

No. 1
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Wednesday, January 8, 2003.

12:00 noon.

In conformity with the requirements of the Constitution of the state of Michigan, the Senators of the 92nd Legislature of the state of Michigan assembled in the Senate Chamber in the Capitol at Lansing this day (being the second Wednesday of January 2003), at twelve o'clock noon, and were called to order by the President, Lieutenant Governor John D. Cherry, Jr.

Reverend Douglas VanBronkhorst of the First Reformed Church of Grandville offered the following invocation:

God, as we begin a new year of legislative session, we affirm our needs and Your abundant ability. We need effective leaders for our state. You are able to make wise and principled public servants. We need representatives to have the best interests of all citizens. You are able to make compassionate listeners and advocates.

We need united effort for the common good. You are able to make cooperative colleagues in all branches of our government. We need integrity in our personal and public lives. You are able to help us with balance, accountability, and faithfulness. We need to speak the truth and love. You are truth and love. God, enable us to fulfill our offices with energy and humility. May we seek Your presence and help every day.

Bless each Senator and staff member with great joy in their service, and I pray this in the Spirit of Jesus Christ. Amen.

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

Motions and Communications

Senator Hammerstrom moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Senator Hammerstrom moved that rule 3.902 be suspended to allow the guests and families of the Senators, Secretary of the Senate and Assistant Secretary of the Senate admittance to the Senate floor, including the center aisle.

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

Senator Hammerstrom moved that when the Senate adjourns today, it stand adjourned until Tuesday, January 21.

The motion prevailed.

Senator Hammerstrom moved that rule 3.902 be suspended to allow Supreme Court Justice Maura Corrigan admittance to the Senate floor, including the center aisle.

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

Certified List of Senators

The following communication was received and read:

Department of State

November 25, 2002

Enclosed is a certified list of the members-elect to the State Senate as shown by the November 5, 2002 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, Candice S. Miller, 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 Senate for the term January 1, 2003 to January 1, 2007, as shown by the November 5, 2002 General Election returns 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 25, 2002.

Candice S. Miller
Secretary of State

Members-Elect of the Senate

District	Party	Name	Address
1	Dem	Hansen Clarke	4221 Cass #500, Detroit 48201
2	Dem	Martha G. Scott	75 Rhode Island, Highland Park 48203
3	Dem	Irma Clark	2688 Oakman Boulevard, Detroit 48238
4	Dem	Samuel Buzz Thomas III	19260 Burlington, Detroit 48203
5	Dem	Burton Leland	17254 Bentler, Detroit 48219
6	Rep	Laura M. Toy	32663 Five Mile, Livonia 48154
7	Rep	Bruce Patterson	42479 Redfern Drive, Canton 48187
8	Dem	Raymond E. Basham	12406 Telegraph, Taylor 48180
9	Dem	Dennis Olshove	29723 Roan, Warren 48093
10	Dem	Michael Switalski	31412 Gay, Roseville 48066
11	Rep	Alan Sanborn	27140 Irwin, Richmond 48062
12	Rep	Mike Bishop	803 West University Drive, Rochester 48307
13	Rep	Shirley Johnson	4222 Sheridan Drive, Royal Oak 48073
14	Dem	Gilda Z. Jacobs	8353 Hendrie Boulevard, Huntington Woods 48070
15	Rep	Nancy Cassis	22186 Daleview, Novi 48374
16	Rep	Cameron Brown	29057 East Lafayette, Sturgis 49091
17	Rep	Beverly S. Hammerstrom	1183 Oakmont Drive, Temperance 48182
18	Dem	Liz Brater	1507 Wells Street, Ann Arbor 48104
19	Dem	Mark Schauer	15 North Broad Street, Battle Creek 49017
20	Rep	Tom George	8545 Old Oak Circle, Kalamazoo 49009
21	Rep	Ron Jelinek	7605 West Stickles Road, Three Oaks 49128
22	Rep	Valde Garcia	607 Byron Road, Apartment No. 4, Howell 48843
23	Dem	Virg Bernero	6017 LaPorte Drive, Lansing 48911
24	Rep	Patricia L. Birkholz	3413 Sixty-Fourth Street, Saugatuck 49423
25	Rep	Jud Gilbert	9882 North River Road, Algonac 48001
26	Dem	Deborah Cherry	2124 South Belsay Road, Burton 48519
27	Dem	Robert L. Emerson	1025 Kensington Avenue, Flint 48503
28	Rep	Ken Sikkema	4309 Del Mar Court, Wyoming 49418
29	Rep	Bill Hardiman	1814 Andrew, Kentwood 49508
30	Rep	Wayne Kuipers	364 West 31st Street, Holland 49423
31	Dem	Jim Barcia	3190 Hidden Road, Bay City 48706
32	Rep	Mike Goschka	16393 Schroeder Road, Brant 48614
33	Rep	Alan L. Cropsey	7730 Loomis Road, DeWitt 48820
34	Rep	Gerald Van Woerkom	4216 Harbor Point Drive, Muskegon 49441
35	Rep	Michelle McManus	7883 East Alpers Road, Lake Leelanau 49653
36	Rep	Tony Stamas	6221 Dublin, Midland 48640
37	Rep	Jason Allen	526 Washington Street, Traverse City 49686
38	Dem	Michael Prusi	1045 North Shore Drive, Ishpeming 49849

Certified List of Representatives

The following communication was received and read:
Department of State

November 25, 2002

Enclosed is a certified list of the members-elect to the State House of Representatives as shown by the November 5, 2002 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, Candice S. Miller, 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, 2003 to January 1, 2005, as shown by the November 5, 2002 General Election returns 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 25, 2002.

