at the meeting;

(g) A rescheduled or a special meeting of a committee or subcommittee shall be posted at least 18 hours before the scheduled meeting time. No committee or subcommittee shall remain in session or stand in recess beyond the hour of 12:00 midnight; and

(h) Notice of committee or subcommittee meetings or public hearings shall include notice that individuals needing special services to fully participate in the meeting or public hearing may contact the committee or subcommittee chair to request the necessary assistance.

(8) Each committee shall have written minutes prepared of each meeting. The minutes shall include the date, time, place, Members present, Members absent, Members excused, and any decisions which were made. The minutes shall also include all roll call votes taken at the meeting. The proposed minutes of a meeting shall be available for inspection by the public within 8 working days of the meeting. Minutes shall be approved by the committee at a subsequent meeting. Approved minutes shall be available for public inspection no later than 5 working days after approval.

(9) Committees shall excuse a Member from attending a committee meeting:

(a) Upon a showing of personal illness;

(b) Because of a death in the immediate family;

(c) Upon showing of serious immediate family illness;

(d) Because the Member is in attendance at some other committee meeting; and

(e) Any other reason the committee deems appropriate.

(10) Committees shall not meet during a session of the House without the consent of the House.

(11) There shall be no smoking during a meeting of a standing committee or a subcommittee.

(12) To the extent practical, special committees shall follow the same rules as standing committees of the House.

(13) Portable telephones shall not be used in a room in which a committee of the House is meeting while that meeting is occurring.

(14) With approval of a majority of the Members appointed and serving on the committee, a committee may adopt additional rules provided they do not conflict with the Uniform Standing Committee Rules or with the Standing Rules of the House.

(15) A motion for previous question is not in order.

#### **Chair of Committee.**

Rule 37. The first named Member of any committee shall be the Chair, and the second named Member shall be Vice-Chair. In the absence of both the Chair and Vice-Chair the next named Member of the Majority party in attendance shall act as Chair. The Chair or any Member of the committee may place under oath or affirmation any person who appears to testify before the committee.

#### **Government Operations Committee and Auditor General Reports.**

Rule 38. The Government Operations Committee shall receive all reports presented by the Legislative Auditor General. The Government Operations Committee shall review the reports.

#### **Subpoena Power.**

Rule 39. The right of a special or standing committee to subpoena shall be granted by resolution of the House in accordance with Mason's Manual of Legislative Procedure - most current edition. The vote on adoption of a subpoena power resolution shall be by record roll call vote. The votes of a majority of the Members elected and serving shall be required for adoption. The right to subpoena shall not be granted to subcommittees.

#### **Sitting of Committees During Sessions of the House.**

Rule 40. No committee shall sit during the sessions of the House, without leave of the House. Any Member of a committee thus excused shall be deemed to be present on a Call of the House.

#### **Reports of Committees.**

Rule 41. (1) A committee may recommend amendments, a substitute, or referral to another committee, with or without recommendation as to passage.

(2) Substitute bills reported by the committee shall include all adopted amendments and shall be prepared by the Legislative Service Bureau. A majority of the Members serving on a committee shall be necessary to report a bill out of the committee. A majority of the Members appointed to a committee and serving shall constitute a quorum. The Chair and Minority Vice-Chair or Majority and Minority Floor Leaders may designate their respective floor manager on any bill reported from the committee. Minority reports shall not be permitted or received by the House. Bills reported without recommendation as to passage shall lie on the table.

(3) All bills favorably reported back to the House shall be referred to second reading together with amendments recommended by the standing committee. If more than one standing committee has considered a bill, the amendments recommended by each committee shall be considered in the chronological order of committee consideration and the report of the last committee to consider the bill shall contain the amendments recommended by the previous committees.

#### **Public Hearings.**

Rule 42. A committee may provide for a public hearing on any bill referred to that committee. Notice of such hearing, its subject, time and place, shall be given in writing to the Clerk of the House who shall announce the hearing to the House, publish it in the House Journal and in the House calendar and post it on the bulletin board designated by the Clerk for the posting of such notices.

### **CHAPTER V TRANSACTION OF BUSINESS**

#### **Order of Business.**

Rule 43. (1) The order of business of the House shall be as follows, unless otherwise ordered by the House:

- (a) Motions and Resolutions;
- (b) Reports of Select Committees;
- (c) Reports of Standing Committees;
- (d) Messages from the Senate;
- (e) Third Reading;
- (f) Second Reading;
- (g) Notices;
- (h) Announcement by the Clerk of Printing and Enrollment;
- (i) Messages from the Governor;
- (j) Comments and Recommendations;
- (k) Explanation of "No" Votes;
- (l) Communications from State Officers;
- (m) Introduction of Bills;
- (n) Announcements by the Clerk; and
- (o) Presentation of Petitions.

(2) Routine business on which no vote of the House is required may be disposed of on any day, with or without a quorum present, and proper entries thereof shall be made in the House Journal. If a quorum is not present, any item of business becoming the subject of a floor motion shall forthwith be postponed to the next legislative day.

(3) The business of the House shall not be delayed or interrupted by speeches by nonmembers, presentations, awards, ceremonies or musical programs, unless, there is a motion by the Majority or Minority Floor Leader to suspend the rules.

### **BILLS**

#### **Introduction.**

Rule 44. (1) All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau, be signed by the Member introducing them, and ten copies of each shall be handed to the office of the Clerk not later than 3 hours prior to calling the House to order. The Clerk shall number bills in the order of receiving, and present the same to the House at the next session of the House. All bills shall be introduced in typewritten or printed form.

