

**No. 3**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**100th Legislature**  
**REGULAR SESSION OF 2019**

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Senate Chamber, Lansing, Tuesday, January 15, 2019.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

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

Alexander—present  
Ananich—present  
Barrett—present  
Bayer—present  
Bizon—present  
Brinks—present  
Bullock—present  
Bumstead—present  
Chang—present  
Daley—present  
Geiss—present  
Hertel—present  
Hollier—present

Horn—excused  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
Lucido—present  
MacDonald—present  
MacGregor—present  
McBroom—present  
McCann—present  
McMorrow—present  
Moss—present  
Nesbitt—present

Outman—present  
Polehanki—present  
Runestad—present  
Santana—present  
Schmidt—present  
Shirkey—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Senator Jim Stamas of the 36th District offered the following invocation:

Dear Lord, we just thank You for the opportunity to come together to create fellowship, to have conversation, and to work toward continuing to lead this great state. Dear Lord, we ask that You be with those who are in harm’s way. We ask that You be with each of those citizens who calls out for help. We ask that You be with our families and all those who call out Your name.

In Your name we pray. Amen.

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

**Motions and Communications**

Senator MacGregor moved that Senator Horn be excused from today’s session. The motion prevailed.

**Recess**

Senator MacGregor moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:04 a.m.

10:52 a.m.

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

By unanimous consent the Senate proceeded to the order of

**Resolutions**

Senator Shirkey offered the following resolution:

**Senate Resolution No. 2.**

**CHAPTER I – SECTION I  
SENATE ORGANIZATION**

**1.100 TRANSMISSION OF MESSAGES.**

~~Rule 1-~~ All messages necessary for conducting legislative business between the two houses shall be communicated in writing **and delivered in hard copy** and electronically by the Secretary of the Senate and the Clerk of the House of Representatives

**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,~~ **if the Lieutenant Governor is absent,** 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~~ **and** 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 **Senators**, or all but one ~~(4)~~ Senator, the Secretary of the Senate shall preside.

**1.102 AUTHORITY OF THE PRESIDENT OF THE SENATE PRESIDING OFFICER**

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

b) ~~Unless~~ **Except as proved in Rule 1.205 (b) is in effect,** following the invocation and Pledge of Allegiance, the presiding officer shall instruct the Secretary of the Senate to record the attendance. The attendance roll call shall be taken ~~by~~ using the electronic voting system for one (1) minute; ~~except for~~ **however, on** 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 PRESIDING OFFICER’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-At the first session of a quadrennium, 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 ~~Senate~~ 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~~ **officers** shall serve at the pleasure of the majority party caucus. All minority party Senate ~~Officers~~ **officers** shall serve at the pleasure of the minority party caucus.

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

**1.105 APPOINTMENT OF COMMITTEES**

a) The Senate Majority Leader shall appoint all committees except when the Senate shall otherwise order. The Senate Majority Leader may appoint subcommittees of standing committees when some of the members of that subcommittee are not also members of that standing committee. Such subcommittees shall contain at least one (1) majority member and one (1) minority member who are members of that standing committee and shall have at least one (1) more majority party member than minority party member. **Make appointments of Senators to committees and subcommittees established under these rules. 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.**

~~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.~~

**b) The Senate Majority Leader may remove members from their appointment to committees and subcommittees established under these rules.**

c) ~~e)-~~All appointments to standing and select committees and subcommittees ~~appointed by the Senate Majority Leader shall be~~ **are** subject to the approval of the Senate given by a majority of the Senators elected and serving. All **removals from committees and subcommittees and all** appointments to conference committees shall be effective upon **the removal or** 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-At the first session of a quadrennium, 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 shall serve until a successor is elected and qualified. If a vacancy occurs in the office of the Secretary of the Senate, the Assistant Secretary of the Senate shall assume the duties of the Secretary of the Senate until a successor is elected and qualified.**

**1.107 SENATE PARLIAMENTARIAN**

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

**1.108 SENATE BROADCAST AND WEBCAST**

The Secretary of the Senate, with the concurrence of the Senate Majority Leader, ~~is authorized to~~ **may** broadcast and webcast Senate session.

**1.109 SENATE JOURNALS**

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

b) The Secretary of the Senate shall ~~have~~ **make** the Journal ~~made~~ available online ~~to the offices of~~ **daily for use** by the President of the Senate ~~and, Senators, daily, and shall make the Journal available to~~ and 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 the separate 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, JOINT RESOLUTIONS, AND ALTERNATIVE MEASURES**

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

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

c) At any time after introduction and upon final action on a Senate bill, joint resolution, or alternative measure, Senators may move to co-sponsor the bill, joint resolution, or alternative measure when it is in possession of the Senate. Senators may also submit a written request to the Secretary of the Senate to be added as a co-sponsor of the bill, joint resolution, or alternative measure, and the Secretary of the Senate shall print the request in the Journal as an official communication under Senate Rule 3.105. After final passage of a Senate bill or adoption of a Senate joint resolution or alternative measure, or upon final action on a Senate bill, joint resolution, or alternative measure returned from the House, the presiding officer may open the voting board to allow Senators to add their names as co-sponsors.

d) A sponsor or co-sponsor may move to remove his or her name from a Senate bill, joint resolution, or alternative measure when it is in possession of the Senate, provided that at least one (1) Senator remains listed as the sponsor. **A sponsor or co-sponsor may also submit a written request to the Secretary of the Senate to remove his or her name from a Senate bill, joint resolution, or alternative measure when it is in possession of the Senate, provided that at least one (1) Senator remains listed as the sponsor, and the Secretary of the Senate shall print the request in the Journal as an official communication under Senate rule 3.105.**

#### **1.111 NUMBERING, LETTERING, AND PRINTING OF BILLS, JOINT RESOLUTIONS, AND ALTERNATIVE MEASURES**

a) The Secretary of the Senate shall assign numbers to all Senate bills, **resolutions**, and alternative measures in the order they are submitted for introduction. ~~The Secretary of the Senate~~ **All joint resolutions shall be assigned** **assign** letters **to all joint resolutions** in the order they are submitted for introduction.

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

#### **1.112 ANNOUNCEMENT OF PRINTING AND ENROLLMENT OF BILLS, JOINT RESOLUTIONS, AND ALTERNATIVE MEASURES**

The Secretary of the Senate shall print in the Journal each day (a) the number of all Senate and House bills, **resolutions**, and alternative measures and letters of all joint resolutions ~~which that~~ have been printed or reproduced and distributed to the offices of the President of the Senate and Senators; and (b) the numbers of the Senate bills ~~which that~~ have been enrolled and presented to the Governor.