Candice S. Miller
 Secretary of State

Members-Elect of the House of Representatives

District	Party	Name	Address
1	Rep	Edward J. Gaffney	283 Kenwood Court, Grosse Pointe Farms 48236
2	Dem	Ken Daniels	14470 Eastburn, Detroit 48205
3	Dem	Artina Tinsley Hardman	3009 Cadillac Boulevard, Detroit 48214
4	Dem	Mary D. Waters	2701 East Lafayette, Detroit 48207
5	Dem	Bill McConico	18134 Dequindre, Detroit 48234
6	Dem	Marsha Cheeks	2295 Longfellow, Detroit 48206
7	Dem	Virgil Smith	19450 Gloucester, Detroit 48203
8	Dem	Alma G. Stallworth	19793 Sorrento, Detroit 48235
9	Dem	Tupac A. Hunter	16516 St. Marys, Detroit 48235
10	Dem	Triette Lipsey Reeves	13530 West Outer Drive, Detroit 48239
11	Dem	Morris Hood III	8872 Cloverlawn, Detroit 48204
12	Dem	Steve Tobocman	1032 Vinewood, Detroit 48216
13	Dem	Barbara A. Farrah	15442 Kennebec, Southgate 48195
14	Dem	William J. O'Neil	10239 Northway, Allen Park 48101
15	Rep	Gary Woronchak	1220 McMillan, Dearborn 48128
16	Dem	Jim A. Plakas	6631 Golfview, Garden City 48135
17	Dem	Daniel S. Paletko	1523 North John Daly Road, Dearborn Heights 48127
18	Dem	Glenn S. Anderson	34300 Parkgrove Drive, Westland 48185
19	Rep	John R. Pastor	31140 Lyndon, Livonia 48154
20	Rep	John C. Stewart	14956 Maplewood, Plymouth 48170
21	Rep	Philip J. LaJoy	1256 Crowndale Lane, Canton 48188
22	Dem	Hoon-Yung Hopgood	10200 Beech Daly, Taylor 48180
23	Dem	Kathleen Law	29866 Lowell, Rockwood 48173
24	Rep	Jack Brandenburg	37596 Huron Pointe Drive, Harrison Township 48045
25	Dem	Steve Bieda	32721 Valley Drive, Warren 48093
26	Dem	Dave Woodward	1718 W Farnum, Royal Oak 48067
27	Dem	Andy Meisner	316 Spencer, Ferndale 48220
28	Dem	Lisa Wojno	27314 LaRose, Warren 48093
29	Dem	Clarence E. Phillips	809 Bay Street, Pontiac 48342
30	Rep	Sal Rocca	39964 Saal Road, Sterling Heights 48313
31	Dem	Paul Gielegem	38134 Sarnette, Clinton Township 48036
32	Rep	Daniel Joseph Acciavatti	51413 Baker, Chesterfield 48047
33	Rep	Leon Drolet	16820 Edloytom Way, Clinton Township 48038
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	Marc Shulman	4838 Rolling Ridge Court, West Bloomfield 48323
40	Rep	Shelley Goodman Taub	1959 Shore Hill Drive, Bloomfield Hills 48302

District	Party	Name	Address
41	Rep	John Pappageorge	1246 Provincial Drive, Troy 48084
42	Dem	Frank Accavitti, Jr.	15506 South Park, Eastpointe 48021
43	Rep	Fran Amos	4079 Aquarina, Waterford 48329
44	Rep	John P. Stakoe	1235 Bay Ridge, Highland 48356
45	Rep	John Garfield	1347 Ruby, Rochester 48309
46	Rep	Ruth Johnson	8500 Gail Drive, Holly 48442
47	Rep	Joe Hune	4849 Hogback Road, Fowlerville 48836
48	Dem	John J. Gleason	604 Leland Street, Flushing 48433
49	Dem	Jack Minore	610 Commonwealth Avenue, Flint 48503
50	Dem	Paula Zelenko	5425 Sitka Street, Burton 48519
51	Rep	David B. Robertson	5265 Lethbridge Road, Grand Blanc 48439
52	Rep	Gene DeRossett	11207 Pleasant Lake Road, Manchester 48158
53	Dem	Chris Kolb	803 Edgewood Place, Ann Arbor 48103
54	Dem	Ruth Ann Jamnick	7776 Lake Crest Drive, Ypsilanti 48197
55	Rep	Matt Milosch	7275 Edinburgh Drive, Lambertville 48144
56	Rep	Randy Richardville	2060 North Custer, Monroe 48162
57	Dem	Doug Spade	768-2 West Maple Avenue, Adrian 49221
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, Kalamazoo 49001
61	Rep	Jacob W. Hoogendyk, Jr.	6819 Cypress, Portage 49024
62	Rep	Mike Nofs	14557 N Drive North, Marshall 49068
63	Rep	Lorence Wenke	9180 West Gull Lake Drive, Richland 49083
64	Rep	Clark E. Bisbee	609 South Durand, Jackson 49203
65	Rep	Jerry Kratz	3642 Waterway Court, Grass Lake 49240
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	3624 Tecumseh River Road, Lansing 48906
69	Dem	Gretchen Whitmer	620 Rosewood Avenue, East Lansing 48823
70	Rep	Judy Emmons	506 East Carson City Road, Sheridan 48884
71	Rep	Susan Tabor	1005 Firwood, Lansing 48917
72	Rep	Glenn Steil, Jr.	4828 Greenhill Court SE, Grand Rapids 49546
73	Rep	Doug Hart	3729 Mesa Court, Rockford 49341
74	Rep	William Van Regenmorter	6293 Springmont Drive, Hudsonville 49426
75	Rep	Jerry O. Kooiman	1708 Adams SE, Grand Rapids 49506
76	Dem	Michael G. Sak	236 Valley Avenue NW, Grand Rapids 49504
77	Rep	Joanne Voorhees	5380 Kenowa, Wyoming 49418
78	Rep	Neal Nitz	7939 Stevensville-Baroda Road, Baroda 49101
79	Rep	Charles LaSata	1424 Newberry Hills Lane, St. Joseph 49085
80	Rep	Mary Ann Middaugh	35361 51st Avenue, Paw Paw 49079
81	Rep	Lauren M. Hager	3160 Fanone Drive, Port Huron 48060
82	Rep	John Stahl	3790 Five Lakes Road, North Branch 48461
83	Rep	Stephen R. Ehardt	6312 Buena Vista Road, Lexington 48450
84	Rep	Tom Meyer	1963 South Van Dyke, Bad Axe 48413
85	Rep	Larry Julian	257 North M-13, Lennon 48449
86	Rep	James L. Koetje	607 Clayton, Walker 49544
87	Rep	Gary Newell	7310 MacArthur Road, Saranac 48881
88	Rep	Fulton Sheen	333 12th Street A-4, Plainwell 49080
89	Rep	Barb Vander Veen	6185 Alger Street, Allendale 49401
90	Rep	Bill Huizenga	117 West Cherry Street, Zeeland 49464
91	Rep	David Farhat	3461 Whispering Woods Drive, Muskegon 49444
92	Dem	Julie Dennis	739 Wilson Avenue, Muskegon 49441
93	Rep	Scott Hummel	14464 Turner Road, DeWitt 48820
94	Rep	Jim Howell	7001 Andrews Road, Swan Creek 48655
95	Dem	Carl M. Williams	3424 Fulton Street, Saginaw 48601
96	Dem	Joseph L. Rivet	4481 West Park Drive, Bay City 48706
97	Dem	Jennifer Elkins	10215 Lake Station Avenue, Lake 48632
98	Rep	John Moolenaar	2203 Cranbrook Drive, Midland 48642
99	Rep	Sandy Caul	1830 Woodland, Mt. Pleasant 48858