(2) Once a bill has been turned in to the Clerk's office for introduction, up to 3 hours prior to calling the House to order, a Member may add his or her signature as a co-sponsor only with the permission of the sponsor.

(3) No person may add or remove any signature, other than his or her own, from a bill being introduced.

(4) The Speaker shall refer all bills and joint resolutions to a standing committee no later than one House legislative day after being submitted to the Clerk of the House.

(5) The Speaker may change the original referral of a bill or resolution by written communication submitted to the Clerk of the House before the end of session on the next House legislative day following the day of the original referral. Notices of the written communication shall be announced by the Clerk of the House during session and shall be printed in the Journal.

#### **Order of Consideration.**

Rule 45. (1) The regular order to be taken by bills introduced in the House shall be as follows:

- (a) Notice of introduction;
- (b) Introduction, first reading of title, order printed or reproduced and reference to a standing committee designated by the Speaker;

- (c) Report by the committee and placing on Second Reading;
  - (d) Consideration of Second Reading in order of reference;
  - (e) Third Reading and vote on passage;
  - (f) Transmission to Senate if passed;
  - (g) Returned by the Senate, and, if not amended by the Senate, reference to the Clerk for enrollment printing; if amended by the Senate, laying over one day, and consideration under the same order of business (Messages from the Senate); and (if amendments are concurred in) reference to the Clerk for enrollment printing; and
  - (h) Report by Clerk of enrollment printing and presentation to the Governor. Senate bills shall, as far as possible, take the same course as House bills.
- (2) All joint resolutions proposing amendments to the Constitution shall take the same course as bills and shall be identified by letter, i.e., "A", "B", "C", etc.
- (3) Nothing in these rules shall prevent a majority of the Members elected to and serving in the House from discharging a committee from further consideration of any measure. (See Const 1963, Art 4 § 16) A notice of one session day shall be given of a motion to discharge any such committee, the notice to be in writing and entered upon the House Journal. If a committee of the House is discharged from further consideration of a bill, the bill shall be referred to the order of Second Reading.
- (4) Such notice may be offered again on any succeeding legislative day of the same legislative session, but not more than a second time by the same Member.

**Reading.**

Rule 46. (1) Every bill shall be read three times in the House before its final passage. (See Const 1963, Art 4 § 26) The first and second readings may be by its title only; the third reading may be by its title unless there is a motion to read the bill in full supported by 1/3 of Members voting.

(2) No bill shall be passed or become a law at any regular session until it has been printed or reproduced and in the possession of the House for at least five days. (See Const 1963, Art 4 § 26)

(3) The Speaker or his or her designee may direct that a bill be printed or reproduced out of order.

**Commitment and Amendment.**

Rule 47. No bill shall be referred to a committee until it has passed its first reading. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24)

**Referral to Second Reading.**

Rule 48. All bills reported favorably by any committee of the House shall be referred to the order of Second Reading. Such bills shall be kept on file in the order of referral for consideration, and such file shall be called "Second Reading".

**Second Reading.**

Rule 49. When the House shall have arrived at "Second Reading" it shall consider the bills in the order of referral or such order as may be determined by a majority of those voting. Appropriation bills shall be considered an exception to this rule and shall be placed at the head of the calendar for that order each day and shall be given preference in printing and reproduction over other bills.

**Second Reading Amendment.**

Rule 50. (1) Under the order of Second Reading, bills shall be read a second time by their title. Committee recommendations, committee substitutes, and committee amendments shall be considered first. Amendments to committee substitutes or committee amendments shall not be considered until such committee substitutes or amendments have been adopted by the House. Amendments offered from the floor shall be submitted to the Clerk and shall be approved as to form by the Clerk before consideration.

(2) When a substitute is offered, amendments to the proposed substitute shall not be considered before the proposed substitute is adopted.

(3) On motion a bill may be advanced to the order of Third Reading by a vote of a majority of the Members voting. Such motion shall take precedence following the motion to amend.

(4) The body of a bill shall not be defaced or interlined.

**Amendment; Vote.**

Rule 51. No bill shall be amended prior to its Second Reading. Bills which have been considered on Second Reading shall be advanced to the order of Third Reading, either by motion and concurrence of a majority of the Members voting or in the absence of objection. Bills shall be subject to all subsidiary motions on Third Reading. Amendments offered

on Third Reading shall not be considered, nor printed in the House Journal, unless seconded by a majority of the Members voting. Amendments on Second or Third Reading shall require a majority of the Members elected and serving for adoption. This requirement shall apply to amendments in the first and second degree and no further degree shall be permitted. A substitute shall be considered an amendment in the first degree.

**Amendment; Third Reading.**

Rule 52. (1) Bills may be considered for final passage, by a suspension of the rules, without having been considered on Second Reading and may then be amended prior to their passage by a majority vote of the Members elected and serving. Bills considered on Second Reading may be placed on Third Reading for immediate passage by motion and concurrence of a majority of the Members elected and serving.

(2) Bills failing of passage will be subject to reconsideration and if reconsidered will be subject to consideration on the order of Third Reading.

**Amendment; Co-sponsors.**

Rule 53. After an amendment has been turned into the Clerk's office, a Member may not add his or her name as a co-sponsor without the approval of the sponsor.

**Majority Vote on Bills.**

Rule 54. (1) No bill shall become a law without the concurrence of a majority of the Members elected to and serving in the House. On the final passage of bills, the votes and names of the Members voting thereon shall be entered in the House Journal. (See Const 1963, Art 4 § 26)

(2) After a House bill has been passed, or upon final action on a House bill returned from the Senate, a Member may add his or her name as a co-sponsor to a bill with the approval of the sponsor or the sponsor's motion to open the board for that purpose.

