

## PROFILE OF THE LEGISLATIVE BRANCH

The legislative power of the State of Michigan is vested in a bicameral (2-chamber) body comprised of a senate and a house of representatives. The senate consists of 38 members who are elected by the qualified electors of districts having approximately 212,400 to 263,500 residents. Senators are elected at the same time as the governor and serve 4-year terms concurrent with the governor's term of office. The house of representatives consists of 110 members who are elected by the qualified electors of districts having approximately 77,000 to 91,000 residents. Representatives are elected in even-numbered years to 2-year terms. Legislative districts are drawn on the basis of population figures obtained through the federal decennial census. Terms for senators and representatives begin on January 1, following the November general election.

The state legislature enacts the laws of Michigan; levies taxes and appropriates funds from money collected for the support of public institutions and the administration of the affairs of state government; proposes amendments to the state constitution, which must be approved by a majority vote of the electors; and considers legislation proposed by initiatory petitions. The legislature also exercises oversight over the executive branch of government through the administrative rules and audit processes, committees, and the budget; advises and consents, through the senate, on gubernatorial appointments; and considers proposed amendments to the Constitution of the United States. The majority of the legislature's work, however, entails lawmaking. Through a process defined by the state constitution, statute, and legislative rules, the legislature considers thousands of bills (proposed laws) during each 2-year session.

## MEMBERS OF THE LEGISLATURE

### *Qualifications*

In order to be qualified to serve as a member of the Michigan Legislature, a person:

- a) Must be a citizen of the United States, at least 21 years of age, and an elector of the district he or she represents.
- b) Must not have been convicted of subversion or, within the past 20 years, have been convicted of a felony involving a breach of the public trust.
- c) Must not hold any office, employment, or position under the United States, the State of Michigan, or any political subdivisions thereof. A person may, however, be a notary public or a member of the armed forces reserve. This constitutional provision allows people holding offices or positions to run for the legislature, but since dual office holding is prohibited, a legislator-elect must resign the prior office or employment as a condition of taking a seat in the legislature.
- d) Must have had an accounting, in the manner prescribed by law, of all sums for which the person may be liable if the person has custody or control of public moneys.

Members-elect, before entering the duties of office, are required to take and subscribe to the oath of office set forth in Const 1963, art 2, § 1.

### *Restrictions of Office*

Once elected to the legislature, a member is not eligible to receive any appointment, except as a notary public, within this state from the governor, the legislature, or from any other state authority during the term for which elected.

A member of the legislature cannot have an interest, either directly or indirectly, in any contract with the State of Michigan or any political subdivision which would cause a substantial conflict of interest. This constitutional provision was implemented by Act 318 of 1968.

The Senate Rules also contain provisions related to legislative conduct and ethics.

Under the Constitution of 1963, each house of the legislature is the sole judge of the qualifications, elections, and returns of its members.

Each house also has authority to expel a member with the concurrence of two-thirds of its members. The reasons for an expulsion must be entered in the journal along with the votes and names of the members voting on the expulsion. The constitution prohibits a member from being expelled a second time for the same reason.

### *Legislative Privileges*

Senators and representatives are privileged from civil arrest and civil process during sessions of the legislature and for 5 days before the commencement and after the termination of session. A constitutional amendment approved at the November 1982 general election authorized the legislature to pass laws to reform this exemption. Subsequently, statutes were enacted that prohibit legislators from being made party to civil actions or to contested cases under the Administrative Procedures Act of 1969 for acts done pursuant to duties as a legislator. Certain legislative records were exempted from subpoena. In certain administrative proceedings and civil actions, exceptions were made to service of process requirements and provision was made for continuances to a nonsession day. Members cannot be questioned in any other place for any speech made in either house. Legislators are not immune from arrest on criminal charges.

The Constitution of 1963 also affords legislators the privilege of dissenting from, and protesting against, any act, proceeding, or resolution which the members deem injurious to any person or the public and to have the reason for the dissent entered into the journal.