#### **1.113 CARE AND PRESERVATION OF BILLS, RESOLUTIONS, AND ALTERNATIVE MEASURES**

The Secretary of the Senate shall be responsible to the Senate for the care and preservation of every bill, resolution, **joint resolution**, and alternative measure introduced in the Senate and each bill, resolution, and alternative measure 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 ~~H~~houses, the Secretary of the Senate shall attend to the enrollment printing **of the bill.** The Secretary of the Senate shall present the enrolled bill to the Governor, ~~obtaining and~~

~~obtain a receipt, on which verifying~~ the exact date and time ~~shall be shown for the bill was~~ deposited in the Executive Office.

b) ~~The Unless otherwise by the Senate, 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 ~~H~~houses and no action is pending ~~on the bill~~. 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 Executive 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 ~~H~~houses and obtain a receipt.

#### **1.115 ENROLLMENT OF JOINT RESOLUTIONS AND ALTERNATIVE MEASURES**

a) After a Senate joint resolution or alternative measure has been adopted by both ~~H~~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 or alternative measure with the Secretary of State and, in the case of a joint resolution, with others as directed by the joint resolution.

b) ~~The Unless otherwise ordered by the Senate, the~~ Secretary of the Senate may be authorized by a motion to enroll a Senate joint resolution or alternative measure while the Senate is not in session if that joint resolution or alternative measure has been adopted by both ~~H~~houses and no action is pending ~~on the joint resolution or alternative measure~~. 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 or alternative measure 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 or alternative measure as adopted by both ~~H~~houses and obtain a receipt.

#### **1.116 BILL, RESOLUTION, AND ALTERNATIVE MEASURE HISTORY**

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

#### **1.117 SENATE ADMINISTRATION AND OFFICE BUDGETS**

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

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

c) The Director of the Business Office 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 written 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 Director of the Business Office shall keep a record of these requests.

1) A copy of the Senate financial records shall be on file with the Senate Business Office, which shall have overall authority to administer the Senate financial records under the direction of the Senate Majority Leader.

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

3) 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~~ **includes**, but **is** 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.

E) Communications, notes, and electronic data within the Senate or between the Senate and other public bodies of an advisory nature.

F) Internet-use records.

G) Any other document or record protected from public disclosure by agreement, contract, Senate rule, or law.

4) 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 related to the search, examination, review, and the deletion of exempt information from nonexempt information.~~

5) 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 related to the search, examination, review, and the deletion of exempt information from nonexempt information.~~

6) 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, in conjunction with the Director of the Business Office, shall appoint a staff to conduct the legislative administration of the Senate, including Administrative Office Staff, Session Staff, and Senate Television Staff.

b) The Secretary of the Senate, in conjunction with the Director of the Business Office, shall exercise supervisory care and control of the Senate Chamber and all Senate rooms, corridors, furniture, and equipment in the Capitol.

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

d) 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".

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

f) 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 (4) years following the end of each biennial session of the Senate.

g) 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.

h) 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 DIRECTOR OF THE BUSINESS OFFICE; ADMINISTRATIVE DUTIES**

a) The Director of the Business Office shall serve at the pleasure of the Senate Majority Leader.

b) With the approval of the Senate Majority Leader, the Director of the Business Office shall appoint a staff to conduct the business of the Senate, including Business Office Staff, Finance Staff, Human Resources Staff, Information Services Staff, General Services Staff, Physical Properties Staff, and Security Staff.

c) The Director of the Business Office shall be responsible for the business and financial records of the Senate.

d) The Director of the Business Office shall exercise supervisory care and control of all Senate property not located in the Capitol.

e) ~~Upon~~ **With** the approval of the Senate Majority Leader, the Director of the Business Office shall purchase all necessary furniture, carpet, equipment, postage, supplies, and services for use by the Senate.

f) The Director of the Business Office shall install and maintain any equipment approved for use by the Senate.

g) As authorized by the Senate Majority Leader, the Director of the Business Office may sign papers, forms, documents, and contracts on behalf of the Senate.

### 1.120 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 Director of the Business Office shall supervise and direct the work of the Sergeant at Arms, and Assistant Sergeants at Arms, and may commission the Sergeant at Arms and Assistant Sergeants at Arms, who meet the certification requirements of this state, as law enforcement officers with the powers provided under the Legislative Sergeant at Arms Police Powers Act (see MCL 4.381-4.382).

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 **Chamber**, gallery, **areas immediately outside the Chamber**, and committee rooms of the Senate. The Sergeant at Arms shall see that all staff and visitors are seated **when appropriate**.

### 1.121 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,~~ **and authorized personnel** 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 ~~forty-eight (48)~~ hours following the completion of the canvass of the votes cast at an election. A copy of the petition shall be given by the contestant to the Secretary of the Senate (see MCL 168.879). Notice of receipt of the petitions shall be announced by the Secretary of the Senate and printed in the Journal.

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

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

d) In the case of two (~~2~~) or more persons having equal and the highest number of votes for any office, as canvassed by the Board of State Canvassers, the Board of State Canvassers shall certify the result of the canvass to the Legislature and in joint convention the Legislature shall choose one (~~1~~) 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 ~~twenty (20)~~ years, been convicted of a felony involving breach of the public trust (see Const. Art. 4, Sec. 7), or has within the preceding ~~twenty (20)~~ years, been convicted of a felony involving dishonesty, deceit, fraud, or a breach of public trust and ~~that the~~ conviction was related to the person's official capacity while the person was holding any elective office or position of employment in local, state, or federal government (see Const. Art. 11, Sec. 8). Upon finding by a majority vote of the Senators elected and serving that a Senator-elect has committed an offense within the provisions of this rule, he or she shall be declared to be unqualified for membership in the Senate and his or her office declared vacant.

b) Questions arising from challenges to the elections or returns of ~~its members~~ **Senators** 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 ~~twenty (20)~~ days following the special election.

c) The Senate, with concurrence of two-thirds of ~~its members~~ **Senators** 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 established by the Director of the Business Office, under the direction of 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 regulations established by the Director of the Business Office, under the direction of 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 direct the Director of the Business Office to make the revision upon ~~fifteen~~ a (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 Director of the Business Office prior to departure.

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

c) ~~A~~ The Senator, or Senate employee, shall file a written and signed post-travel report with the Director of the Business Office not more than ~~twenty~~ (20) calendar days after returning ~~from travel~~. These reports shall be retained by the Director of the Business Office ~~until no longer~~ as required by **applicable law and regulation**. If a report is not filed within ~~twenty~~ (20) calendar days after returning ~~from travel~~, **no expenses may not will** be reimbursed by the Senate, **and any** Senate funds received in advance of departure shall be returned in full if the report is not filed within ~~twenty~~ (20) calendar days after returning ~~to the Senate Business Office~~. The **post-travel** 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 ~~received~~ (except in cases in which receipts are not ordinarily provided) **documented with a receipt or other approved documentation**.

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 ~~one thousand~~ (1,000) or more pieces of substantially similar material **within thirty** (30) days ~~or less~~ before a primary or general election, in which the Senator is a candidate. This rule does not apply if the mailing is a summary of a ballot proposal ~~and that~~ 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 Director of the Business Office, under the direction of the Senate Majority Leader, shall develop and disseminate guidelines for printing and mass mailing.

e) The cost of pieces mailed by a Senator ~~which that~~ were paid for ~~by~~ with Senate funds shall be tabulated and recorded by the Director of the Business Office.