**Extraordinary Vote Requirements.**

Rule 55. (1) Action by the House on any of the following matters shall require the vote of two-thirds of the Members elected and serving:

- (a) Expulsion of Member (See Const 1963, Art 4 § 16);
- (b) Immediate Effect (See Const 1963, Art 4 § 27);
- (c) Local or Special Act (See Const 1963, Art 4 § 29);
- (d) Private or Local Purpose Appropriation (See Const 1963, Art 4 § 30);
- (e) Overriding Veto or Line Item Veto (See Const 1963, Art 4 § 33);
- (f) Bank and Trust Company Laws (See Const 1963, Art 4 § 43);
- (g) Create Courts of Limited Jurisdiction (See Const 1963, Art 6 § 1);
- (h) Removal of Judges (See Const 1963, Art 6 § 25);
- (i) Long Term State Borrowing (See Const 1963, Art 9 § 15);
- (j) State Land Reserve Designation (See Const 1963, Art 10 § 5);
- (k) Rejection or Reduction of Civil Service Pay Increases (See Const 1963, Art 11 § 5);
- (l) Constitutional Amendment (See Const 1963, Art 12 § 1);
- (m) Exceed Revenue Limits (See Const 1963, Art 9 § 27); and
- (n) Mackinac Bridge Bonds Refunding (See Const 1963, Schedule, § 14).

(2) Action by the House on any of the following matters shall require the vote of three-fourths of the Members elected and serving:

- (a) Any law which increases the February 1, 1994, statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes (See Const 1963, Art 9 § 3); and
- (b) Amendment or Repeal of Initiated Law (See Const 1963, Art 2 § 9).

**Title; Object; Reference to Compiler's Sections.**

Rule 56. No bill shall embrace more than one object, which shall be expressed in its title. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24) If the bill proposes any amendment to existing laws, the sections of which have been assigned compiler's section numbers in the last general compilation or public acts, the title shall contain also a reference to the compiler's sections.

**SPECIAL ORDERS**

**Unfinished Special Orders.**

Rule 57. Any subject matter made the special order for a particular day not having been reached on that day shall come up for consideration under the same order on the next succeeding legislative day. The motion to place a bill on the special orders may be made only by the Majority or Minority Floor Leaders.



## MOTIONS AND RESOLUTIONS IN GENERAL

### **Stating Motions.**

Rule 58. When a motion is made, and when necessary under the rules, seconded, it shall be stated by the Presiding Officer; or, if in writing, it shall be handed to and read aloud by the Clerk before being debated.

### **Reduced to Writing.**

Rule 59. Every motion shall be reduced to writing if the Presiding Officer or any Member shall request it, and shall be entered upon the House Journal, together with the name of the Member making it, unless withdrawn upon request of the Member making it and by a majority vote of those voting, or ruled out of order by the Presiding Officer.

### **When in Possession; Withdrawal.**

Rule 60. After a motion has been stated by the Presiding Officer, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before decision or amendment upon request of the Member making it and by a majority vote of those voting.

### **Precedence of Motions.**

Rule 61. (1) When a question is under debate, no motion shall be received except:

- (a) To adjourn;
- (b) To take a recess;
- (c) To reconsider;
- (d) To lay on the table;
- (e) For the previous question;
- (f) To postpone to a day certain;
- (g) To commit;
- (h) To amend; and
- (i) To postpone indefinitely.

(2) Such motions shall take precedence in the order in which they stand arranged, and shall be decided by a majority vote of those Members voting, except the motion to postpone indefinitely and a motion to amend shall be decided by a majority vote of the Members elected and serving. When a recess is taken during the pendency of any question, the consideration of such question shall be resumed upon reassembling unless otherwise determined. No motion to postpone to a day certain, or to commit, being decided shall be again allowed on the same day and at the same stage of the question. A motion to postpone indefinitely having been decided shall not be subject to reconsideration. When a bill is up for consideration at any stage of procedure, and a motion is made to postpone indefinitely, or to strike out all after the style clause, amendments shall be in order before taking a vote on any such motion.

### **Always in Order; Not Debatable.**

Rule 62. (1) The following motions are not debatable:

- (a) Adjourn;
  - (b) Call of the House;
  - (c) Recess;
  - (d) Previous Question;
  - (e) Table or take from the table; and
  - (f) Decision of Presiding Officer unless an appeal is taken.
- (2) The following motions are debatable but do not open the main question to debate:
- (a) Commit;
  - (b) Discharge a committee;
  - (c) Postpone to a time certain; and
  - (d) Suspension of the Rules.

### **Order of Putting Questions.**

Rule 63. All questions shall be put in the order they were moved, except in the case of privileged questions.

### **Amendments to be Germane.**

Rule 64. No independent or new proposition or new question shall be introduced under color of an amendment. All amendments must be germane to the main question. When the question of germaneness is raised, the Presiding Officer shall rule on the question.

**Division of Question.**

Rule 65. Any Member may call for a division of the question, and if supported by a majority vote of the Members voting, the question shall be divided if its components are so distinct that if one is taken away a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible.

**MOTIONS FOR THE PREVIOUS QUESTION****Method of Ordering.**

Rule 66. (1) The method of ordering the previous question shall be as follows: Any Member may move the previous question, and the motion shall apply to the pending question only. This being seconded by at least ten Members, the Presiding Officer shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the Members voting. After the seconding of the previous question and prior to ordering the same, a Call of the House may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question, except:

- (a) Demands for the ayes and nays;
- (b) Points of order;
- (c) Appeals from the decision of the Presiding Officer; and
- (d) A motion to adjourn or to take a recess, which shall be decided without debate.