District	Party	Name	Address
100	Rep	M. Pumford	2122 East 84th, Newaygo 49337
101	Rep	David Palsrok	16 Oxford Court, Manistee 49660
102	Rep	Rick Johnson	16209 13 Mile Road, Leroy 49655
103	Dem	Dale E. Sheltroun	5425 Greenwood Road, Gladwin 48624
104	Rep	Howard Walker	8481 Underwood Ridge, Traverse City 49686
105	Rep	Ken Bradstreet	1029 Scotch Pine Trail, Gaylord 49735
106	Dem	Matthew Gillard	109 E. Chisholm Street, Alpena 49707
107	Rep	Scott Shackleton	2762 West 16th Avenue, Sault Ste. Marie 49783
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 was called by the Secretary of the Senate, who announced that a quorum was present.

District	Name	District	Name
1st	Hansen Clarke	20th	Thomas M. George
2nd	Martha G. Scott	21st	Ron Jelinek
3rd	Irma Clark-Coleman	22nd	Valde Garcia
4th	Samuel Buzz Thomas III	23rd	Virg Bernero
5th	Burton Leland	24th	Patricia L. Birkholz
6th	Laura M. Toy	25th	Judson Gilbert II
7th	Bruce Patterson	26th	Deborah Cherry
8th	Raymond E. Basham	27th	Robert L. Emerson
9th	Dennis Olshove	28th	Kenneth R. Sikkema
10th	Michael Switalski	29th	Bill Hardiman
11th	Alan Sanborn	30th	Wayne Kuipers
12th	Michael Bishop	31st	Jim Barcia
13th	Shirley Johnson	32nd	Mike Goschka
14th	Gilda Z. Jacobs	33rd	Alan L. Cropsey
15th	Nancy Cassis	34th	Gerald Van Woerkom
16th	Cameron Brown	35th	Michelle McManus
17th	Beverly S. Hammerstrom	36th	Tony Stamas
18th	Liz Brater	37th	Jason Allen
19th	Mark Schauer	38th	Michael Prusi

The Secretary of the Senate announced that 38 Senators having answered the roll call, a quorum of the Senate was present.

Oath of Office

The foregoing named Senators took and subscribed to the Constitutional Oath of Office, which was administered by Justice Maura Corrigan, and entered upon the performance of their duties as Senators.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Hammerstrom offered the following resolution:

Senate Resolution No. 1.

A resolution notifying the Governor and the House of Representatives that the Senate is ready to proceed with the business of the session.

Resolved by the Senate, That the Secretary of the Senate inform the Governor and the House of Representatives that a quorum of the Senate is present and that the Senate is ready to proceed with the business of the session.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

The resolution was adopted.

Senator Hammerstrom offered the following resolution:

Senate Resolution No. 2.

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

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

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

1.101 PRESIDING OFFICER

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

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

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

1.102 AUTHORITY OF THE PRESIDENT OF THE SENATE

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

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

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

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

1.104 ELECTION OF SENATE OFFICERS

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

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

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

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

1.105 APPOINTMENT OF COMMITTEES

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

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

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

1.106 ELECTION OF A SECRETARY OF THE SENATE

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

1.107 SENATE PARLIAMENTARIAN

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

1.108 SENATE BROADCAST

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

1.109 SENATE JOURNALS

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

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

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

1.110 INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

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

1.111 NUMBERING, LETTERING AND PRINTING OF BILLS AND JOINT RESOLUTIONS

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

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

1.112 ANNOUNCEMENT OF PRINTING AND ENROLLMENT OF BILLS AND JOINT RESOLUTIONS

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

1.113 CARE AND PRESERVATION OF BILLS AND RESOLUTIONS

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

1.114 ENROLLMENT OF BILLS AND PRESENTATION TO THE GOVERNOR

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

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

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

1.115 ENROLLMENT OF JOINT RESOLUTIONS

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

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

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

1.116 BILL AND RESOLUTION HISTORY

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

1.117 SENATE ADMINISTRATION AND OFFICE BUDGETS

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

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

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

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

1) When the Senate receives a written request for a public record it shall immediately, but not more than 5 business days after the day the request is received unless otherwise agreed to in writing by the person making the request, respond to the request by 1 of the following:

A) Grant the request.

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

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

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

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

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

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

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

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

(ii) An employee's benefit selection.

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

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

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

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

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

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

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

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

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

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

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

1.118 SECRETARY OF THE SENATE ADMINISTRATIVE DUTIES

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

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

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

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

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

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

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

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

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

1.119 DUTIES OF THE SERGEANT AT ARMS

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

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

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

1.120 EXECUTIVE SESSION

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

CHAPTER I - SECTION 2 MEMBER RESPONSIBILITIES

1.201 OATH OF OFFICE

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

1.202 CONTESTED ELECTIONS

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

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

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

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

1.203 PROCEDURE FOR EXCLUSION

a) A Senator-elect shall not be given the oath of office or seated as a Senator if he or she has been convicted of subversion or has, within the preceding 20 years, been convicted of a felony involving breach of the public trust (see Const. Art. 4, Sec. 7). Upon finding by a majority vote of the Senators elected and serving that a Senator-elect has committed an offense within the provisions of this rule, he or she shall be declared to be unqualified for membership in the Senate and his or her office declared vacant.

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

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

1.204 EXCUSED ABSENCE

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

1.205 SENATORS DEEMED PRESENT UNLESS EXCUSED

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

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

1.206 COMPENSATION FOR SENATORS

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

1.207 FACILITIES FOR SENATORS

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

1.208 EXPENSE REIMBURSEMENT

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

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

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

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

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

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

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

1.209 MAILING

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

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

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

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

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

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

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

1.302 ATTENDANCE AND VOTING

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

1.303 IMPROPER INFLUENCE

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

1.304 CONFLICTING EMPLOYMENT

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

1.305 UNDUE INFLUENCE

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

1.306 DISCLOSURE AND DISQUALIFICATION

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

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

1.307 SEXUAL HARASSMENT

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

1.308 SENATE EMPLOYEES AND CONFLICTS

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

1.309 IMPROPER USE OF STAFF AND FACILITIES

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

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

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

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

1.310 ADVISORY OPINIONS

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

1.311 PENALTIES FOR VIOLATION

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

CHAPTER I - SECTION 4 SENATE EMPLOYEES

1.401 EMPLOYEES OF EACH SENATOR

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

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

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

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

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

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

1.402 COMMITTEE CLERKS

Each standing committee chairperson shall appoint one person from his or her staff to serve as committee clerk. The person designated as committee clerk must perform all duties established by the State Constitution and Senate rules and must attend committee clerk training sessions provided by the Secretary of the Senate.