### *Legislator Compensation*

Legislators' salaries and expense allowances are determined by the State Officers Compensation Commission, which was established by the Constitution of 1963. The commission meets every 2 years. The legislature may reject the commission's determinations by concurrent resolution adopted by 2/3 of the members elected to and serving in each house.

The annual salary for legislators in 1989 is \$42,670, with an expense allowance of \$8,100; in 1990 their annual salary will be \$45,450, with an expense allowance of \$8,500. The following supplemental salaries are paid: speaker of the house, \$23,000; senate majority leader, \$21,000; house and senate minority leaders, \$17,000; house and senate majority floor leaders, \$10,000; house and senate minority floor leaders, \$8,000; and house and senate appropriations committee and judiciary committee chairs, \$5,000.

In addition, each legislator may claim reimbursement for mileage for one round trip per week from his or her legal Michigan residence to the State Capitol while the legislature is in session.

An optional retirement program is available for legislators. Members contribute 7% of compensation and are eligible for benefits at age 55 with a minimum of 8 years of legislative service (not less than 6 years of service if elected to at least 4 full or partial terms in the house of

representatives or 2 full or partial terms in the senate). Legislators are also eligible for health and life insurance benefits.

## LEGISLATIVE OFFICERS, RULES, AND PROCEDURES

Except as provided in the state constitution, each house of the state legislature chooses its own officers and determines the rules of its proceedings.

### Officers

The officers of the Michigan Senate include the lieutenant governor, who is not an elected member of the senate. The lieutenant governor is the President (presiding officer) of the senate, but is permitted to vote only in case of a tie. Officers elected by the senate include a President pro tempore, Assistant President pro tempore, and Associate President pro tempore. Both the majority and minority party caucuses elect a Leader, Floor Leader, Whip, Assistant Leader, Caucus Chair, Assistant Floor Leader, Assistant Whip, and Assistant Caucus Chair.

Officers elected by the Michigan House of Representatives include the Speaker, Speaker pro tempore, and Associate Speaker pro tempore. For the 1989-90 session, Democratic leadership chosen in caucus includes a Floor Leader, Assistant Floor Leaders, Majority Whips, Caucus Chair, Caucus Vice-Chair, Caucus Secretary, and Assistant Associate Speaker pro tempore. Republican leadership, which is also chosen in caucus, includes the Republican Leader, Assistant Leader, Floor Leader, Assistant Floor Leader(s), Minority Whips, Caucus Chair, and Assistant Caucus Chair.

The Secretary of the Michigan Senate and the Clerk of the Michigan House of Representatives are also elected as officers by the membership of their respective houses.

### Rules

The senate adopts its standing rules every 4 years and the house of representatives adopts its rules every 2 years.

In the senate, amending or repealing a rule is proposed by resolution which is referred to the Government Operations Committee for review. The amendment or repeal of a rule requires a majority vote of the senators present. A rule may be suspended by a majority of the members elected and serving.

House rules may be altered by a majority vote of the members elected and serving, but any proposed changes must be made in writing and in the possession of the house 5 days prior to its consideration. A rule may be suspended by a vote of three-fifths of the representatives present. Suspension of the rules on matters related to the order of business, schedule of legislative sessions, and adjournment may be by majority vote of the members elected and serving.

### Legislative and Parliamentary Procedures

In the senate, the rules of parliamentary practice included in *Mason's Manual of Legislative Procedure* govern in all cases where they are not inconsistent with the senate rules and the precedents of the Michigan Senate. Senators' inquiries as to parliamentary procedure during session are directed to the presiding officer. It should also be noted that, by senate rule, the secretary of the senate or a member of the staff of the secretary of the senate serves as the senate parliamentarian to advise the senate on questions relating to parliamentary law and procedure.

In the House, in cases not provided for by the State constitution, the Standing Rules of the House of Representatives, or by the Joint Rules of the Senate and House of Representatives, the authority is *Mason's Manual of Legislative Procedure*. In the house, members' inquiries are directed to the presiding officer.

## LEGISLATIVE SESSIONS

### Regular Sessions

In accordance with the state constitution, the Michigan Legislature is required to meet at the seat of government (Lansing) on the second Wednesday in January of each year at twelve o'clock noon.