(2) The effect of the previous question shall be to put an end to all debate and bring the House to a direct vote upon the pending question. If the House shall refuse to order the pending question, the consideration on the subject shall be resumed as though no motion for the previous question had been made. No protest may be entered under the previous question.

**MOTIONS TO RECONSIDER****Motions for Reconsideration.**

Rule 67. Any Member may move for a reconsideration of any question on the same or next succeeding legislative session day. Reconsideration of the vote by which a bill passed the House, or any proposition requiring a vote in excess of a majority of Members elected and serving for adoption, shall require a majority of the Members elected and serving. The motion to reconsider shall not be renewed the same day. The same question shall not be reconsidered more than twice. A motion to reconsider any question shall not be subject to any subsidiary motion except to postpone for the day. The question of passing a bill the objections of the Governor notwithstanding shall not be reconsidered more than twice.

**Notice of Reconsideration.**

Rule 68. A notice of intention to move for a reconsideration of any bill may be given by any Member from the floor of the House or in writing to the Clerk, which shall be immediately announced by the Clerk, spread upon the House Journal, and the bill shall be retained by the Clerk of the House until after the time expires during which under Rule 67 the motion can be made, either by the Member serving such notice or by any other Member. Notice of intention shall not be in order on the day preceding a recess of one week or more, unless supported by two-fifths of the Members shown to be present by the House Journal entries, or at a time which would prevent passage of the bill. No other Members may move for reconsideration on the same day that notice of intention to move for a reconsideration is given.

**Majority Vote.**

Rule 69. Any proposition which requires for its adoption a two-thirds or three-fourths vote may, upon failure of adoption, be reconsidered by a majority vote of the Members elected and serving.

**MOTIONS FOR CALLS OF THE HOUSE****Ordering Calls of the House.**

Rule 70. Calls of the House may be ordered upon motion by a majority of the Members present, but the total vote in favor of such Call shall not be less than fifteen in number. A motion for a Call of the House shall not be entertained after the previous question is ordered.

**Procedure.**

Rule 71. After a Call of the House is ordered, the doors shall be closed and the Members shall not be allowed to leave the floor of the House without permission of the Speaker or the Speaker's designees. The roll of the House shall be called by the Clerk and the absentees noted. The Sergeant at Arms may, upon motion, be dispatched after the absentees. In such case a list of the absentees shall be furnished by the Clerk to the Sergeant at Arms, who shall report such absentees at the bar of the House with all possible speed. In case the Sergeant at Arms shall require assistance in addition to the regularly appointed Assistant Sergeants at Arms of the House, during an authorized Call of the House,

the Speaker or Presiding Officer may, upon motion, deputize any person properly qualified, including any member of the Michigan State Police, as a special assistant Sergeant at Arms. The House may proceed to business under a Call of the House pending the arrival of any absentees.

## **APPEALS**

### **Form of Question.**

Rule 72. On all appeals from the decisions of the Presiding Officer, the question shall be "Shall the judgment of the Chair or Presiding Officer stand as the judgment of the House?" which question shall be decided by a majority vote of those voting, by a roll call vote. A tie vote sustains the judgment of the Presiding Officer.

### **Debate.**

Rule 73. No Member shall speak more than once on the question of an appeal without leave of the House by a majority vote of those Members voting.

### **Tabling Appeals.**

Rule 74. An appeal may be laid on the table but shall not carry with it the subject matter before the House at the time such appeal is taken.

### **Amendment or Suspension of Rules.**

Rule 75. (1) Any rule of the House may be amended by a majority vote of the Members elected and serving. No rule shall be amended unless the amendment is in writing and in possession of the House five days prior to its consideration. A rule may be suspended by a vote of three-fifths of the Members shown to be present by the House Journal entries.

(2) Suspension of rules governing the operation or televising of House session shall be by record roll call and shall require the approval of three-fifths of the Members voting.

(3) Suspension of the rules as applied to matters pertaining to order of business, schedule of legislative sessions and adjournment may be by a majority vote of the Members elected and serving.

### **Practice.**

Rule 76. In all cases not provided by the Constitution, the House Rules, or the Joint Rules of the Senate and House of Representatives, the authority shall be Mason's Manual of Legislative Procedure - most current edition.

### **House and Concurrent Resolutions.**

Rule 77. Every resolution, both House and Concurrent, shall be read to the House, if not otherwise provided for, and shall be referred by the Speaker to a committee, or by the Presiding Officer to a committee designated by the Speaker unless under suspension of the rules immediate consideration is ordered. Resolutions of sorrow may be considered immediately upon presentation. All resolutions reported to the House by any standing committee shall not be eligible for consideration until the next legislative session day. The adoption of any concurrent resolution approving any intertransfer or transfer of any appropriation shall be by record roll call vote.

## **CHAPTER VI PUBLIC ACCESS FINANCIAL RECORDS**

### **Access to Financial Records.**

Rule 78. (1) The financial records of the House of Representatives shall be open for public inspection. Upon a written request which describes the financial record sufficiently to enable the House of Representatives to find the financial record, a person has a right to inspect, copy, or receive copies of that financial record of the House of Representatives. Documents shall be available for inspection during normal business hours.

(2) A copy of the House financial records shall be on file with the House Business Office, which shall have overall authority to administer the House financial records under the direction of the Speaker of the House.

(3) As used in this section, "financial record" means a budget, contract, purchase order, an expenditure authorization, voucher, check, warrant, lease, audit report, balance sheet, travel voucher, or allotment account.

(4) The following information contained in legislative 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 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 judgments.