1.403 EMPLOYEE APPOINTMENT

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

1.404 EMPLOYEE COMPENSATION

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

b) The Senate shall not provide more than three fringe benefit packages for the staff of each minority Senator or more than five fringe benefit packages for the staff, including committee staff, of each majority Senator unless otherwise determined by the Senate Majority Leader.

1.405 EMPLOYEES AS CANDIDATES

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

1.406 TERMINATION OF EMPLOYMENT

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

**CHAPTER II - SECTION 1
COMMITTEE ORGANIZATION**

2.101 AUTHORIZATION FOR STANDING COMMITTEES

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

2.102 POWERS AND RESPONSIBILITIES OF COMMITTEES

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

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

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

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

a) Refuses to be sworn or testify, or

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

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

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

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

2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

Agriculture, Forestry and Tourism (5 members)

Appropriations (16 members)

Banking and Financial Institutions (7 members)

Commerce and Labor (5 members)

Economic Development, Small Business and Regulatory Reform (5 members)

Education (5 members)

Families and Human Services (5 members)

Finance (5 members)

Gaming and Casino Oversight (5 members)

Government Operations (7 members)

Health Policy (5 members)

Judiciary (7 members)

Local, Urban and State Affairs (5 members)

Natural Resources and Environmental Affairs (5 members)

Senior Citizens and Veterans Affairs (5 members)

Technology and Energy (8 members)

Transportation (5 members)

Statutory standing committees:

Administrative Rules (5 members) (see MCL 24.235)

Legislative Council (6 members and 3 alternates) (see MCL 4.1103)

Legislative Retirement Board of Trustees (2 members) (see MCL 38.1026)

Michigan Capitol Committee (4 members) (see MCL 4.1701)

2.104 COMMITTEE ON GOVERNMENT OPERATIONS

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

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

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

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

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

c) Executive orders issued by the Governor dealing with matters of executive reorganization shall be referred to the Committee on Government Operations. Any executive order dealing with matters of executive reorganization not disapproved within 60 calendar days of a regular session, or a full regular session if of shorter duration, after receipt shall stand. Unless disapproved in both Houses by a resolution concurred in by a majority of the members elected to and serving in each House, the executive order shall become effective at a date thereafter to be designated by the Governor (see Const. Art. 5, Sec. 2).

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

2.105 COMMITTEE CHAIRPERSONS AND TEMPORARY MEMBERS

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

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

2.106 CALLING OF A COMMITTEE

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

2.107 NOTICE OF MEETINGS AND PUBLIC HEARINGS

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

b) Notice of all committee meetings and public hearings shall comply with the Michigan Open Meetings Act (see MCL 15.261-275).

2.108 COMMITTEE STAFFING

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

2.109 COMMITTEE EXPENSES

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

**CHAPTER II - SECTION 2
COMMITTEE PROCEDURE****2.201 COMMITTEE QUORUM**

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

2.202 COMMITTEE RECORDS

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

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

2.203 COMMITTEE REPORTS

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

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

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

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

2.204 ITEMS REPORTED WITHOUT RECOMMENDATION

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

2.205 MANUAL OF COMMITTEE PROCEDURE

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

2.206 COMMITTEE TELEVISIONING AND CONDUCT

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

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

CHAPTER III - SECTION 1 ORDER OF BUSINESS

3.101 TIME OF SESSION

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

3.102 ORDER OF BUSINESS

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

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

3.103 CHANGE OF ORDER OF BUSINESS

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

3.104 QUORUM OF THE SENATE

- a) A majority of Senators elected and serving shall constitute a quorum (see Const. Art. 4, Sec. 14).
- b) Routine business on which no vote of the Senate is required may be disposed of on any day, with or without a quorum present, and proper entries shall be printed in the Journal.
- c) In the absence of a quorum, a motion is in order to order a Call of the Senate, recess or adjourn.

3.105 COMMUNICATIONS TO THE SENATE

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

3.106 COMMITTEE REPORTS ON THE CALENDAR

- a) All committee reports in the possession of the Secretary of the Senate shall be placed on the Senate calendar under the heading of Committee Reports. The Senate calendar shall be closed for printing at 4:00 p.m. on Tuesday, Wednesday and Friday. If a Senate committee is scheduled to meet on a Friday, Saturday or Sunday, the Senate calendar for a Tuesday session shall be closed for printing at 9:30 a.m. on Monday. If there is a Friday session, the calendar shall be closed at 4:00 p.m. on Thursday. If Monday is a state holiday, the Senate calendar for Tuesday shall be closed for printing on Friday at 12:00 noon.
- b) A Senator may object to a committee report on the basis of its sufficiency or proper authorization. The presiding officer shall place the objection before the Senate for its decision.
- c) All committee reports shall be laid over one day. After one session day a committee report shall be considered accepted and the item shall be referred as appropriate.

3.107 RESOLUTION CONSENT CALENDAR

- a) The Senate Majority Floor Leader and the Senate Minority Floor Leader or members who are their designees shall jointly compile a list to be known as the resolution consent calendar. It shall consist of Senate resolutions, Senate concurrent resolutions, and House concurrent resolutions which do not require committee referral and consideration, and the adoption of which may be accomplished by a majority of those voting. Resolutions which are subject to the voting requirements of Senate Rule 3.501, or governed by a voting requirement in statute shall not be placed on the resolution consent calendar.
- b) Resolutions on the consent calendar shall be disposed of in a single vote. Before stating the question of adoption of the consent calendar, the presiding officer shall ask if there are objections. The objection of any Senator to the placement of one or more items on the resolution consent calendar shall result in the removal of the stated item or items from that calendar.

CHAPTER III - SECTION 2 INTRODUCTION OF BILLS

3.201 FIVE DAYS' POSSESSION

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

3.202 BILLS AND RESOLUTIONS AMENDED BY THE HOUSE

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

3.203 REFERRAL OF BILLS AND RESOLUTIONS

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

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

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

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

3.204 RESOLUTIONS

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

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

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

3.205 PRINTING

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

3.206 THE BILL TITLE

The title of a bill shall include:

a) The object of the bill, and

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

3.207 THREE SEPARATE READINGS

Every bill and joint resolution shall receive three separate readings prior to its being passed or adopted. The presiding officer shall announce whether it is the first, second, or third reading. The first and second readings may be by title only. The third reading of a bill or joint resolution shall be in full unless otherwise ordered unanimously by the Senate. The third reading of a bill or joint resolution shall be on a day subsequent to that on which it is read a second time or is reported by the Committee of the Whole (see Const. Art. 4, Sec. 26).

3.208 INITIATIVE PETITIONS

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

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

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

d) If the Senate rejects an initiative petition, the Senate may propose a different measure on the same subject by a yea and nay vote on separate roll calls. In such event, both measures shall be submitted to the electors for approval or rejection at the next general election (see Const. Art. 2, Sec. 9).

**CHAPTER III - SECTION 3
MOTIONS****3.301 RECOGNITION**

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

3.302 PRECEDENCE OF MOTIONS

The following motions shall take precedence in the order listed:

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

3.303 MOTION IN WRITING

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

3.304 MOTION WITHDRAWAL

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

3.305 NONDEBATABLE MOTIONS

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

b) A nondebatable motion is not in order if the Senator, making the motion, speaks immediately before offering the motion.

3.306 CONSIDERATION FOLLOWING A RECESS

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

3.307 MOTION TO LAY ON THE TABLE

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

3.308 MOVE THE PREVIOUS QUESTION

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

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

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

3.309 MOTION TO DIVIDE

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

3.310 MOTION TO STRIKE OUT AND INSERT

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

3.311 MOTION TO RECONSIDER

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

- 1) The subject matter on which the vote was taken is in the possession of the Senate, and
 - 2) It is made on the same day the vote is taken or within the next two Senate legislative days.
- b) The same question shall not be reconsidered more than once.

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

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

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

3.312 INDEFINITE POSTPONEMENT

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

3.313 MOTION FOR CALL OF THE SENATE

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

CHAPTER III - SECTION 4 AMENDMENTS

3.401 TWO READINGS BEFORE AMENDMENT

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

3.402 AMENDMENTS ON THIRD READING

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

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

3.403 PRINTING OF AMENDMENTS IN THE JOURNAL

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

b) All amendments shall be submitted in writing and with seven copies and all substitutes shall be submitted with 10 copies.

CHAPTER III - SECTION 5 VOTING PROCEDURE

3.501 ACTIONS REQUIRING AN EXTRAORDINARY MAJORITY

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

- a) Amendment or Repeal of Initiated Law, three-fourths of the Senators elected and serving (Const. Art. 2, Sec. 9)
- b) Expulsion of Member (Const. Art. 4, Sec. 16)
- c) Immediate Effect (Const. Art. 4, Sec. 27)
- d) Local or Special Act (Const. Art. 4, Sec. 29)
- e) Private or Local Purpose Appropriation (Const. Art. 4, Sec. 30)
- f) Overriding Veto (Const. Art. 4, Sec. 33)
- g) Bank and Trust Company Law (Const. Art. 4, Sec. 43)
- h) Courts of Limited Jurisdiction (Const. Art. 6, Sec. 1)
- i) Removal of Judge (Const. Art. 6, Sec. 25)
- j) State Borrowing (Const. Art. 9, Sec. 15)
- k) State Land Reserve Designation (Const. Art. 10, Sec. 5)
- l) Rejection or Reduction of Civil Service Pay Increases (Const. Art. 11, Sec. 5)
- m) Amendments to Michigan Constitution (Const. Art. 12, Sec. 1)
- n) Mackinac Bridge Bonds Refunding (Const. Schedule, Sec. 14)
- o) Amendments to increase the February 1, 1994 statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes, three-fourths of the Senators elected and serving (Const. Art. 9, Sec. 3).

3.502 MAJORITY VOTE ON QUESTIONS SHORT OF THE FINAL QUESTION

When a bill or joint resolution requires, pursuant to the Constitution, the concurrence of more than a majority of the Senators elected and serving, the concurrence of such majority shall not be requisite to decide any question for

amendment or relating to the merits, being short of the final question, except on the question of the adoption of a conference report, concurring in House amendments, or receding from Senate amendments to any such bill or joint resolution returned from the House to the Senate for final action.

3.503 FINAL PASSAGE BY REQUIRED VOTE

a) The vote on the final passage of any bill or the adoption of any joint resolution shall be taken by yeas and nays, which shall be printed in the Journal (see Const. Art. 4, Sec. 26).

b) The final vote on all joint resolutions ratifying a proposed amendment to the federal Constitution shall be by record roll call.

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

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

3.504 DEMAND FOR RECORDED VOTE

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

3.505 VOTING

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

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

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

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

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

3.506 A SENATOR'S RIGHT TO DISSENT

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

b) A Senator may dissent orally by making a statement of protest, unless the previous question is in effect, which shall not be limited in length, or by moving that a statement made personally during session on any order of business other than during the Committee of the Whole be his or her protest. A Senator may also dissent by concurring with another Senator's protest or statement previously moved to be printed in the Journal during that day's session. Dissent statements not made during the debate preceding or immediately following the vote from which a Senator is dissenting shall be made under the order of business of Statements.

c) A Senator may dissent in writing not to exceed 1,000 words if:

1) He or she gives oral notice during session of an intent to file a written protest, and

2) On that day or prior to the end of session on the next Senate legislative day, a signed copy of the written protest is placed on each Senator's desk and filed with the Secretary of the Senate, and

3) No objections are raised and sustained by the end of session on the first Senate legislative day following the day oral notice was given.