The daily sessions of the legislature are normally held, unless either house designates a different hour for convening, on Monday evenings; Tuesday, Wednesday, and Thursday at 10:00 a.m. in the senate; Tuesday and Wednesday at 2:00 p.m. and Thursday at 10:00 a.m. in the house.

### Quorums

A majority of the members elected to and serving in each house constitutes a quorum to conduct business. In the senate, 20 members constitute a quorum and in the house 56 members may conduct business. If a legislative seat has been vacated for any reason, and is not filled, it is not counted in computing a quorum.

### Calls of the House or Senate

In either house, if a quorum is not present, the members present may adjourn from day to day and may compel the attendance of absent members in the manner and with penalties as each

house may prescribe. For example, a call of the senate may be ordered by a majority of the senators present, regardless of whether a quorum is present. To order a call in the house, at least 15 members must vote in favor of the motion. Once a call is ordered, the doors of the house or senate are closed and the members are prohibited from leaving the floor of the chambers without permission of the body. The sergeant at arms or other authorized person may be dispatched after absentees.

### ***Biennial Sessions***

Meetings of the Michigan Legislature are on a 2-year basis. Any business or legislation pending at the final adjournment of a regular session held in an odd-numbered year carries over with the same status until the next regular session. However, under the Joint Rules of the Senate and House of Representatives, either house is prohibited from reconsidering in a subsequent year the vote by which any business, bill, or joint resolution was defeated or vetoed during the previous year.

### ***Recesses and Adjournments***

Neither house can adjourn, without the consent of the other, for more than 2 intervening calendar days, nor adjourn to any place other than where the legislature may then be in session.

Regular sessions are adjourned sine die (without day) on a day determined by concurrent resolution at twelve o'clock noon. Usually, the sine die or final adjournment occurs during the last week of the year.

### ***Special Sessions***

The governor is authorized by the state constitution to convene the legislature on extraordinary occasions. The governor may also convene the legislature at some other place if it becomes dangerous to meet at the seat of government. During a special session, the legislature cannot pass bills on a subject other than those expressly stated in the governor's proclamation or those submitted by special message.

Under the joint rules, if either or both houses have adjourned for more than 2 days until a specific date, a committee composed of the president pro tempore of the senate, the senate majority leader, the speaker of the house and speaker pro tempore of the house may, by majority vote, convene either or both houses at any time in case of emergency.

### ***Open Meetings***

Under the state constitution, the doors of each house must be kept open unless the public security requires otherwise. The sessions of the legislature must also be held in compliance with the provisions of the Michigan Open Meetings Act (Act 267 of 1976). Exceptions to this law applicable to the legislature include the following:

- a) The right to address or speak at a meeting of the legislature or either house may be limited to prescribed times at hearings and committee meetings only.
- b) Partisan caucuses of members of the legislature may be held in closed session.
- c) The 18-hour public notice for rescheduled meetings does not apply to conference committees. These committees are required to give a 6-hour notice. A second conference committee has to give only a 1-hour notice. The conference committee meeting notice must include written notice to each committee member and the majority and minority leaders of each house of the time and place of the meeting.

## **HOW A BILL BECOMES A LAW**

### ***Introduction***

Bills may be introduced in either house of the legislature. Senate bills are filed with the secretary of the senate and house bills with the clerk of the house. Upon introduction, bills are assigned a number. At the beginning of each biennial session, house bills are numbered consecutively starting with House Bill No. 4001 and senate bills are numbered starting with Senate Bill No. 1. In both houses, joint resolutions are assigned a letter designation.

### ***Title Reading***

Under the state constitution, every bill must be read 3 times before it may be passed. The courts have held, however, that this requirement can be satisfied by reading a bill's title. Upon introduction, the bill's title is read a first and second time in the senate and is read once in the house. The bill is then ordered to be printed. A bill cannot be passed or become law until it has been printed or reproduced and in the possession of each house for at least 5 days.