- (ii) An employee's health care 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 House of Representatives;
  - (e) Communications, notes, and electronic data within the House of Representatives or between the Legislature and other public bodies of an advisory nature; and
  - (f) Internet - use records.
- (2) The House of Representatives 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 from nonexempt information.
- (3) The House of Representatives 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 from nonexempt information.

Rule 79. The House may adopt any such other rules and policies as are necessary to provide for the orderly dissemination of materials to and communication with the public including, but not limited to, dissemination and communication by electronic means.

#### **Televising of House Session.**

Rule 80. (1) Nothing in these rules shall prohibit the televising of sessions or committee meetings of the Michigan House of Representatives.

(2) The televised coverage of sessions and committee meetings of the Michigan House of Representatives by House television shall be made available for dissemination, pursuant to subsection (4).

(3) All televised coverage of House session and committee meetings shall be unedited.

(4) No portion of the coverage (either live or taped) authorized pursuant to subsection (2) may be utilized in any fashion for campaign or political purposes or to promote or oppose a ballot issue or the candidacy of any person for any elective office. Only accredited news organizations, educational institutions, and non-profit public affairs documentary programs may utilize any portion of the House television feed. No part of the House television feed may be used in any paid commercial advertisements.

(5) The House Oversight, Elections, and Ethics Committee shall recommend to the House any revisions to the Standing Rules of the House which it determines are necessary to ensure that all televised coverage of House proceedings are consistent with acceptable standards of dignity, propriety and decorum.

## **CHAPTER VII**

#### **Personal Privilege.**

Rule 81. (1) Matters involving personal privilege are limited and include only the following:

- (a) Anything tending to subject a Member to ridicule or contempt;
- (b) Charges in news media accounts relating to a Member in his or her representative capacity only;
- (c) News media accounts attributing to a Member remarks he or she has not made;
- (d) Accusation by another Member in debate of intentional misrepresentation;
- (e) Assault on a Member for words spoken in debate; and
- (f) Arrest of a Member except for treason, felony or breach of the peace.

(2) Under a question of personal privilege a Member is required to confine his or her remarks to the matter of personal concern which shall not exceed 3 minutes and shall be made under the order of Comments and Recommendations.

(3) All constitutional protests shall not be greater in length than 500 words.

#### **Expungement of Records and Petitions.**

Rule 82. (1) Any Member may dissent from and protest against any act, proceeding or resolution which he or she deems injurious to any person or the public and have the reason for such dissent entered in the House Journal. Any matter may be expunged from the record as not being privileged by order of the House by a majority of the Members elected and serving. When any matter is ordered expunged from the record, as above provided, no mention shall be made of the same, nor of the action of the House in ordering such expungement.

(2) No memorial, remonstrance or petition, except recount petitions, shall be printed in the House Journal without having been read to the House and ordered printed in the House Journal by a majority vote.

(3) Written or verbal remarks made under the order of business of Comments and Recommendations shall not be printed in the House Journal except for remarks regarding departing Members.

### QUALIFICATIONS OF MEMBERS

#### Oath of Office.

Rule 83. Upon objection by any Representative or Representative-elect, no Representative-elect shall be given the oath of office or be permitted to be seated as a Member if he or she has previously been convicted of any election law violation which contributed to his or her election to the House of Representatives, subversion or has within the preceding 20 years been convicted of a felony involving a breach of public trust. (See Const 1963, Art 4 § 7) Upon a finding by a majority vote of the Members elected and serving in the House that the offense committed by such Representative-elect is within the provisions of this rule, that person shall be declared to be not qualified for membership in the House, and the office shall be declared vacant. The question of a Member's qualifications shall be presented only by a Member.

### CHAPTER VIII

#### Equally divided House

Rule 84. If at any time during the Ninety-third legislative session, there are 55 Members duly elected and serving as Democrats as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the Ninety-third legislative session, and 55 Members duly elected and serving as Republicans as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the Ninety-third legislative session, then the House of Representatives shall proceed with the election of a Speaker and other officers provided for in Rule 1 by at least 56 votes.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

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The Acting Clerk announced that the next business in order was the election of a Speaker.

Rep. Hummel placed in nomination the name of Rep. DeRoche.

Rep. Ward moved that Rule 82 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Ward moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Hummel:

“Thank you, Mr. Clerk and good afternoon colleagues and guests.

I rise today to nominate Craig DeRoche as Speaker of the House of Representatives. I pledged my support for Craig as Speaker because I shared his vision; his vision to raise the stature of this chamber; his vision to share authority with his colleagues, and his vision for Michigan. Since that time, he has enlarged that vision to include a commitment to work with the citizens of Michigan, the Senate, and the Executive branch to fashion a government that will live within its means—and it's a vision I not only support, but I believe is vital to the future of our state.

It's been said there are three essential elements of success: First, be willing to learn. The first step in learning is listening, and I have seen Craig listen, learn and then act on what he learns. Second, be able to assimilate new information quickly. How else do you describe someone who graduates from a four year college in three years? Third, be able to work with and get along with other people. This is one of Craig's greatest strengths, and I believe he will use this ability to build trust and respect within our chamber.

Personally, a fourth element is most important to me. Being a success here in Lansing and not at home is really not my definition of success at all. Craig shares this belief and has the full support of his wife, Stacey. He recognizes the important, irreplaceable role he has as a husband and as a father to Carley and Zoe and is committed to keeping balance in his life despite the heavy demands of being Speaker.

In his book ‘Courageous Leadership’ Bill Hybels states, ‘We all communicate our vision most powerfully when we can look our friends and other potential followers in the eye and say, “I am giving my life to the fulfillment of this vision. I’d love to have you help me. But even if you don’t, I am going to do what God has called me to do. One way or another, I am going to make this vision happen”’ Fellow members, an enormous task lies ahead of us. I want a leader with that type of vision. We need a leader with that level of determination. I believe Craig DeRoche has it and I count it a privilege to nominate him as Speaker of the Michigan House of Representatives.”