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

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

3.507 ANNOUNCEMENTS AND STATEMENTS

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

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

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

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

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

CHAPTER III - SECTION 6 APPROPRIATION BILLS

3.601 GENERAL APPROPRIATION BILLS

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

3.602 BILLS REQUIRING APPROPRIATIONS

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

3.603 ESTIMATED REVENUE

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

CHAPTER III - SECTION 7 COMMITTEE OF THE WHOLE

3.701 FAVORABLE REPORTS

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

3.702 BUSINESS IN ORDER

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

3.703 BILLS AND JOINT RESOLUTIONS CONSTITUTING GENERAL ORDERS

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

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

3.704 CHAIRPERSON OF THE COMMITTEE OF THE WHOLE

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

3.705 RULES IN THE COMMITTEE OF THE WHOLE

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

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

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

3.706 BILLS ORDERED TO THIRD READING

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

**CHAPTER III - SECTION 8
PARLIAMENTARY PROCEDURE**

3.801 AUTHORITY AND PRECEDENCE OF SENATE RULES

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

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

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

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

3.802 MANUAL OF LEGISLATIVE PROCEDURE

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

3.803 RULES OF A NEWLY CONVENED SENATE

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

3.804 AMENDMENT OR REPEAL OF SENATE RULES

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

3.805 SUSPENSION OF RULES

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

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

3.901 MEMBERS OF THE MEDIA

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

- 1) A member of the media shall be defined as a person employed by or working as:
 - a) A newspaper (as defined by U.S. postal regulations);
 - b) A broadcast station licensed by the Federal Communications Commission, or a network serving one or more licensed broadcast stations;
 - c) A cable television system with a franchise granted by a Michigan unit of government, or a network serving one or more franchised cable systems;
 - d) A wire service; or
 - e) An independent contractor on assignment to report state government news for an organization described above.
- 2) A visiting member of the media shall register on a daily basis at least 30 minutes before the start of session with the Secretary of the Senate.
- 3) The Secretary of the Senate may, under special circumstances, register representatives of the media not defined above if it is determined to be in the public interest.
- 4) Technicians for broadcast/cable stations shall also be registered when accompanying members of the media and shall be subject to the same rules.
- 5) The Secretary of the Senate may revoke the registration of any member of the media for cause. Cause shall include, but not be limited to, a change in employment status, lobbying or acting as a lobbyist agent, disrupting Senate proceedings, or refusing to comply with Senate rules or the directives of the presiding officer, Senate Majority Leader, or Secretary of the Senate. A decision to revoke registration may be appealed to the Committee on Government Operations.
- 6) Members of the media may talk with a Senator in the front entry or the hallway behind the Senate rostrum. Members of the media, notwithstanding Senate Rule 3.902, may leave the media's designated area and talk with Senators in the Chamber immediately following adjournment.

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

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

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

3.902 FLOOR PRIVILEGE AND CONDUCT

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

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

- a) Senators or Representatives
- b) The President of the Senate
- c) The Governor
- d) Senators or Representatives in Congress
- e) Former Michigan Legislators
- f) The Secretary of the Senate and his or her support staff
- g) Legislative staff as authorized in guidelines issued by the Senate Majority Leader
- h) One representative of the Governor
- i) Members of the immediate family of a Senator or the President of the Senate
- j) Registered members of the media pursuant to Rule 3.901
- k) A guest who has been invited by a Senator to offer the invocation, and an immediate family member of that guest.

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

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

- 1) No Senator shall speak until recognized by the presiding officer, unless the Senator rises to make a point of order.
- 2) Except as otherwise outlined in other Senate rules, no Senator shall speak on any matter not properly before the Senate.

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

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

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

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

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

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

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

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

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

12) No smoking shall be permitted on the Senate floor. Room S202 is a designated smoking area for Senators.

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

3.903 EFFECTIVE DATE

These rules shall take effect January 1, 2003.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

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

By unanimous consent the Senate returned to the order of

Motions and Communications**President Pro Tempore**

The President, Lieutenant Governor Cherry, announced that the next order of business was the election of the President pro tempore of the Senate.

Senator Hammerstrom nominated Senator Birkholz as President pro tempore of the Senate.

Senator George seconded the nomination.

The question being on the election of Senator Birkholz as President pro tempore of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 1**Yeas—38**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

Oath of Office

The President pro tempore, Senator Birkholz, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Cherry, and entered upon the discharge of her respective duties.

Assistant President Pro Tempore

The President, Lieutenant Governor Cherry, announced that the next order of business was the election of the Assistant President pro tempore of the Senate.

Senator Bishop nominated Senator Sanborn as Assistant President pro tempore of the Senate.

Senator Olshove seconded the nomination.

The question being on the election of Senator Sanborn as Assistant President pro tempore of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 2

Yeas—38

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Oath of Office

The Assistant President pro tempore, Senator Sanborn, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Cherry, and entered upon the discharge of his respective duties.

Associate President Pro Tempore

The President, Lieutenant Governor Cherry, announced that the next order of business was the election of the Associate President pro tempore of the Senate.

Senator Emerson nominated Senator Barcia as Associate President pro tempore of the Senate.

Senator Schauer seconded the nomination.

The question being on the election of Senator Barcia as Associate President pro tempore of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 3

Yeas—38

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas

Bishop
Brater
Brown
Cassis
Cherry

George
Gilbert
Goschka
Hammerstrom
Hardiman

McManus
Olshove
Patterson
Prusi

Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Oath of Office

The Associate President pro tempore, Senator Barcia, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Cherry, and entered upon the discharge of his respective duties.

Secretary of the Senate

The President, Lieutenant Governor Cherry, announced that the next order of business was the election of the Secretary of the Senate.

Senator Sikkema nominated Carol Morey Viventi as Secretary of the Senate.

Senator Emerson seconded the nomination.

The question being on the election of Carol Morey Viventi as Secretary of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 4

Yeas—38

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Oath of Office

The Secretary of the Senate, Carol Viventi, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Cherry, and entered upon the discharge of her respective duties.

The following communication was received and read:
Office of the Secretary of the Senate

January 8, 2003

I am pleased to inform you that Pamela Harden Nyquist has done an excellent job as the Assistant Secretary of the Senate and she will continue in her responsibilities in that post.

Sincerely,
Carol Morey Viventi, J.D.
Secretary of the Senate

The communication was referred to the Secretary for the record.

The following communication was received and read:
Office of the Senate Majority Leader

December 19, 2002

I am pleased to officially forward to you the names of the Senators elected to leadership positions for the 2003 Senate Republican Caucus. These Senators will assume their new leadership roles with the start of the legislative session in January.

Senator Beverly Hammerstrom	Majority Floor Leader
Senator Mike Bishop	Assistant Majority Leader
Senator Alan Cropsey	Assistant Majority Floor Leader
Senator Wayne Kuipers	Caucus Chairman
Senator Ron Jelinek	Assistant Caucus Chairman
Senator Jason Allen	Majority Whip
Senator Laura Toy	Assistant Majority Whip

Respectfully yours,
Ken Sikkema
Senate Majority Leader-Elect

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

December 30, 2002

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of Hunting Permits Selection, Department of Natural Resources, December 2002.

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

The communication was referred to the Secretary for record.

The following communication was received:
Department of Consumer and Industry Services

January 7, 2003

Enclosed is a copy of the 2002 Annual Report for the Utility Consumer Representation Fund.

Sincerely,
Teri L. Quimby, Chair
Utility Consumer Participation Board

The communication was referred to the Secretary for record.

The following communication was received and read:
Office of the Democratic Leader

January 10, 2003

Here is the list of those elected to leadership positions from the Senate Democratic Caucus:

Senate Democratic Leader—Senator Bob Emerson
Senate Democratic Floor Leader—Senator Mark Schauer
Senate Assistant Caucus Leader—Senator Liz Brater
Senate Assistant Caucus Floor Leader—Senator Gilda Jacobs
Senate Caucus Chairperson—Senator Ray Basham
Senate Assistant Caucus Chairperson—Senator Hansen Clarke
Senate Caucus Whip—Senator Jim Barcia
Senate Assistant Caucus Whip—Senator Dennis Olshove

We did not select either Associates President Pro Tempore or Assistant Associate President Pro Tempore as those will be elected in January.

Please contact Cindy Peruchietti, 38424, in my office if you have any questions regarding this matter.

Thank you for your time and assistance.

Bob Emerson
Senate Democratic Leader

The communication was referred to the Secretary for record.

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:
Agriculture, Forestry and Tourism - Senators Van Woerkom (C), Gilbert (VC), Jelinek, Brater (MVC), and Thomas.

Appropriations - Senators Johnson (C), Stamas (VC), Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi (MVC), Barcia, Scott, Cherry, Clarke, and Switalski.

Banking and Financial Institutions - Senators Bishop (C), Van Woerkom (VC), Sanborn, Stamas, Leland (MVC), Olshove, and Clark-Coleman.

Commerce and Labor - Senators Allen (C), Kuipers (VC), McManus, Schauer (MVC), and Olshove.

Economic Development, Small Business and Regulatory Reform - Senators Sanborn (C), Allen (VC), Gilbert, Jacobs (MVC), and Basham.

Education - Senators Kuipers (C), Cassis (VC), Van Woerkom, Clark-Coleman (MVC), and Leland.

Families and Human Services - Senators Hardiman (C), Hammerstrom (VC), Sanborn, Jacobs (MVC), and Clark-Coleman.

Finance - Cassis (C), Garcia (VC), McManus, Thomas (MVC), and Brater.

Gaming and Casino Oversight - Senators Allen (C), Bishop (VC), Birkholz, Thomas (MVC), and Emerson.

Government Operations - Senators Sikkema (C), Hammerstrom (VC), Allen, Cassis, Emerson (MVC), Jacobs, and Thomas.

Health Policy - Senators Hammerstrom (C), Patterson (VC), George, Bernero (MVC), and Jacobs.

Judiciary - Senators Cropsey (C), Bishop (VC), Sanborn, Patterson, Schauer (MVC), Bernero, and Brater.

Local, Urban and State Affairs - Senators Toy (C), Birkholz (VC), Goschka, Basham (MVC), and Bernero.

Natural Resources and Environmental Affairs - Senators Birkholz (C), Patterson (VC), Van Woerkom, Brater (MVC), and Basham.

Senior Citizens and Veterans Affairs - Senators Toy (C), Stamas (VC), Gilbert, Clark-Coleman (MVC), and Olshove.

Technology and Energy - Senators Patterson (C), Toy (VC), Birkholz, Brown, Cassis, Olshove (MVC), Leland, and Bernero.

Transportation - Senators Gilbert (C), Kuipers (VC), Goschka, Leland (MVC), and Basham.

The standing committee appointments were approved, a majority of the members serving voting therefor.

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

Agriculture - Senators Brown (C), Jelinek (VC), and Barcia (MVC).

Capital Outlay - Senators Johnson (C), George (VC), Cropsey, Goschka, Hardiman, Prusi (MVC), Clarke, and Cherry.

Commerce, Labor and Economic Development - Senators Garcia (C), George (VC), Hardiman, and Prusi (MVC).

Community Colleges - Senators Jelinek (C), Stamas (VC), and Switalski (MVC).

Department of Community Health - Senators Stamas (C), George (VC), Johnson, Garcia, Cherry (MVC), and Clarke.

Department of Environmental Quality - Senators McManus (C), Goschka (VC), and Barcia (MVC).

Family Independence Agency - Senators Hardiman (C), George (VC), and Scott (MVC).

General Government - Senators Garcia (C), McManus (VC), and Switalski (MVC).

Higher Education - Senators Goschka (C), Johnson (VC), Hardiman, Cherry (MVC), and Prusi.

History, Arts, and Libraries - Senators George (C), McManus (VC), and Clarke (MVC).

Judiciary and Corrections - Senators Cropsey (C), Brown (VC), Garcia, Switalski (MVC), and Prusi.

K-12, School Aid, Education - Senators Jelinek (C), Cropsey (VC), Brown, Switalski (MVC), and Scott.

Department of Natural Resources - Senators McManus (C), Johnson (VC), Jelinek, Barcia (MVC), and Cherry.

Retirement - Senators Goschka (C), Cropsey (VC), and Scott (MVC).

State Police and Military Affairs - Senators Brown (C), Stamas (VC), and Clarke (MVC).

Department of Transportation - Senators Johnson (C), Stamas (VC), and Barcia (MVC).

The subcommittee appointments were approved, a majority of the members serving voting therefor.

Messages from the Governor

The following messages from the Governor were received and read:

January 8, 2003

I respectfully submit for consideration and confirmation by the Senate, the following appointments to state office:

Director of Department of Community Health

Janet Deborah Olszewski, 530 Cedar Ridge Drive, Williamston, Michigan 48895, county of Ingham, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

Director of Department of Corrections

William S. Overton, Okemos, Michigan 48864, county of Ingham, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

Director of Department of Environmental Quality

Steven Eugene Chester, 4350 Courtside Drive, Williamston, Michigan 48895, county of Ingham, for a term commencing on January 6, 2003, and expiring at the pleasure of the Governor.

Director of Department of Family Independence Agency

Nannette Marie Bowler, 34120 Newcastle S.E., Grand Rapids, Michigan 49508, county of Kent, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

Director of Department of History, Arts, and Libraries

William M. Anderson, 6348 W. Cambridge Drive, Ludington, Michigan 49431, county of Mason, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

Director of Department of Military and Veterans Affairs

Thomas George Cutler, DeWitt, Michigan 48820, county of Clinton, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

Director of Department of Michigan State Police

Tadarial Joshua Sturdivant, Plymouth, Michigan 48170, county of Wayne, for a term commencing on February 1, 2003, and expiring at the pleasure of the Governor.

Sincerely yours,
Jennifer M. Granholm
Governor

January 8, 2003

I respectfully submit for consideration and confirmation by the Senate, the following appointments to state office:

State Treasurer

Mr. Jay Bruce Rising, 1896 Live Oak, Williamston, Michigan 48895, county of Ingham, for a term commencing on January 6, 2003, and expiring at the pleasure of the Governor.

Director of Department of Consumer and Industry Services

The Honorable David Clinton Hollister, 1943 Byrnes Road, Lansing, Michigan 48906, county of Ingham, for a term commencing on January 28, 2003, and expiring at the pleasure of the Governor.

Sincerely yours,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

The following message was received and read:

January 8, 2003

By direction of the House of Representatives, I hereby notify you that a quorum of the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Further, I am directed by the House to notify you that the House of Representatives has elected Representative Rick Johnson, Speaker; Representative Larry Julian, Speaker Pro Tempore; Representatives Stephen Ehardt and Barb Vander Veen, Associate Speakers Pro Tempore; and Gary L. Randall, Clerk.

Very Respectfully,
Gary L. Randall, Clerk
House of Representatives

Introduction and Referral of Bills

Senator Johnson introduced

Senate Joint Resolution A, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II and sections 1 and 2 of article XII, to require the cost of implementation and revenue source for that cost to appear in the petition for and on the ballot with a proposed constitutional amendment or initiative.

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

Senators Van Woerkom, Sikkema, Cassis, Cropsey, Allen, Brown, Goschka, Birkholz, Jelinek, Garcia, Gilbert, Stamas, Kuipers, Hammerstrom, Hardiman and Sanborn introduced

Senate Bill No. 1, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 310 (MCL 484.2310), as amended by 2000 PA 295.

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

Senator Gilbert introduced

Senate Bill No. 2, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 2001 PA 87.

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

Senators Stamas, Hardiman, Van Woerkom, George, Hammerstrom, Patterson, Sanborn, Kuipers, Jelinek, Brown, Cassis, Johnson, Birkholz, Gilbert, Bishop, McManus, Goschka, Cropsey, Allen, Sikkema and Garcia introduced

Senate Bill No. 3, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 48.

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

Senator Hammerstrom introduced

Senate Bill No. 4, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406l.

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

Senator Hammerstrom introduced

Senate Bill No. 5, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416d.

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

Senator Hammerstrom introduced

Senate Bill No. 6, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17757 (MCL 333.17757), as amended by 1986 PA 304.

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

Senator Hammerstrom introduced

Senate Bill No. 7, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 63101, 63103b, 63103d, and 63103e (MCL 324.63101, 324.63103b, 324.63103d, and 324.63103e), section 63101 as amended and sections 63103b, 63103d, and 63103e as added by 1997 PA 149, and by adding sections 63103f, 63103g, 63103h, 63103i, 63103j, 63103k, and 63109.

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

Senator Johnson introduced

Senate Bill No. 8, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 4 (MCL 208.4), as amended by 2002 PA 603.

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

Senator Johnson introduced

Senate Bill No. 9, entitled

A bill to amend 1976 PA 223, entitled "An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties" by amending the title and sections 1, 4, 5, 6, and 10 (MCL 18.351, 18.354, 18.355, 18.356, and 18.360), as amended by 1996 PA 519, and by adding section 5a.

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

Senator Johnson introduced

Senate Bill No. 10, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 377a, 380, and 382 (MCL 750.377a, 750.380, and 750.382), sections 377a and 380 as amended by 1998 PA 311 and section 382 as amended by 1998 PA 344.

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

Senator Johnson introduced

Senate Bill No. 11, entitled

A bill to amend 1964 PA 183, entitled "An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations," by amending section 7 (MCL 830.417), as amended by 1994 PA 252.

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

Senator Johnson introduced
Senate Bill No. 12, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 3, 10, and 12 (MCL 207.623, 207.630, and 207.632), section 12 as amended by 2002 PA 237.

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

Senator Jelinek introduced
Senate Bill No. 13, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 1996 PA 476.

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

Senator Jelinek introduced
Senate Bill No. 14, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57j.

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

Senator Jelinek introduced
Senate Bill No. 15, entitled

A bill to amend 1982 PA 455, entitled "The library privacy act," (MCL 397.601 to 397.606) by adding section 5a.

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

Senator Jelinek introduced
Senate Bill No. 16, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2002 PA 476.

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

Senator Jelinek introduced
Senate Bill No. 17, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1266.

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

Senator Jelinek introduced
Senate Bill No. 18, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 6, 41, 57, and 57a (MCL 400.6, 400.41, 400.57, and 400.57a), section 6 as amended and section 57 as added by 1995 PA 223 and section 57a as amended by 1999 PA 26.

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

Senator Jelinek introduced
Senate Bill No. 19, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 724 and 907 (MCL 257.724 and 257.907), section 724 as amended by 1988 PA 346 and section 907 as amended by 2002 PA 534.

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

Senator Jelinek introduced
Senate Bill No. 20, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 724 (MCL 257.724), as amended by 1988 PA 346.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair
The motion prevailed, the time being 12:55 p.m.

1:01 p.m.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair
The motion prevailed, the time being 1:02 p.m.

2:10 p.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

By unanimous consent the Senate returned to the order of

Resolutions

House Concurrent Resolution No. 1.

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

Resolved by the House of Representatives (the Senate 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 2003 and 2004 regular sessions.

The House of Representatives has adopted the concurrent resolution.

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

Senator Hammerstrom moved that the rule be suspended.

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

The concurrent resolution was adopted.

House Concurrent Resolution No. 2.

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

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

JOINT CONVENTION RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE

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 House of Representatives has adopted the concurrent resolution.

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

Senator Hammerstrom moved that the rule be suspended.

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

The concurrent resolution was adopted.

House Concurrent Resolution No. 3.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Wednesday, January 8, 2003, it stand adjourned until Tuesday, January 28, 2003, at 1:00 p.m.

The House of Representatives has adopted the concurrent resolution.

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

Senator Hammerstrom moved that the rule be suspended.

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

The concurrent resolution was adopted.

Scheduled Meetings

Government Operations - Tuesday, January 14, and Wednesday, January 15, 10:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-0797)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 2:13 p.m.

Pursuant to the order previously made, the Secretary of the Senate declared the Senate adjourned until Tuesday, January 21, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