### ***Referral to Committee***

Upon introduction, a bill is also referred to a standing committee in the senate by the majority leader and in the house of representatives by the speaker of the house. All bills involving an

appropriation must be referred either directly to the appropriations committee or to an appropriate standing committee and then to the appropriations committee.

### ***Committee Review***

Committee members consider a bill by discussing and debating the bill. The committee may also hold public hearings on the bill.

### ***Committee Action***

A standing committee may act on a bill in various ways. The committee may:

- a) Report the bill with favorable recommendation.
- b) Report the bill with amendments with favorable recommendation.
- c) Report a substitute bill in place of the original bill.
- d) Report the bill with adverse recommendation.
- e) Report the bill without recommendation.
- f) Report the bill with amendments but without recommendation.
- g) Report the bill with the recommendation that the bill be referred to another committee.
- h) Take no action on a bill.
- i) Refuse to report a bill out of committee.

In the case of items (d), (e), and (f), the bill, upon being reported from committee is tabled (temporarily removed from consideration) on the floor. A majority vote of the members present and voting in the house where the bill is tabled is required to remove the bill from the table before it may be given further consideration.

In both houses, a majority vote of the members serving on a committee is necessary to report a bill. If a committee fails to report a bill, a motion to discharge the committee from consideration of the bill may be offered in the house having possession of the bill. If this motion is approved by a vote of a majority of the members elected and serving, the bill is then placed in position on the calendar for floor action. In the house, at least a 1-day prior notice of the motion to discharge must be given to the clerk of the house.

### ***Committee Reports***

If a bill is reported from committee favorably with or without amendment or in the form of a substitute bill, the committee report is printed in the journal under the order of business entitled "Reports of Standing Committees." On being reported favorably from committee, the bill and recommended committee amendments if any, are placed on the order of "General Orders" in the senate. In the house, the bill and amendments are referred to the order of "Second Reading." Action may also be taken to place the bill on specific order of business on General Orders in the senate or on Second Reading in the house for a specified date. In the house, the bill may be considered on Third Reading, by a suspension of the rules, without having been considered on Second Reading.

### ***General Orders or Second Reading***

For the purpose of considering the standing committee recommendations on a bill, the senate resolves itself into the committee of the whole and the house assumes the order of Second Reading. Amendments to the bill may be offered by any member when the bill is being considered at this stage of the legislative process. In the senate, a simple majority of members present and voting may recommend adoption of amendments to the bill and recommend a bill be advanced to Third Reading. In the house, amendments may be adopted by a majority serving, and a majority voting may advance the bill to Third Reading. In the house, a bill may be placed on Third Reading for a specified date.

### ***Third Reading***

Upon being advanced to the order of Third Reading in the senate, a bill is read in its entirety unless unanimous consent is given to consider the bill read. In the house, the bill is read in its entirety on Third Reading unless four-fifths of the members consent to consider the bill as having been read. In practice, few bills are read in full in either chamber. In both houses, amendments must be approved by a majority vote of the members serving and the previous question may be moved and debate cut off by a vote of a majority of the members present and voting. At the conclusion of Third Reading, the bill is either passed or defeated by a roll call vote of the majority of the members elected and serving (pursuant to the state constitution, approval of certain measures requires a two-thirds vote) or one of the following 4 options is exercised to delay final action on the bill: (a) the bill is returned to committee for further consideration; (b) consideration of the bill is postponed indefinitely; (c) consideration is postponed until a certain date; or (d) the bill is tabled.

Following either passage or defeat of a bill, a legislator may move for reconsideration of the vote by which the bill was passed or defeated. In the senate, the motion for reconsideration must

be made within the following 2 session days; in the house, the motion must be made within the next succeeding session day.

### ***Enactment by the Legislature***

If a bill passes, it is sent to the other house of the legislature where the bill follows the procedure outlined above, resulting in defeat or passage.

If a bill is passed by both houses in identical form, the bill is ordered enrolled by the house in which the bill originated. Following enrollment and printing, the bill is sent to the governor.

If a bill is passed in a different form by the second house, the bill must be returned to the house of origin and one of the following occurs:

- a) If the amendment(s) or substitute bill of the second house are accepted in the house of origin, the bill is enrolled, printed, and presented to the governor. It should also be noted that either house may amend an amendment made by the other to a bill or joint resolution. At any time while in possession of the bill, either house may recede from its position in whole or in part and the bill may be returned to the other house for this purpose. If this further action is agreed to by both houses, the bill is ordered enrolled.
- b) If the amendment(s) or substitute proposal of the second house are rejected in the house of origin, the bill is then sent to a conference committee (a special committee composed of 3 legislators from each house), which attempts to reconcile differences between the 2 versions of the bill. The conference committee can consider only issues in the bill upon which there is disagreement between the 2 houses. However, when the agreement arrived at by the conferees is such that it affects other parts of the bill, such as in an appropriations measure, the conferees may recommend further amendments to conform with the agreement. The conferees may also recommend corrections to any errors in the bill. The conference committee may reach a compromise approved by at least a majority of the conferees from each house, and submit a report to the house of origin. If adopted, the report and bill are transmitted to the second house. If the conference committee report is approved in the second house, the bill is then enrolled, printed, and sent to the governor. A conference report may not be amended by either house. If the conference committee is not able to agree, or if the report is rejected by either house, a second conference committee is appointed. When a second conference has met and both houses are still unable to agree, no further conference is in order.

### ***Approval by Governor***

Upon receipt of an enrolled bill, the governor has 14 days to consider the bill. The governor may:

- a) Sign the bill, which then either becomes law at the expiration of 90 days after the legislature adjourns sine die or on a date beyond the ninetieth day specified in the bill. If the bill has been given immediate effect by a two-thirds vote of the members elected to, and serving in, each house, the bill will become law after the governor signs the bill and files it with the secretary of state or on a day specified in the bill.
- b) Veto the bill and return it to the house of origin with a message stating the governor's objections.
- c) Choose not to sign or veto the bill. If the bill is neither signed nor vetoed, the bill becomes law 14 days after having reached the governor's desk if the legislature is in session or in recess. If the legislature should adjourn sine die before the end of the 14 days, the unsigned bill does not become law. If the Legislature has adjourned by the time the bill reaches the governor, he or she has 14 days to consider the bill. If the governor fails to approve the bill, it does not become law.

### ***Legislative Veto Response***

If the governor vetoes a bill while the legislature is in session or recess, one of the following actions may occur:

- a) The legislature may override the veto by a two-thirds vote of the members elected to and serving in each house. The bill then becomes law.
- b) The bill may not receive the necessary two-thirds vote and thus the attempt to override the veto will fail.
- c) The bill may be tabled.
- d) The bill may be re-referred to a committee.
- e) Consideration of the bill may be postponed indefinitely or to a definite time.

## **THE COMMITTEE SYSTEM**

The committee system that has evolved in response to the great number and diversity of issues that must be considered by the Michigan Legislature. Without being divided into committees, it

would be difficult for either the senate or the house to effectively or efficiently evaluate the thousands of proposals that are introduced each biennial session. The committee system distributes the workload; in many instances, the critical decisions regarding legislation are made in a committee or in a subcommittee.

### ***Legal Authority for Legislative Committees in Michigan***

The Constitution of Michigan of 1963 is the ultimate authority by which the legislature creates and acts through committees. Article 4, section 17, of the constitution provides that "Each house of the legislature may establish the committees necessary for the conduct of its business", including joint committees. The constitution makes certain stipulations governing committees, including the right of the members of a house to discharge a committee from further consideration of a bill (art 4, § 16) and the maintaining of votes and actions taken and the notification of meetings (art 4, § 17).

The constitution also provides specifically for the Legislative Council, a bipartisan joint committee charged with providing various services supporting the operations of the legislature. (art 4, § 15).

Many functions of committees are provided for by statute, including provisions relating to expenses, the administering of oaths to witnesses, subpoena power, contempt, the inspection of state agency records, and other matters.