Rep. Byrum seconded the nomination of Rep. DeRoche.

Rep. Byrum:

“Fourteen years ago, I entered this chamber to be sworn in for the first time. Now, as I am sworn in for the last time as a legislator, I cannot help but reflect on those years. I have served in the House with Democratic Leadership. I have severed with Republican Leadership. I also had the privilege of serving in that unique session in 1993 and 1994 with two Speakers of the House in a tied legislator. I have seen partisanship. I have seen bi-partisanship. As I enter my last term I urge us to choose bi-partisanship. I believe we can accomplish more then we have hoped if we work together. I also know that we can do more damage then we know, if we choose division. It is in the hope that we choose the bath of cooperation and accomplishment that I am pleased to second the nomination of Craig DeRoche as our next Speaker of the Michigan House of Representatives.”

The question being on the election of a Speaker,

The roll of the House was called by the Clerk and the members voted as follows:

**Roll Call No. 1**

**Yeas—108**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson
Adamini	Espinoza	Leland	Rocca
Amos	Farhat	Lemmons, III	Sak
Anderson	Farrah	Lemmons, Jr.	Schuitmaker
Angerer	Gaffney	Lipse	Shaffer
Ball	Garfield	Marleau	Sheen
Baxter	Gillard	Mayer	Sheltrown
Bennett	Gleason	McConico	Smith, Alma
Bieda	Gonzales	McDowell	Smith, Virgil
Booher	Gosselin	Meisner	Spade
Brandenburg	Green	Meyer	Stahl
Brown	Hansen	Miller	Stakoe
Byrnes	Hildenbrand	Moolenaar	Steil
Byrum	Hood	Moore	Stewart
Casperson	Hoogendyk	Mortimer	Taub
Caswell	Hopgood	Murphy	Tobocman
Caul	Huizenga	Nitz	Vagnozzi
Cheeks	Hummel	Nofs	Van Regenmorter
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kehrl	Pearce	Whitmer
Dillon	Kolb	Phillips	Williams
Donigan	Kooiman	Plakas	Wojno
Drolet	LaJoy	Polidori	Zelenko

**Nays—0**

The Acting Clerk announced that Rep. DeRoche, having received a majority vote of the members present and voting, was duly elected Speaker of the House of Representatives.

The Chair named as a committee to conduct the Speaker to the Chair, Reps. Taub, Proos and Kolb.

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The Speaker assumed the Chair.

Rep. DeRoche:

“Thank you.

Scott Hummel, thank you for that wonderful nominating speech...and my fellow members, thank you for your support.

I am honored and humbled by the trust you have placed in me.

Minority Leader Byrum, I have appreciated already your openness and willingness to sit down and work on the important issues we will face together.

I look forward to working with you and your caucus on the difficult decisions ahead.

I also want to thank my friends and supporters...I would not be standing here today without your faith in me and your hard work on my behalf.

To my family...my parents for teaching me faith, hard work and that I can achieve anything that I set my mind to.

I'm happy my brothers, Paul and Kirk, are here too. Thanks for teaching me how to scrap...although I'm hoping that those lessons won't be necessary.

Carley and Zoe, my daughters, you won't remember this speech, but I want to thank you for always running as fast as you can to greet me at the door with hugs and kisses after a long days work.

And lastly, but most especially, I want to thank my beautiful wife, Stacey. Honey, thank you for always being there for me, I love you with all of my heart.

My colleagues and friends, we have all been elected to serve in the House of Representatives...a duty and honor given to each of us by the voters of Michigan.

The founders of our great state and the men and women who wrote our constitution gave the House of Representatives great authority within our government.

It's a vision of authority and duty shared by those who designed and built this beautiful chamber we sit in today.

With this delegation of authority comes an extraordinary amount of responsibility...responsibility magnified today by the budget problems we face and the jobs crisis Michigan families face.

These challenges...and more...will require each of us to make some of the hardest decisions of our professional lives.

Beginning today...and until our last votes are cast...every time we look down at those green and red buttons we need to realize one thing:

Our decisions, our actions and literally our fingerprints will mark the pages of Michigan's history and will show everyone how we responded to the challenges before us.

I say this today because we are surrounded by the people who love and support us the most. They are counting on us.

We can never forget that our decisions affect real people and their lives. And we must always understand that those decisions may not always feel like the most politically popular thing to do.

But I'm a believer that good policy and responsible budgeting always make good politics...even if the pundits and pollsters say differently.

The lack of fundamental reform of Michigan's budget...our high tax and bad regulatory environment...our loss of good jobs have hurt our state and our constituents.

Here's a fact you may not have known, but I hope now you will never forget.

According to the nonpartisan National Council of State Legislatures, 31 states started 2003 with a hole their state budget.

Today, as we come together to begin our work, only three states face gaps...and Michigan is one of them.

What's worse, only two states have more people out of work than we do in Michigan.

Friends, America has turned the corner.

It's leaving Michigan behind.

And it's time for us to get to work and to start living within our means.

In recent years...with the 'advice and counsel' of many professionals who have made their living in Lansing long before we arrived and who will be here long after we leave... this Legislature was party to every fee increase, one time fix, and tax shift.

All this was done in an effort to put off the hard decisions and with the hope that things would magically turn around on their own.

It hasn't worked.

Michigan isn't in better shape.

And now it's time to make the tough decisions.

As your leader, I pledge to make sure your voices, your ideas and your priorities are heard, and incorporated into our finished product - a finished product that determines how much we have and pays for only the priorities we can afford.