## CHAPTER I – SECTION 3 LEGISLATIVE CONDUCT AND ETHICS

### 1.301 LEGISLATIVE CONDUCT

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



### 1.302 ATTENDANCE AND VOTING

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

### 1.303 IMPROPER INFLUENCE

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

### 1.304 CONFLICTING EMPLOYMENT

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

### 1.305 UNDUE INFLUENCE

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

### 1.306 DISCLOSURE AND DISQUALIFICATION

A Senator having a personal, private, or professional interest in a bill or alternative measure, of which he or she has knowledge, shall not vote on the bill or alternative measure and shall disclose in writing his or her interest in the bill or alternative measure. A personal, private, or professional interest in a bill or alternative measure 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 or alternative measure. If a Senator votes on a bill or alternative measure 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 Director of the Business Office shall establish a policy to implement this ~~prohibition rule~~.

### 1.308 SENATE EMPLOYEES AND CONFLICTS

Senate employees, including those elected by the Senate or those employees specifically provided for by other Senate rules, shall be held accountable to the intent of Chapter I,— Section 3 of these rules where applicable. **The Director of the Business Office shall establish policies to implement this rule.**

### 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 ~~senate~~ **Senate or State of Michigan**. This includes, but is not limited to, telephones, facsimile machines, computers, postage, and copy machines.

b) Personal business and incidental campaign calls, when charged to the ~~state~~ **Senate or State of Michigan**, ~~are clearly contrary to the proper use of these facilities~~ **constitute improper use of Senate facilities.**

c) Personal and business calls must be charged to the caller's residence telephone, personal credit card, special billing number, or made from a cellular telephone or pay station. Individuals making unreimbursed personal calls from ~~Senate or s~~ **Senate or 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 ~~Senate or~~ **Senate or State of Michigan** for such calls and expenses.

### 1.310 ADVISORY OPINIONS

All questions relating to the interpretation and enforcement of **Chapter I, Section 3** 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 **issued by the committee** shall, after a 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~~ **Chapter I, Section 3 of these 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 an~~ opportunity to appear at the hearing and be represented by counsel. The determination and any disciplinary action shall be made and taken only by a two-thirds ~~(2/3)~~ vote of the Senators elected and serving on recommendation of the Committee on Government Operations. A Senator determined to have violated the provisions of the rules regulating ethics and conduct may be reprimanded, censured, or expelled. Any actions undertaken under this section shall be separate from any prosecutions or penalties otherwise provided by law.

## CHAPTER I – SECTION 4 SENATE EMPLOYEES

### 1.401 EMPLOYEES OF EACH SENATOR

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

b) A person shall not begin employment nor receive any compensation until a Senator has provided the Senate Business Office with the necessary information about the employee. **The Director of the Business Office shall establish policies to implement this rule.**

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

d) Personal business and incidental campaign calls, when charged to the ~~state~~ **Senate or State of Michigan**, ~~are clearly contrary to the proper use of these-~~ **constitute improper use of Senate** facilities.

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

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

### 1.402 COMMITTEE CLERKS

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

### 1.403 EMPLOYEE APPOINTMENT

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

### 1.404 EMPLOYEE COMPENSATION

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

b) The Senate general fund shall ~~not provide more than two (2) benefit packages for the staff of each Majority and minority Senator or more than four (4) benefit packages for the staff of each majority Senator unless otherwise determined in accordance with policies established 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 **resign, or, subject to approval of the Senate Majority Leader**, be placed on an unpaid leave of absence.

### 1.406 TERMINATION OF EMPLOYMENT

**All employees of the Senate serve as non-tenured, at-will employees.** The Senate Majority Leader shall have the right to terminate the ~~services~~ **employment** of any **Senate** employee ~~and the pay of the employee shall stop on the day of dismissal at any time.~~ 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

(a) Permanent standing committees and commissions of or appointed by the Senate, when created by rule of the Senate, shall exist and function both during and between sessions (see MCL 4.221). Permanent standing committees and commissions of or appointed by the Senate may by resolution perform and exercise such powers and authority in the interim between sessions as shall be delegated to such committees or commissions in ~~said resolution(s)~~ **the resolutions**.

(b) **The Senate Majority Leader may, from time to time, establish subcommittees of permanent standing committees of the Senate. Such subcommittees shall include at least one majority party member and one minority party member who are members of that standing committee and shall have at least one more majority party member than minority party member.**

## 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~~ **regarding** 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:

### **Advice and Consent (5 members)**

Agriculture (5 members)

Appropriations (~~17~~ **18** members)

~~Banking and Financial Institutions (8 members)~~

~~Commerce (5 members)~~

~~Economic Development and International~~ **Small Business Development Investment** (9 members)

Education **and Career Readiness** (~~5~~ **7** members)

~~Elections and Government Reform (5 members)~~

Energy and Technology (10 members)

### **Environmental Quality (6 members)**

Families, Seniors, and ~~Human Services~~ **Veterans** (~~5~~ **7** members)

Finance (7 members)

Government Operations (5 members)

Health Policy **and Human Services** (10 members)

Insurance **and Banking** (10 members)

Judiciary **and Public Safety** (~~5~~ **7** members)

Local Government (5 members)

~~Michigan Competitiveness (5 members)~~

Natural Resources (5 members)

~~Outdoor Recreation and Tourism (5 members)~~

Oversight (5 members)

Regulatory Reform (9 members)

Transportation **and Infrastructure** (~~5~~ **9** members)

~~Veterans, Military Affairs and Homeland Security (5 members)~~

Statutory standing committees:

Administrative Rules (5 members) (see MCL 24.235)

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

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

**Library of Michigan Board of Trustees (1 member)** (see MCL 397.17)

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

**Michigan Commission on Uniform State Laws (2 members)** (see MCL 4.1301)

**Michigan Council on Future Mobility (2 members)** (see MCL 257.665)

**Michigan Law Revision Commission (2 members)** (see MCL 4.1401)

**Senate Fiscal Agency Board of Governors (5 members)** (see MCL 4.1501)

## 2.104 COMMITTEE ON GOVERNMENT OPERATIONS ADVICE AND CONSENT

a) All appointments to office submitted by the Governor ~~to the Senate, and any other executive business,~~ shall be referred to the Committee on ~~Government Operations~~ **Advice and Consent**. **Effective upon written notification to the Secretary of the Senate, the chairperson of the Committee on Advice and Consent may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Advice and Consent on a gubernatorial appointment. The Senate standing committee may adopt by committee vote a recommendation to the Committee on Advice and Consent.**

1) ~~Any appointment not disapproved within sixty (60) session days after receipt shall stand confirmed (see Const. Art. 5, Sec. 6). No appointment shall be voted upon until it has been printed in the Journal.~~

2) On all appointments to office reported favorably **or without recommendation by the Committee on Advice and Consent**, the question **before the Senate** 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).