The rules of each house create the standing committees and govern most of the activities of committees and the procedures followed by the respective houses in considering bills and exercising oversight of the executive branch departments are, for the most part, set forth in these rules. The number of members on each committee, the names of the committees, the responsibilities of committee members and chairs, staffing and expenses, procedures, reports, and parliamentary practices are contained in the rules.

### ***Standing Committees***

Standing committees, which are the principal vehicles by which legislation must pass for scrutiny, debate, and modification, are created by the rules of each house. There are currently 15 permanent standing committees in the senate and 31 permanent standing committees in the house:

#### **Senate Committees**

Agriculture and Forestry (5)	Health Policy (5)
Appropriations (13)	Human Resources and Senior Citizens (5)
Commerce and Technology (5)	Judiciary (5)
Criminal Justice and Urban Affairs (5)	Local Government and Veterans (5)
Economic Development (5)	Natural Resources and Environmental Affairs (5)
Education and Mental Health (5)	Regulatory Affairs (5)
Finance (5)	State Affairs, Tourism, and
Government Operations (7)	Transportation (5)

#### **House Committees**

Agriculture (15)	Judiciary (22)
Appropriations (24)	Labor (13)
Civil Rights (5)	Liquor Control (12)
Colleges and Universities (8)	Marine Affairs and Port Development (7)
Conservation, Recreation and Environment (17)	Mental Health (7)
Constitution and Women's Issues (7)	Military and Veteran's Affairs (5)
Consumers (10)	Public Health (19)
Corporations and Finance (22)	Public Utilities (8)
Corrections (7)	Senior Citizens and Retirement (10)
Economic Development and Energy (22)	Social Services and Youth (7)
Education (22)	State Affairs (10)
Elections (12)	Taxation (19)
Forestry and Minerals (7)	Tourism, Fisheries and Wildlife (15)
House Oversight (13)	Towns and Counties (7)
Insurance (18)	Transportation (17)
	Urban Affairs (10)

House and senate rules specify the number of legislators which serve on each committee. The committees contain 5 to 24 members and each representative or senator serves on at least one committee. Committee assignments are made by the majority leader in the senate and by the

speaker of the house, unless otherwise directed. In the senate, appointments to committees are subject to approval by the senate. The Senate Rules provide that appointments of minority party members must be made from a list submitted by the minority leader and must consider the preferences, seniority, and experience of the members. If the majority leader rejects names on the list and their corresponding committee assignments, the minority leader submits replacement nominations. In both houses, the first member named to the committee is the chairperson and the second named is the vice chairperson. The first named member of the minority party is the minority vice chairperson.

Legislation is referred to standing committees by the senate majority leader or by the speaker, respectively. The rules of the senate and the house do not describe the jurisdictions of the individual standing committees, except that all bills involving an appropriation must be referred either directly to the appropriations committee of the respective house or to an appropriate standing committee and then to the appropriations committee. Traditionally, the assignment of bills has followed topical lines. For example, bills dealing with criminal procedure, courts, or crime have been referred to the judiciary committees; revenue measures have gone to the House Taxation Committee or the Senate Finance Committee; and legislation dealing with schools has been referred to the House Education Committee or the Senate Education and Mental Health Committee.

While the primary function of the standing committees is to consider legislation, there are a few specific exceptions. For example, the appropriations committees in the house and senate have the added responsibility under the constitution of approving or disapproving gubernatorial executive orders which propose reductions of expenditures authorized by appropriation. The Senate Government Operations Committee is the committee to which nominations to office submitted by the governor and all other executive business are referred. This committee also responds to questions relating to the interpretation and enforcement of Senate Rules concerning legislative conduct and ethics. Finally, in both houses, there exists a 3-member committee which includes the chair and 2 other members of the appropriations committees (including 1 member from the minority party) appointed by the chair. These committees serve as the governing boards of the fiscal agencies.

Standing committees are empowered to review legislation, hear testimony, and may, by resolution, 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. The legislature may punish witnesses who neglect or refuse to obey committee subpoenas, or who refuse to be sworn or testify, or who fail, upon demand, to produce necessary materials relative to an investigation. The legislature may also punish witnesses or attorneys who are guilty of contempt while in attendance at any hearing before any committee.

Committees operate under the applicable rules of their respective houses, except that house committees may adopt supplemental rules. Committee action requires the approval of a majority of those appointed and serving on the committee. Under the state constitution, committees are required to keep an action journal recording the date and time of each meeting and the members present and absent and all action on legislation with the names and votes of the members. It should be mentioned with regard to committee attendance in the house that members with unexcused absences for 3 of 5 consecutive committee meetings are automatically dropped from committee membership.

Standing committees generally have a regular schedule that indicates the day and time the committees will meet each week. In the house, the schedule is adopted by the committee at the beginning of each term and is printed in the journal. Notices of committee meetings in the senate are printed in the journal, on the calendar, and are posted in various Capitol Complex locations. Verbal notice of the meeting is also given during session by the chairperson of the committee. If the legislature is in recess, the meeting notice must be filed at least 10 days prior to the meeting. A standing committee in either house may also hold public hearings on bills referred to that committee. Notice of the hearing, its subject, time and place is also printed in the journal, on the calendar, and is posted. Committees cannot meet during session unless authorized by the entire body.

### ***Special Committees***

Special committees are established by legislative resolution and may consist of members of one or both houses. The number of members who serve on these committees varies according to the provisions of the resolution creating the committee. Special committees are generally appointed to serve for a specified period of time. For the most part, the purpose of a special committee is to study and investigate topics of special interest, such as fire safety needs, oil and gas extraction on public lands, or health care costs.



### **Joint Committees**

In addition to the special committees which may consist of members from both houses, there are several permanent joint committees created by state statute. These committees include:

*The Legislative Council*—A bipartisan committee of the house and senate, consisting of 12 regular and 6 alternate members, established pursuant to article IV, section 15, of the state constitution. The primary responsibility of the council is to maintain bill drafting, research, and other services for legislators. The council appoints the director of the Legislative Service Bureau and is responsible for the general program and policies of the agency. The council also appoints 3 commissioners on Uniform State Laws for Michigan, 4 nonlegislators to the Michigan Law Revision Commission, and 3 nonlegislators to the Michigan Consumers Council. The Library of Michigan is under the direction of the council pursuant to Act 540 of 1982. The council appoints 4 legislators to the Board of Trustees and appoints a state librarian in consultation with the board. The librarian has responsibility for administrative and budgeting functions of the library, to be coordinated with the Legislative Council and the director of the Legislative Service Bureau. The Legislative Council also handles budget, procurement, and related management functions for the Consumers Council. It appoints a legislative corrections ombudsman and establishes procedures for approving the budget, for expending funds, and for the employment of staff for the Legislative Corrections Ombudsman Office. In addition, the Legislative Council oversees the staff and operations of the Michigan Commission on Intergovernmental Relations. It should also be noted the council may create subcommittees which may include members of the legislature who are not council members.

*The Joint Committee on Administrative Rules*—A 12-member committee created pursuant to Act 306 of 1969, the Administrative Procedures Act of 1969. The committee is responsible for reviewing rules proposed by state administrative agencies.

*The Board of Trustees for the Michigan Legislative Retirement System*—A joint committee established by statute to govern the administration of the legislative retirement system.

### **Other Committees**

In addition to the committees described above, several different committees are created by the legislature for parliamentary purposes. These committees include the *committee of the whole*, which includes all of the members of a house sitting as a committee. The committee of the whole is established on General Orders in the senate and on the order of Second Reading in the house to consider the recommendations made by a standing committee. The committee of the whole may also adopt amendments to the bill. This parliamentary device generally offers greater informality and freedom of discussion and action than other stages of the legislative process. The other type of committee which plays an integral part in the legislative process is the *conference committee*. Conference committees consist of 3 members from each house and are assigned the responsibility of resolving differences between versions of the same bill passed by both houses. The first-named member of the house in which the bill originated is the chairperson of the conference committee. The conference committees of the 2 houses vote separately while in conference and the majority of each committee determines what the recommendations of the conference will be. If the conferees agree, they make a report which is signed by at least a majority of the conferees from each house.