Priorities set by us – on behalf of our constituents – and negotiated with our partners in the process.

Priorities that create good jobs, teach our kids, keep our families safe and healthy and meet our responsibility to taxpayers to spend their hard-earned money with caution and care.

Priorities that give the people of this state a better return on the investments they make in Michigan every day.

Let me give a few examples of what I mean.

Economic development and job creation in this town have shifted in recent years from problem solving to press releases.

While Michigan's small businesses, job providers and workers struggle to make payroll, government keeps looking to them to bank-roll state spending.

Our workers and their employers should be our priority...and they deserve a better return on their investment.

Think about public education.

Every single school district in our state receives \$6,700 to provide a quality education for each child...many districts receive much more. Still, there are districts where children aren't learning like they should.

The promise of a public education is written into our constitution and is supposed to be for every child in Michigan – no matter where they live.

Our students should be our priority...and they deserve a better return on this investment.

And then there are roads.

I live in Novi, a city with a permanent place in the Metro Detroit daily traffic report...a report that gets longer every day.

It will take the next Henry Ford, and not the next MDOT director, to change people's behavior, preferences or the need for good roads in this state.

Until that day, we need to get back to fixing and building quality roads where people actually choose to live, work and pay taxes.

Michigan motorists and their families should be our priority...and they demand a better return on their investment.

As a father, husband, brother and son, I am always concerned for the health, safety and security of my loved ones.

I know that I am not alone.

Crime in Michigan is a serious problem, and it puts our loved ones at risk

When people are hurt by crime...our schools and students suffer...our businesses struggle...and we are forced to spend money on criminals instead of on our communities.

Our families and our communities should be our priority and they must have a better return on their investment.

There are other priorities to talk about, but today is just our first day and we have two years to work together to find solutions to the challenges we face.

Today, I am optimistic about Michigan's future despite the job we have ahead.

Working together...across the aisle...it is my pledge to lead this chamber in fulfilling our responsibilities...responsibilities not only under our constitution, but to our constituents, colleagues and families.

I am also optimistic because I know that you...as individual members...can have an extraordinary effect on how we solve our current problems and reform our government.

It's time to be bold again and it's time to lead.

The kind of leadership that once blasted the rust off our economy, created good jobs and made Michigan the envy of other states.

Michigan needs that kind of bold leadership again.

I am up to the challenge. I know that all of you are up to the challenge.

Now...together...let's get to work!"

Reps. Ward and Waters offered the following resolution:

**House Resolution No. 2.**

A resolution to provide for officers of the House of Representatives for the Ninety-third Legislature.

Resolved by the House of Representatives, That the following members are elected to the following offices of the House of Representatives for the Ninety-third Legislature:

Jerry Kooiman—Speaker Pro Tempore

Bruce Caswell—Associate Speaker Pro Tempore

Kevin Elsenheimer —Associate Speaker Pro Tempore



Pending the reference of the resolution to a committee,  
 Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.  
 The motion prevailed, 3/5 of the members present voting therefor.  
 The question being on the adoption of the resolution,  
 The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

**Roll Call No. 2****Yeas—108**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson
Adamini	Espinoza	Leland	Rocca
Amos	Farhat	Lemmons, III	Sak
Anderson	Farrah	Lemmons, Jr.	Schuitmaker
Angerer	Gaffney	Lipsey	Shaffer
Ball	Garfield	Marleau	Sheen
Baxter	Gillard	Mayer	Sheltrown
Bennett	Gleason	McConico	Smith, Alma
Bieda	Gonzales	McDowell	Smith, Virgil
Booher	Gosselin	Meisner	Spade
Brandenburg	Green	Meyer	Stahl
Brown	Hansen	Miller	Stakoe
Byrnes	Hildenbrand	Moolenaar	Steil
Byrum	Hood	Moore	Stewart
Casperson	Hoogendyk	Mortimer	Taub
Caswell	Hopgood	Murphy	Tobocman
Caul	Huizenga	Nitz	Vagnozzi
Cheeks	Hummel	Nofs	Van Regenmorter
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kehrl	Pearce	Whitmer
Dillon	Kolb	Phillips	Williams
Donigan	Kooiman	Plakas	Wojno
Drolet	LaJoy	Polidori	Zelenko

**Nays—0**

In The Chair: DeRoche

Reps. Ward and Waters offered the following resolution:

**House Resolution No. 3.**

A resolution to provide for the Clerk of the House of Representatives for the Ninety-third Legislature.

Resolved by the House of Representatives, That Gary L. Randall is elected to the office of Clerk of the House of Representatives for the Ninety-third Legislature.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

**Roll Call No. 3****Yeas—108**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson

Adamini	Espinoza	Leland	Rocca
Amos	Farhat	Lemmons, III	Sak
Anderson	Farrah	Lemmons, Jr.	Schuitmaker
Angerer	Gaffney	Lipsey	Shaffer
Ball	Garfield	Marleau	Sheen
Baxter	Gillard	Mayes	Sheltrown
Bennett	Gleason	McConico	Smith, Alma
Bieda	Gonzales	McDowell	Smith, Virgil
Booher	Gosselin	Meisner	Spade
Brandenburg	Green	Meyer	Stahl
Brown	Hansen	Miller	Stakoe
Byrnes	Hildenbrand	Moolenaar	Steil
Byrum	Hood	Moore	Stewart
Casperson	Hoogendyk	Mortimer	Taub
Caswell	Hopgood	Murphy	Tobocman
Caul	Huizenga	Nitz	Vagnozzi
Cheeks	Hummel	Nofs	Van Regenmorter
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kehrl	Pearce	Whitmer
Dillon	Kolb	Phillips	Williams
Donigan	Kooiman	Plakas	Wojno
Drolet	LaJoy	Polidori	Zelenko

### Nays—0

In The Chair: DeRoche

Rep. Ward moved that the Clerk be directed to notify the Governor and the President of the Senate that the House had completed its organization and was ready to proceed with the business of the session.