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

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

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

## **2.105 COMMITTEE ON GOVERNMENT OPERATIONS**

a) **Except as otherwise provided by senate rule, all Executive business shall be referred to the Committee on Government Operations.**

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

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

f) d) The Committee on Government Operations **Oversight** shall receive for review all reports **presented issued by the legislative auditor-general Auditor General.**

g) e) ~~Effective upon~~ **Upon** written notification **notice** to the Secretary of the Senate, the chairperson of the Committee on Government Operations may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Government Operations on ~~an auditor-general report~~ **any Executive business referred to the Committee on Government Operations.** The Senate standing committee shall ~~may~~ adopt by a committee vote a recommendation to the Committee on Government Operations.

## **2.105 2.106 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 2.107 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 meeting** during any regular or special session of the Legislature.

## **2.107 2.108 NOTICE OF MEETINGS AND PUBLIC HEARINGS**

a) A committee may hold a meeting ~~or public hearing~~ on any bill, resolution, **joint resolution**, or alternative measure referred to the committee and on any issue relevant to the subject matter of the committee. Notice

of the meeting or hearing, its **including** the 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 announcement regarding a meeting or public hearing may be given to the Senate during a session by the chairperson, or a member, of the committee holding the meeting or public hearing.

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

#### **2.108 2.109 COMMITTEE STAFFING**

In addition to the allocation for staff as provided in Rule 1.117(e) **1.402**, the ~~committee chairperson~~ **Secretary of the Senate** 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 2.110 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 Director of the Business Office from the documents on file in the Senate Business Office and approved by the chairperson, shall be filed quarterly with the Director of the Business Office. The report shall include the date, payee, amount, and purpose of the expenditure. The Director of the Business Office shall notify the Secretary of the Senate, for printing 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, resolution, **joint resolution**, or alternative measure and to report any matter to the Senate. A member must be present at the time a roll call is taken for his or her vote to count toward the required majority concurrence.

#### **2.202 COMMITTEE RECORDS**

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

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

#### **2.203 COMMITTEE REPORTS**

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

b) Except for a committee report recommending a substitute, any bill, resolution, **joint resolution**, alternative measure, 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, **resolution**, joint resolution, alternative measure, 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, alternative measure, 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~~ **those rules** are inconsistent with the standing rules and published precedents of the Senate and its committees.

### **2.206 COMMITTEE TELEVISIONING, WEBCASTING, AND CONDUCT**

a) ~~The Senate committee meetings may be taped, televised live~~ **tape, televise live,** or webcast ~~through the equipment operated by the Secretary of the Senate staff~~ **Senate committee meetings.**

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

## **CHAPTER III – SECTION 1 ORDER OF BUSINESS**

### **3.101 TIME OF SESSION**

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

### **3.102 ORDER OF BUSINESS**

~~The~~ **Unless otherwise ordered by the Senate,** the order of business of the Senate shall be as follows:

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

### **3.103 CHANGE OF ORDER OF BUSINESS**

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

### **3.104 QUORUM OF THE SENATE**

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

b) Routine business on which no vote of the Senate is required may be disposed of on any day, with or without a quorum present, and proper entries shall be printed in the Journal. **For purposes of this rule, "routine business" includes referral of appointments to office submitted by the Governor, referral of Executive business not including veto messages, and announcement of enrollment printing.**

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~~ **that** are informational only, to the Secretary of the Senate ~~in one (1) 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~~ **Thursday**. 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; **however if Monday**

**is a state holiday, the committee report may be placed on the next Senate calendar following the 4:00 p.m. deadline on Tuesday.** ~~If there is a Friday session, the calendar shall be closed at 4:00 p.m. on Thursday. If Monday is a state holiday, the Senate calendar for Tuesday shall be closed for printing on Friday at 12:00 noon.~~

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

c) All committee reports shall be laid over one (1) day. After one (1) 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 member~~ 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 that~~ do not require committee referral and consideration, and the adoption of which may be accomplished by a majority of ~~those~~ Senators voting. Resolutions ~~which that~~ 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-Matters~~ on the **resolution** consent calendar shall be disposed of in a single vote. Before stating the question of adoption of the consent calendar, the presiding officer shall ask if there are objections. The objection of any Senator to the placement of one (1) or more items on the resolution consent calendar shall result in the removal of the stated item or items from that calendar. **Any items removed from the resolution consent calendar may be considered under the order of Resolutions.**

## **CHAPTER III – SECTION 2 INTRODUCTION OF BILLS**

### **3.201 FIVE DAYS' POSSESSION**

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

### **3.202 BILLS, RESOLUTIONS, AND ALTERNATIVE MEASURES AMENDED BY THE HOUSE**

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

### **3.203 REFERRAL OF BILLS, JOINT RESOLUTIONS, AND ALTERNATIVE MEASURES**

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

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

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

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

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

### **3.204 RESOLUTIONS**

a) All resolutions to be introduced shall be accompanied ~~submitted to the Secretary of the Senate, accompanied by nine (9) three~~ true copies. **Only a currently serving Senator may sign a resolution for introduction.** Resolutions which are not subject to provisions in other Senate rules **Except as otherwise provided by Senate rule, resolutions** 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, **the President of the Senate** and any Senator ~~and the President of the Senate~~ wishing to co-sponsor ~~it~~ the resolution 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 **and the President of the Senate** to add their names as co-sponsors.

c) After a Senate concurrent resolution has been adopted by both ~~H~~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, joint resolutions, and alternative measures shall be printed or reproduced after introduction unless otherwise ordered by the Senate. No bill, joint resolution, or alternative measure shall be reported from a standing committee until it has been printed or reproduced.

### 3.206 ~~THE BILL TITLE OF BILLS AND ALTERNATE MEASURES~~

The title of a bill or alternative measure shall include: (a) ~~The~~ ~~the~~ object of the bill or alternative measure; and (b) ~~A~~ a reference to the ~~section(s)~~, act, ~~sections~~, and compilation numbers when amending any act ~~which~~ that has been compiled.

### 3.207 THREE SEPARATE READINGS

Every bill, joint resolution, and alternative measure shall receive three (~~3~~) separate readings prior to ~~its being passed or adopted~~ **final passage or adoption**. The presiding officer shall announce ~~whether it is the~~ first, second, ~~or~~ ~~and~~ third reading of the **bill, joint resolution, or alternative measure**. The first and second readings may be by title only. The third reading of a bill, joint resolution, or alternative measure shall be in full unless otherwise ordered unanimously by the Senate. The third reading of a bill, joint resolution, or alternative measure 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~~ ~~The~~ Secretary of the Senate ~~from the Secretary of State~~ shall be ~~stamped with the date and time measured in hours and minutes~~ **stamp all initiative petitions received by it from the Secretary of State to verify the date and time of receipt by the Secretary of the Senate**. 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 ~~forty~~ (40) calendar 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 a law proposed by initiative petition, the Senate may propose a different (“alternative”) measure upon the same subject. An alternative measure shall be labeled “Alternative Measure No. \_\_\_ to a law proposed by initiative petition”. An alternative measure shall not be considered for a second reading unless a law proposed by initiative petition has been rejected by a house. An alternative measure shall require a majority vote of ~~the members~~ **Senators** elected and serving for adoption, and the vote shall be by record roll call. If the alternative measure is adopted by both ~~H~~houses of the Legislature, both measures shall be submitted to the electors for approval or rejection at the next general election (see Const. Art. 2, Sec. 9).

## CHAPTER III – SECTION 3 MOTIONS

### 3.301 RECOGNITION

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

### 3.302 PRECEDENCE OF MOTIONS

The following motions shall take precedence in the order listed:

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

### 3.303 MOTION IN WRITING

~~No motion shall be debated until stated by the~~ ~~The~~ presiding officer ~~or Chair~~ shall **allow for debate on any motion before the Senate**. ~~Any~~ A motion shall be reduced to writing on ~~the~~ demand of the presiding officer, ~~Chair~~ or **on the request of 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~~ **movant** before it is amended or adopted.

**3.305 NONDEBATABLE MOTIONS**

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

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

**3.306 CONSIDERATION FOLLOWING A RECESS**

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

**3.307 MOTION TO LAY ON THE TABLE**

A motion to lay on the table shall carry with it all pending subsidiary questions except in **the** 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~~ **movant** to one (1) 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, joint resolution, or alternative measure, only amendments to the bill, joint resolution, or alternative measure 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 (1) is taken away, a substantive proposition remains for the decision of the Senate.

**3.310 MOTION TO STRIKE OUT AND INSERT**

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

**3.311 MOTION TO RECONSIDER**

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

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

c) The vote of a majority of the Senators elected and serving shall be required to reconsider the vote by which any bill, joint resolution, or alternative measure was passed or adopted (**or failed to pass or be adopted**) or the vote by which an amendment or substitute (but not an amendment to an amendment or a substitute) was adopted **or defeated** 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, joint resolution, or alternative measure 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, joint resolution, or alternative measure.

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, **joint resolution**, alternative measure, or other matter shall require the vote of a majority of the Senators elected and serving, and the vote on such a motion shall not be reconsidered.

**3.313 MOTION FOR CALL OF THE SENATE**

A Call of the Senate during session shall be ordered by a majority of the Senators voting whether a quorum or not, **but the total vote in favor of a call of the Senate shall not be less than one-fifth of the Senators**

**electd and serving.** 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 **attendance roll call** 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. **While a call of the Senate is in effect, only staff permitted by the Senate majority leader are allowed on the Senate floor; provided, however, the Chief of Staff, legal counsel, and legislative director for the Senate Majority Leader and the Senate Minority Leader may remain on the Senate floor while a call of the Senate is in effect.**

#### CHAPTER III – SECTION 4 AMENDMENTS

##### 3.401 TWO READINGS BEFORE AMENDMENT

No bill, joint resolution, or alternative measure 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, joint resolution, or alternative measure 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,~~ **and no division of the question shall be allowed.**

##### 3.403 PRINTING OF AMENDMENTS IN THE JOURNAL

a) No bill, joint resolution, or alternative measure ~~which~~**that** 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, joint resolution, or alternative measure amended in Committee of the Whole shall be considered on **the order of 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 six (6) copies and all substitutes shall be submitted with ~~five (5)~~ **six** copies.

#### CHAPTER III – SECTION 5 VOTING PROCEDURE

##### 3.501 ACTIONS REQUIRING AN EXTRAORDINARY MAJORITY

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

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

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

c) Immediate Effect (Const. Art. 4, Sec. 27)

d) Local or Special Act (Const. Art. 4, Sec. 29)

e) Private or Local Purpose Appropriation (Const. Art. 4, Sec. 30)

f) Overriding Veto (Const. Art. 4, Sec. 33)

g) Bank and Trust Company Law (Const. Art. 4, Sec. 43)

h) Courts of Limited Jurisdiction (Const. Art. 6, Sec. 1)

i) Removal of Judge (Const. Art. 6, Sec. 25)

j) State Borrowing (Const. Art. 9, Sec. 15)

k) State Land Reserve Designation (Const. Art. 10, Sec. 5)

l) Rejection or Reduction of Civil Service Pay Increases (Const. Art. 11, Sec. 5)

m) Amendments to Michigan Constitution (Const. Art. 12, Sec. 1)

n) Mackinac Bridge Bonds Refunding (Const. Schedule, Sec. 14)

o) Amendments to increase the February 1, 1994 statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes, three-fourths (~~3/4~~) of the Senators elected and serving (Const. Art. 9, Sec. 3)

##### 3.502 MAJORITY VOTE ON QUESTIONS SHORT OF THE FINAL QUESTION

When a bill, joint resolution, or alternative measure 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, joint resolution, or alternative measure 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 or alternative measure, including a joint resolution ratifying a proposed amendment to the federal Constitution, shall be taken by a record roll call vote, which shall be printed in the Journal (see Const. Art. 4, Sec. 26).

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

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

### 3.504 DEMAND FOR RECORDED VOTE

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

### 3.505 VOTING

a) After a question is stated **requiring a roll call vote is presented to the Senate** by the presiding officer ~~or Chair~~, **and after the time for debate**, no motion shall be in order and no Senator shall be entitled to speak until the roll call **vote** 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 ( $\frac{1}{4}$ ) 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 ( $\frac{1}{4}$ ) 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 **who is** 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 **who is** not a Senator votes or attempts to vote, he or she, in addition to penalties prescribed by law, shall be barred from the Senate floor for the remainder of the day's session and may receive further punishment ~~as the~~ **in the discretion of the Senate Majority Leader deems proper**.

### 3.506 A SENATOR'S RIGHT TO DISSENT

a) A Senator may dissent from or protest against any act, proceeding, or resolution ~~which~~ that 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 **submit a** dissent in writing ~~not to exceed one thousand (1,000) words~~ **to be printed in the Journal 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~~ **The Secretary of the Senate** may refuse to print statements ~~or material~~ containing insulting and contemptuous matter under the guise of a protest **and material that would violate copyright law**.

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, resolutions, and alternative measures, requests to be removed as a sponsor or co-sponsor of bills, resolutions, and alternative measures, past vote intentions, or intentions of introducing legislation or resolutions. Announcements also include memorial remarks concerning the passing of individuals and may be made during any order of business except General Orders.

b) Statements on topics, issues, ~~and~~ 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 (4) statement each day under the order of business of Statements, except for dissent statements, which are unlimited in number.

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

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

### **CHAPTER III – SECTION 6 APPROPRIATION BILLS**

#### **3.601 GENERAL APPROPRIATION BILLS**

The general appropriation bills for the succeeding fiscal year covering items set forth in the budget shall be passed or defeated in the Senate before ~~the Senate~~ 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 (4) 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, joint resolutions, and alternative measures 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, joint resolution, or alternative measure 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, joint resolution, or alternative measure back to the Senate, the report shall include amendments, if any, that were recommended by the first committee. The reported bill, joint resolution, or alternative measure, 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, JOINT RESOLUTIONS, AND ALTERNATIVE MEASURES CONSTITUTING GENERAL ORDERS**

a) Bills, joint resolutions, and alternative measures 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, joint resolution, or alternative measure 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, **except as otherwise ordered by the Senate Majority Leader**. 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 as **Chairperson of the Committee**.

#### **3.705 RULES IN THE COMMITTEE OF THE WHOLE**

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

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

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

#### **3.706 BILLS ORDERED TO THIRD READING**

**All The Secretary of the Senate shall place on the order of Third Reading of Bills all bills, joint resolutions, and alternative measures recommended for passage or adoption by the Committee of the Whole.**

shall be placed ~~items~~ **on the order of** 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 **legal** authority for ~~the~~ 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~~ **that** 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~~ **that** 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 FLOOR

#### 3.901 MEMBERS OF THE MEDIA

Members of the media shall register with the Secretary of the Senate and may have their registration reviewed at any time. **The Secretary of the Senate shall provide a list of registered members of the media to the Sergeant at Arms.** 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-~~ **Subject to approval of the Senate Majority Leader, the Secretary of the Senate shall establish a written policy to allow for the daily registration of visiting member members of the media. shall register on a daily basis at least thirty (30) minutes before the start of session with the Secretary of the Senate. The written policy shall allow for registration of visiting members of the media prior to the start of session.**

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 ~~or~~ 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 only a currently- serving State Senator or a member of ~~their~~ **his or her** staff in the front entry or the hallway behind the Senate rostrum. **Notwithstanding Senate rule 3.902, M**members of the media, ~~notwithstanding Senate Rule 3.902,~~ may leave the media's designated area and talk with only **a currently serving** Senators or a member of ~~their~~ **his or her** staff in the Chamber immediately following adjournment.

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

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

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

### **3.902 FLOOR PRIVILEGE AND CONDUCT**

**AA)** 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 ~~fifteen~~ (15)-minute period before the Senate convenes and five (5) minutes after it adjourns. The Senate floor is defined as the Senate Chamber and adjoining Rooms **S201, S202, S204 (E. Lakin Brown Room, S204A, S207, and 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) **Currently serving** Senators ~~and~~ Representatives.

b) The President of the Senate.

c) The Governor **and any necessary security detail.**

d) Senators or Representatives in Congress.

e) Former Michigan ~~Legislators~~ **Senators.**

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 (4) representative of the Governor, which shall include the Attorney General or their staff and the Secretary of State and their staff.

i) ~~Members of the immediate~~ **On special occasions, from time to time, one family member** of a Senator or the President of the Senate, **as authorized by the Majority Floor Leader.**

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~~ a family member of that guest.

**l) Other guests approved from time to time by the Senate Majority Leader and Majority Floor Leader.**

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

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

**BB)** No person shall engage in any conduct on the Senate floor during any session of the Senate ~~which~~ **that** 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~~ **provided by Senate rules rule,** no Senator shall speak on any matter not properly before the Senate.

3) No Senator shall speak more than twice in any one (4) 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, resolution, **joint resolution,** or alternative measure if an amendment is under consideration; **and** the chairperson of the committee **which** or **subcommittee** that reported it ~~and the chairperson of the subcommittee which considered the matter under consideration.~~ Each speech shall not exceed five (5) minutes ~~or, if submitted in writing, shall not exceed one thousand (1,000) words,~~ except there is no limit on the length of an oral dissent statement.

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

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

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

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

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

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

10) ~~No~~ **Except as otherwise permitted by the Senate Majority Leader**, no staff shall be allowed on the Senate floor ~~unless, except they wait~~ in the majority or minority lounge or the lounge at the rear of the Chamber, ~~until they are needed~~ **unless the staff is requested** by a Senator and shall then be **only if** seated at a Senator's desk.

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

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

13) All individual electronic devices shall be turned off or on non-audible alert during Senate session. **Except as otherwise permitted by the Senate Majority Leader, no person may film, video, webcast, or otherwise record the Senate during session from the rostrum.** 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~~.

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

Senator MacGregor 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.

Senators Ananich and Lucido were named co-sponsors of the resolution.

#### **Senate Concurrent Resolution No. 1.**

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

(For text of resolution, see Senate Journal No. 1, p. 4.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

#### **Senate Concurrent Resolution No. 2.**

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

(For text of resolution, see Senate Journal No. 1, p. 4.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

#### **Senate Concurrent Resolution No. 3.**

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

(For text of resolution, see Senate Journal No. 1, p. 8.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

#### **Senate Concurrent Resolution No. 4.**

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

(For text of resolution, see Senate Journal No. 1, p. 8.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of  
**Messages from the Governor**

The following messages from the Governor were received and read:

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Adjutant General**

Paul D. Rogers, 25303 Rutledge Crossing, Farmington Hills, Michigan 48355, county of Oakland, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Agriculture and Rural Development**

Gary McDowell, 11585 W. Welch, Rudyard, Michigan 49780, county of Chippewa, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Children's Ombudsman**

Lisa McCormick of 7467 Lonsdale Circle, Grand Ledge, Michigan 48837, county of Ingham, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Environmental Quality**

Liesl Eichler Clark, 912 N. Michigan Avenue, Howell, Michigan 48843, county of Livingston, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Insurance and Financial Services**

Anita G. Fox, 1800 Yosemite Drive, Okemos, Michigan 48864, county of Ingham, is appointed for a term beginning on January 14, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Licensing and Regulatory Affairs**

Orlene Hawks of 3711 Beech Tree Lane, Okemos, Michigan 48864, county of Ingham, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Natural Resources**

Daniel Eichinger, 1236 Queens Way, Lake Isabella, Michigan 48893, county of Isabella, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of State Police**

Joseph M. Gasper, 3009 Lake Drive, East Grand Rapids, Michigan 49506, county of Kent, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.



January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Technology, Management and Budget**

Tricia L. Foster, 1542 Stonegate, East Lansing, Michigan 48823, county of Ingham, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Transportation**

Paul Ajegba, 3738 Creekside Court, Ann Arbor, Michigan 48105, county of Washtenaw, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 9, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**State Treasurer**

Rachael A. Eubanks of 620 Whitehills Drive, East Lansing, Michigan 48823, county of Ingham, is appointed for a term beginning on January 1, 2019 and continuing at the pleasure of the Governor.

January 10, 2019

I respectfully submit to the Senate pursuant to section 6 of article 5 of the Michigan Constitution of 1963, the following appointment to office under section 3 of article 5 of the Michigan Constitution of 1963:

**Director of the Department of Health and Human Services**

Mr. Robert Gordon, 1759 Lamont Street, N.W., Washington, D.C. 20010, is appointed for a term beginning on January 14, 2019 and continuing at the pleasure of the Governor.

Respectfully,  
Gretchen Whitmer  
Governor

The appointments were referred to the Committee on Advice and Consent.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

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

January 14, 2019

Pursuant to Senate Rule 1.105 I hereby make appointments to the following Appropriations subcommittees for this the 100th Legislature.

**Agriculture and Rural Development** - Sen. Victory (Chair), Sen. Daley (Vice Chair), Sen. McCann.

**Capital Outlay** - Sen. Horn (Chair), Sen. Outman (Vice Chair), Sen. Zorn, Sen. Runestad, Sen. Bizon, Sen. Schmidt, Sen. Santana (Minority Vice Chair), Sen. Hertel, Sen. McCann.

**Community Health/Human Services** - Sen. MacGregor (Chair), Sen. Bizon (Vice Chair), Sen. Schmidt, Sen. LaSata, Sen. MacDonald, Sen. Barrett, Sen. Hertel (Minority Vice Chair), Sen. Irwin, Sen. Santana.

**General Government** - Sen. Stamas (Chair), Sen. Victory (Vice Chair), Sen. Bumstead, Sen. Irwin.

**Justice and Public Safety** - Sen. Barrett (Chair), Sen. Runestad (Vice Chair), Sen. Hollier.

**K-12 and Michigan Department of Education** - Sen. Schmidt (Chair), Sen. Outman (Vice Chair), Sen. Bumstead, Sen. Daley, Sen. Bayer.

**Licensing and Regulatory Affairs (LARA)/Department of Insurance and Financial Services (DIFS)** - Sen. Nesbitt (Chair), Sen. MacDonald (Vice Chair), Sen. Santana.

**Natural Resources and Environmental Quality** - Sen. Bumstead (Chair), Sen. Outman (Vice Chair), Sen. Victory, Sen. McCann (Minority Vice Chair), Sen. Bayer.

**Talent and Economic Development/MEDC** - Sen. Horn (Chair), Sen. Schmidt (Vice Chair), Sen. Hollier.

**Transportation** - Sen. Schmidt (Chair), Sen. Victory (Vice Chair), Sen. MacGregor, Sen. MacDonald, Sen. Zorn, Sen. Hollier (Minority Vice Chair), Sen. Bayer.

**Universities and Community Colleges** - Sen. LaSata (Chair), Sen. Horn (Vice Chair), Sen. Bizon, Sen. MacDonald, Sen. Zorn, Sen. Irwin (Minority Vice Chair), Sen. Hertel.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority Leader

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

The following communication was received and read:

Office of the Senate Majority Leader

January 14, 2019

Under Legislative Council Rules, Part 2, Rule 2, I designate Senator Majority Leader Mike Shirkey as Temporary Chair of the Legislative Council. This will be in effect until the first Legislative Council meeting of 2019.

Thank you for your attention.

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

January 15, 2019

Pursuant to Senate Rule 1.105 I hereby announce the appointment of Senators to standing committees for this the 100th Legislature.

**Standing Committees**

**Advice and Consent** - Sen. Lucido (Chair), Sen. LaSata (Vice Chair), Sen. Nesbitt, Sen. McBroom, Sen. Hertel.

**Agriculture** - Sen. Daley (Chair), Sen. Victory (Vice Chair), Sen. Lauwers, Sen. Ananich (Minority Vice Chair), Sen. Polehanki.

**Appropriations** - Sen. Stamas (Chair), Sen. Bumstead (Vice Chair), Sen. Barrett, Sen. Bizon, Sen. LaSata, Sen. MacDonald, Sen. MacGregor, Sen. Nesbitt, Sen. Outman, Sen. Runestad, Sen. Schmidt, Sen. Victory, Sen. Hertel (Minority Vice Chair), Sen. Bayer, Sen. Hollier, Sen. Irwin, Sen. McCann, Sen. Santana.

**Economic and Small Business Development** - Sen. Horn (Chair), Sen. VanderWall (Vice Chair), Sen. MacGregor, Sen. Theis, Sen. Lauwers, Sen. Schmidt, Sen. McMorrow (Minority Vice Chair), Sen. Geiss, Sen. Moss.

**Education and Career Readiness** - Sen. Theis (Chair), Sen. Horn (Vice Chair), Sen. Bumstead, Sen. Runestad, Sen. Daley, Sen. Polehanki (Minority Vice Chair), Sen. Geiss.

**Elections and Government Reform** - Sen. Johnson (Chair), Sen. McBroom (Vice Chair), Sen. Lucido, Sen. VanderWall, Sen. Wojno.

**Energy and Technology** - Sen. Lauwers (Chair), Sen. Horn (Vice Chair), Sen. LaSata, Sen. Nesbitt, Sen. Barrett, Sen. Bumstead, Sen. Outman, Sen. McCann (Minority Vice Chair), Sen. Brinks, Sen. McMorrow.

**Environmental Quality** - Sen. Outman (Chair), Sen. Daley (Vice Chair), Sen. Johnson, Sen. VanderWall, Sen. McBroom, Sen. Bayer (Minority Vice Chair), Sen. Brinks.

**Families, Seniors, and Veterans** - Sen. Bizon (Chair), Sen. Barrett (Vice Chair), Sen. Runestad, Sen. Johnson, Sen. Zorn, Sen. Bullock (Minority Vice Chair), Sen. Alexander.

**Finance** - Sen. Runestad (Chair), Sen. Nesbitt (Vice Chair), Sen. Daley, Sen. Bumstead, Sen. VanderWall, Sen. Chang (Minority Vice Chair), Sen. Alexander.

**Government Operations** - Sen. Shirkey (Chair), Sen. Lauwers, Sen. Nesbitt, Sen. Ananich (Minority Vice Chair), Sen. Chang.

**Health Policy and Human Services** - Sen. VanderWall (Chair), Sen. Bizon (Vice Chair), Sen. Johnson, Sen. LaSata, Sen. MacDonald, Sen. Theis, Sen. Brinks (Minority Vice Chair), Sen. Hertel, Sen. Santana, Sen. Wojno.

**Insurance and Banking** - Sen. Theis (Chair), Sen. Lauwers (Vice Chair), Sen. LaSata, Sen. Nesbitt, Sen. Daley, Sen. Barrett, Sen. Horn, Sen. Geiss (Minority Vice Chair), Sen. Bullock, Sen. McMorrow.

**JCAR** - Sen. Lucido (Chair), Sen. McBroom (Vice Chair), Sen. Theis, Sen. Hollier (Minority Vice Chair), Sen. Irwin.

**Judiciary and Public Safety** - Sen. Lucido (Chair), Sen. VanderWall (Vice Chair), Sen. Barrett, Sen. Johnson, Sen. Runestad, Sen. Chang (Minority Vice Chair), Sen. Irwin.

**Local Government** - Sen. Zorn (Chair), Sen. Johnson (Vice Chair), Sen. Daley, Sen. Alexander (Minority Vice Chair), Sen. Moss.

**Natural Resources** - Sen. McBroom (Chair), Sen. Bumstead (Vice Chair), Sen. Outman, Sen. Schmidt, Sen. McCann.

**Oversight** - Sen. McBroom (Chair), Sen. Lucido (Vice Chair), Sen. Theis, Sen. MacDonald, Sen. Irwin.

**Regulatory Reform** - Sen. Nesbitt (Chair), Sen. Theis (Vice Chair), Sen. Johnson, Sen. Lauwers, Sen. VanderWall, Sen. Zorn, Sen. Moss (Minority Vice Chair), Sen. Polehanki, Sen. Wojno.

**Transportation and Infrastructure** - Sen. Barrett (Chair), Sen. LaSata (Vice Chair), Sen. McBroom, Sen. Victory, Sen. Outman, Sen. Lauwers, Sen. Geiss (Minority Vice Chair), Sen. Bullock, Sen. Hollier.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority Leader

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

The following communication was received and read:  
Office of the Auditor General

January 8, 2019

Enclosed is a copy of the following report:

- Performance audit report on the Statewide Child Support Program: Establishment of Child Support Cases and Orders, Michigan Department of Health and Human Services (431-0701-15).

Sincerely,  
Doug Ringler  
Auditor General

The audit report was referred to the Committee on Oversight.

The President pro tempore, Senator Nesbitt, assumed the Chair.

By unanimous consent the Senate proceeded to the order of

### **Introduction and Referral of Bills**

Senator Barrett introduced

#### **Senate Joint Resolution A, entitled**

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

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

Senator Barrett introduced

#### **Senate Joint Resolution B, entitled**

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

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

Senator Nesbitt introduced

#### **Senate Bill No. 1, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3148 and 3157 (MCL 500.3148 and 500.3157), and by adding sections 3100, 3107c, 3109b, and 3157a.

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

Senator Lucido introduced

#### **Senate Bill No. 2, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7523 (MCL 333.7523), as amended by 2016 PA 418, and by adding section 7521a.

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

Senator Lucido introduced

**Senate Bill No. 3, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5744 (MCL 600.5744), as amended by 2004 PA 105.

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

Senator Lucido introduced

**Senate Bill No. 4, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 2002 PA 662.

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

Senator Lucido introduced

**Senate Bill No. 5, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending the title and sections 3330 and 4501 (MCL 500.3330 and 500.4501), the title as amended by 2002 PA 304, section 3330 as amended by 2012 PA 204, and section 4501 as amended by 2012 PA 39, and by adding chapter 63.

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

Senator Lucido introduced

**Senate Bill No. 6, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 904 and 904a (MCL 257.904 and 257.904a), section 904 as amended by 2018 PA 212 and section 904a as amended by 1985 PA 53.

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

Senator Lucido introduced

**Senate Bill No. 7, entitled**

A bill to establish a system for online verification of automobile insurance; to require automobile insurers to provide policy information for the online verification system; to provide for the powers and duties of state governmental officers and entities; to provide vehicle registration sanctions for the failure to maintain automobile insurance; to impose fees for vehicle registration reinstatement; and to require the promulgation of rules.

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

Senator Lucido introduced

**Senate Bill No. 8, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 227a (MCL 257.227a), as added by 1995 PA 287.

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

Senator Lucido introduced

**Senate Bill No. 9, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3101a (MCL 500.3101a), as amended by 2018 PA 510.

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

Senators Wojno, Lucido and Polehanki introduced

**Senate Bill No. 10, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide

for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11 (MCL 247.661), as amended by 2015 PA 175.

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

Senator Wojno introduced  
**Senate Bill No. 11, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3104a.

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

Senator Lauwers introduced  
**Senate Bill No. 12, entitled**

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending sections 8, 17, 20, and 22 (MCL 431.308, 431.317, 431.320, and 431.322), as amended by 2016 PA 271.

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

Senator Wojno introduced  
**Senate Bill No. 13, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2018 PA 589.

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

Senator Brinks introduced  
**Senate Bill No. 14, entitled**

A bill to amend 1976 PA 399, entitled “Safe drinking water act,” by amending section 6 (MCL 325.1006).

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

Senators Ananich, Hollier, Hertel, Polehanki, Geiss, Irwin, Moss, McMorrow, Bullock, Wojno, Bayer, McCann, Chang and Brinks introduced

**Senate Bill No. 15, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 272a.

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

Senators Ananich, Hollier, Hertel, Polehanki, Geiss, Irwin, Moss, McMorrow, Bullock, Wojno, Bayer, McCann, Chang, Barrett and Brinks introduced

**Senate Bill No. 16, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 402.

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

Senator Barrett introduced

**Senate Bill No. 17, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2018 PA 589.

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

Senator Barrett introduced

**Senate Bill No. 18, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2018 PA 589.

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

Senator Zorn introduced

**Senate Bill No. 19, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 3a (MCL 15.323a), as amended by 2011 PA 106.

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

Senator Zorn introduced

**Senate Bill No. 20, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 317a (MCL 750.317a), as added by 2005 PA 167.

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

Senator Zorn introduced

**Senate Bill No. 21, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 5a to chapter II.

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

Senator Zorn introduced

**Senate Bill No. 22, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17801 (MCL 333.17801), as amended by 2009 PA 55, and by adding sections 16188, 17820a, and 17820b.

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

Senator Runestad introduced

**Senate Bill No. 23, entitled**

A bill to prohibit the theft of mail; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties and provide remedies.

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

Senators Lucido, Ananich, Runestad, MacDonald and Barrett introduced

**Senate Bill No. 24, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XVII (MCL 777.14h), as amended by 2018 PA 188.

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

Senator McBroom introduced

**Senate Bill No. 25, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 282a (MCL 168.282a) and by adding section 282b.

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

Senator McBroom introduced

**Senate Bill No. 26, entitled**

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending section 3 (MCL 205.703), as amended by 2008 PA 125, and by adding section 38.

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

**Statements**

Pursuant to rule 3.507 on January 10, Senator Ananich submitted a statement in writing for inclusion in today’s Journal.

Senator Ananich’s statement is as follows:

I rise today to honor a true civil servant, a man who has dedicated his life to furthering the laws of our state.

As a lawyer, John Bollman was professionally tasked with upholding the Constitution and laws of this land. But John took a different path. Instead of litigating our laws, Director Bollman decided to serve our state by drafting the very laws we debate every day. In a profession where lawmakers will go to any length to take the credit for writing bills and passing them, and where it takes an enormous amount of work to get a bill through this Legislature and onto the Governor’s desk, John and his crew in the Legislative Service Bureau are the folks who work behind the scenes every day writing our bills and vetting them from a nonpartisan, legal perspective.

Thank you for your service, John, and we wish you well in your retirement.

**Announcements of Printing and Enrollment**

The Secretary announced that the following bills were printed and filed on Wednesday, January 9, and are available on the Michigan Legislature website:

**House Bill Nos. 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013  
4014 4015 4016 4017 4018**

The Secretary announced that the following bills were printed and filed on Thursday, January 10, and are available on the Michigan Legislature website:

**House Bill Nos. 4019 4020 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030 4031  
4032**

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 11:14 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, January 16, 2019, at 10:00 a.m.

MARGARET O’BRIEN  
Secretary of the Senate