The motion prevailed.

Reps. Ward and Waters offered the following resolution:

#### **House Resolution No. 4.**

A resolution fixing the hour for daily sessions.

Resolved, That unless otherwise ordered, the daily sessions of the House of Representatives commence on Tuesday and Wednesday at 1:00 p.m. and on Thursday at 10:30 a.m.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Ward and Waters offered the following resolution:

#### **House Resolution No. 5.**

A resolution directing the Clerk to notify the Governor that the House of Representatives has assembled and is ready to proceed with the business of the session.

Resolved, That the Clerk of the House is hereby directed to notify the Governor that the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Ward and Waters offered the following resolution:

**House Resolution No. 6.**

A resolution directing the Clerk to notify the Senate that the House of Representatives has assembled and is ready to proceed with the business of the session.

Resolved, That the Clerk of the House is hereby directed to notify the Senate that the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Ward and Waters offered the following concurrent resolution:

**House Concurrent Resolution No. 1.**

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives, Tuesday, February 8, 2005, at 6:30 p.m., to receive the message of Governor Jennifer M. Granholm.

Pending the reference of the concurrent resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the concurrent resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

### Messages from the Senate

January 12, 2005

The Honorable Craig DeRoche  
Speaker of the House of Representatives  
Capitol Building  
Lansing, Michigan 48913

Dear Mr. Speaker:

By direction of the Senate, I hereby notify you that a quorum of the Senate has assembled and is ready to proceed with the business of the session.

Very respectfully,  
Carol Morey Viventi, J.D.  
Secretary of the Senate

**Senate Concurrent Resolution No. 1.**

A concurrent resolution granting authority for adjournment for more than 2 days.

Resolved by the Senate (the House of Representatives concurring), That each House hereby grants unto the other permission to adjourn for not more than 15 intervening calendar days at such times as each House shall determine at any time during the 2005 and 2006 regular sessions.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the concurrent resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

**Senate Concurrent Resolution No. 2.**

A concurrent resolution prescribing the Joint Convention Rules for the Legislature.

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

**JOINT CONVENTION RULES OF THE  
SENATE AND HOUSE OF REPRESENTATIVES**

**Held in Hall of House.**

Rule 1. Joint conventions shall be held in the Hall of the House of Representatives, or such other location as may be agreed to by the Speaker of the House of Representatives and the Majority Leader of the Senate. The President of the Senate or, in the absence of the President of the Senate, the Speaker of the House shall preside. Before the 2 Houses shall meet in joint convention, a concurrent resolution shall be introduced in one House setting forth the date and hour at which the joint convention shall meet, which, if adopted, shall be transmitted to the other House for concurrence.

**Secretaries-Journals.**

Rule 2. The Secretary of the Senate and Clerk of the House of Representatives shall be the secretaries of the joint convention. The proceedings of the joint convention shall be published with the Journals of the House, and the final result, as announced by the President on the return of the Senate to its chamber, shall be entered on the Journals of the Senate.

**Rules of House to Govern.**

Rule 3. The rules of the House of Representatives, so far as the same may be applicable, shall govern the proceedings in joint convention.

**President pro tempore of Convention.**

Rule 4. Whenever the Speaker of the House presides, he or she shall be entitled to vote on all occasions, and in case of a tie the question shall be declared lost.

**Power to Compel Attendance.**

Rule 5. Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed in the rules of the House to which such members respectively belong, and for that purpose the Sergeant at Arms of each House shall attend.

**May Adjourn from Time to Time.**

Rule 6. Joint conventions may adjourn from time to time, as may be found necessary, and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the joint convention, at the time fixed by law or resolution, or to which the joint convention may have adjourned.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the concurrent resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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Rep. Ward moved that when the House adjourns today it stand adjourned until Thursday, January 27, at 10:30 a.m. The motion prevailed.

**Communications from State Officers**

The following communications from the Auditor General were received and read:

January 5, 2005

Enclosed is a copy of the annual financial statements, together with the Auditor's Report, for the Bureau of State Lottery as of and for the six-month periods and years ended September 30, 2004 and 2003.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Deputy Auditor General; or Mark A. Freeman, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

January 7, 2005

Enclosed is a copy of the following audit report and/or report summary:

Performance audit of the Bureau of Health Systems

Department of Community Health

January 2005

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

The following communication from the Department of Management and Budget was received and read:

January 7, 2005

I am pleased to announce that the Annual Reports for the Michigan Public School Employees' Retirement System, the State Employees' Retirement System, the State Police Retirement System and the Judges' Retirement System for the fiscal year ending September 30, 2004 are available online at [www.michigan.gov/ors](http://www.michigan.gov/ors). The reports in a printable format are listed separately in the "What's New" section under each retirement system.

These reports are an excellent source of information on the four statewide retirement systems administered by the Department of Management and Budget, Office of Retirement Services. In keeping with the statewide effort to reduce costs, we will be sending out printed copies only upon request.

Please share this information as appropriate and if I can provide further information, please let me know.

Sincerely,  
Chris DeRose  
Director  
Office of Retirement Services

The communication was referred to the Clerk.

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Rep. Zelenko moved that the House adjourn.  
The motion prevailed, the time being 2:00 p.m.

The Speaker declared the House adjourned until Thursday, January 27, at 10:30 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives

