

No. 1
STATE OF MICHIGAN
Journal of the Senate
90th Legislature
REGULAR SESSION OF 1999

Senate Chamber, Lansing, Wednesday, January 13, 1999.

12:00 Noon.

In conformity with the requirements of the Constitution of the state of Michigan, the Senators of the 90th Legislature of the state of Michigan assembled in the Senate Chamber in the Capitol at Lansing this day (being the second Wednesday of January, 1999), at twelve o'clock noon, and were called to order by the Honorable Dick Posthumus, Lieutenant Governor of the state of Michigan and President of the Senate.

Reverend Steven J. Fisher of First United Church of Christ of Richmond offered the following invocation:

Almighty God, from whom comes the authority to govern and the particular privilege of self-government, with grateful hearts and high hopes, many gather in this place looking forward to the new year and the new legislative session. Grant Your wisdom to these Senators as they balance competing interests and priorities. Grant them Your courage to do right when they perceive their political self-interest to clash with the greater good. Grant them Your perspective that they might send away empty any seeking to abuse the political process while hearing the needs of the children and the voiceless and the most vulnerable among us. Grant them Your grace that they might enjoy their work and grow in respect for one another and remain worthy of the respect of their colleagues and their constituencies.

Almighty God, bless these public servants, many of whom have sacrificed so much in their private lives to be here to make a difference for good for many in Michigan. Grant them a sense of Your loving but ever vigilant presence to sustain them in all that is pleasing to You. I pray in Jesus' name. Amen.

Motions and Communications

Senator McCotter moved that rule 3.901 be suspended to allow photographs to be taken on the Senate floor, including the center aisle.

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

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

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

Senator McCotter moved that when the Senate adjourns today, it stand adjourned until Tuesday, January 26.

The motion prevailed.

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

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

Certified List of Senators and Representatives

The following communication was received and read:

Department of State

November 24, 1998

Enclosed is a certified list of the members-elect to the State Senate as shown by the November 3, 1998 general election returns on file with this office. Also enclosed is a copy of the official canvass of the votes cast at the election.

Sincerely,
Christopher M. Thomas
Director of Elections

United States of America

THE STATE OF MICHIGAN

DEPARTMENT OF STATE

To all to whom these presents shall come:

I, Candice S. Miller, Secretary of State of the State of Michigan and Custodian of the Great Seal thereof, Do Hereby Certify that attached is the list of the members-elect for the State Senate for the term January 1, 1999 to January 1, 2003 as shown by the November 3, 1998 General Election returns on file in this office.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State in the Capital City of Lansing, this Twenty-fourth day of November A.D. 1998

Candice S. Miller
Secretary of State

Members-Elect of the Senate

District	Party	Name	Address
1	Dem	Joe Young, Jr.	8570 E. Outer Drive, Detroit 48213
2	Dem	Virgil C. Smith, Jr.	19316 Norwood, Detroit 48234

District	Party	Name	Address
3	Dem	Raymond M. Murphy	610 Chicago Boulevard, Detroit 48202
4	Dem	Jackie Vaughn III	19930 Roslyn Road, Detroit 48221
5	Dem	Burton Leland	20765 Tireman, Detroit 48228
6	Dem	George Z. Hart	4200 Roemer, Dearborn 48126
7	Dem	Christopher D. Dingell	3360 Brookshire, Trenton 48183
8	Rep	Loren N. Bennett	3226 Denton Road, Canton 48188
9	Rep	Thaddeus G. McCotter	14601 Huff, Livonia 48154
10	Dem	Arthur J. Miller, Jr.	11139 Olive, Warren 48093
11	Dem	Kenneth J. DeBeaussaert	50241 Bellaire, Chesterfield Township 48047
12	Rep	Dave Jaye	8303 Waschull, Washington Township 48094
13	Rep	Michael J. Bouchard	344 Fairfax, Birmingham 48009
14	Dem	Gary Peters	2645 Bloomfield Crossing, Bloomfield Township 48304
15	Rep	Bill Bullard, Jr.	1849 Lakeview, Highland 48357
16	Rep	Mat J. Dunaskiss	535 Cushing, Lake Orion 48362
17	Rep	Beverly S. Hammerstrom	1183 Oakmont Drive, Temperance 48182
18	Dem	Alma Wheeler Smith	5540 Five Mile Road, South Lyon 48178
19	Rep	Philip E. Hoffman	2064 Little Drive, Horton 49246
20	Rep	Harry Gast	5165 Lincoln Avenue, St. Joseph 49085
21	Rep	Dale Shugars	5315 Angling Road, Portage 49024
22	Rep	William Van Regenmorter	6293 Springmont, Hudsonville 49426
23	Rep	Joanne Emmons	13904 Northland Drive, Big Rapids 49307
24	Rep	John J.H. Schwarz	251 Central Street, Battle Creek 49017
25	Dem	Dianne Byrum	4933 Bellevue Road, Onondaga 49264
26	Rep	Mike Rogers	6899 Corrigan, Brighton 48116
27	Rep	Dan L. DeGrow	4204 Gratiot Avenue, Port Huron 48060
28	Dem	John D. Cherry, Jr.	4116 Orme Circle, Clio 48420
29	Dem	Robert L. Emerson	1025 Kensington Avenue, Flint 48503
30	Rep	Glenn D. Steil	252 Pearl Street NW, #7D, Grand Rapids 49503
31	Rep	Ken Sikkema	3885 Omaha, Grandville 49418
32	Rep	Leon Stille	13333 Leonard, P.O. Box 511, Spring Lake 49456
33	Rep	Mike Goschka	16393 Schroeder Road, Brant 48614
34	Rep	Joel D. Gougeon	241 Donahue Beach, Bay City 48706
35	Rep	Bill Schuette	3711 Applewood Road, Midland 48640
36	Rep	George A. McManus, Jr.	741 Garfield Road South, Traverse City 49686
37	Rep	Walter H. North	1377 North State #21, St. Ignace 49781
38	Dem	Don Koivisto	735 VanBuskirk Road, Ironwood 49938

CERTIFICATION
NOVEMBER 3, 1998 GENERAL ELECTION

Based on an examination of the election returns received by the Secretary of State for the November 3, 1998 general election, we, the undersigned members of the Board of State Canvassers, certify that the following report is a true statement of the votes cast at the election for the offices and ballot proposals certified by the Board.

We further certify that the persons named on the attached listing were duly elected for the indicated offices.

We further certify that State Proposals A and C were adopted and that State Proposal B was not adopted.

In witness Whereof, we have hereto subscribed our names
at Lansing, this 23rd day of November 1998.

Linda K. Shinkle, Chairperson
James E. O'Neill, Jr., Vice-Chairperson
James M. Alexander, Member

Certified List of Representatives

The following communication was received and read:
Department of State

November 24, 1998

Enclosed is a certified list of the members-elect to the State House of Representatives as shown by the November 3, 1998 general election returns on file with this office. Also enclosed is a copy of the official canvass of the votes cast at the election.

Sincerely,
Christopher M. Thomas
Director of Elections

United States of America
THE STATE OF MICHIGAN
DEPARTMENT OF STATE

To all to whom theses presents shall come:

I, Candice S. Miller, Secretary of State of the State of Michigan and Custodian of the Great Seal thereof, Do Hereby Certify that attached is the list of the members-elect for the State House of Representatives for the term January 1, 1999 to January 1, 2001 as shown by the November 3, 1998 General Election returns on file in this office.

In Testimony Whereof, I have hereunto set my hand and
affixed the Great Seal of the State in the Capital City of
Lansing, this Twenty-fourth day of November A.D. 1998

Candice S. Miller
Secretary of State

Members-Elect of the House of Representatives

District	Party	Name	Address
1	Rep	Andrew C. Richner	718 Berkshire Road, Grosse Pointe Park 48230
2	Dem	LaMar Lemmons	8523 E. Outer Drive, Detroit 48213
3	Dem	Artina Tinsley Hardman	3009 Cadillac, Detroit 48214
4	Dem	Ed Vaughn	5764 Woodward Avenue 5, Detroit 48202
5	Dem	Ken Daniels	14470 Eastburn, Detroit 48205
6	Dem	Martha G. Scott	75 Rhode Island, Highland Park 48203
7	Dem	Hansen Clarke	459 Prentis, Detroit 48202
8	Dem	Belda Garza	6887 Bulwer, Detroit 48210
9	Dem	Kwame M. Kilpatrick	4343 Leslie, Detroit 48238
10	Dem	Samuel Buzz Thomas III	19260 Burlington, Detroit 48203
11	Dem	Irma Clark	8900 Littlefield, Detroit 48228
12	Dem	Keith B. Stallworth	19793 Sorrento, Detroit 48235
13	Dem	Triette Lipsey Reeves	14050 Rutherford, Detroit 48227
14	Dem	Derrick F. Hale	23600 Dehner, Detroit 48219
15	Rep	Gary Woronchak	1220 McMillan, Dearborn 48128
16	Dem	Bob Brown	23280 S. Brookside Drive, Dearborn Heights 48125
17	Dem	Thomas H. Kelly	4345 Chamberlain, Wayne 48184
18	Dem	Eileen DeHart	32017 Anita Drive, Westland 48185
19	Rep	Laura Toy	32663 Five Mile, Livonia 48154
20	Rep	Gerald H. Law	45209 Woodleigh Way, Plymouth 48170
21	Rep	Bruce Patterson	42479 Redfern Drive, Canton 48187
22	Dem	Raymond E. Basham	12406 Telegraph, Taylor 48180
23	Dem	George W. Mans	2414 West Jefferson, Trenton 48183
24	Dem	William J. O'Neil	10239 Northway, Allen Park 48101
25	Dem	Gloria Schermesser	944 Kings Highway, Lincoln Park 48146
26	Dem	William J. Callahan	20001 Chalon, St. Clair Shores 48080
27	Dem	Michael Switalski	31412 Gay, Roseville 48066
28	Dem	Paul Wojno	27314 Larose, Warren 48093
29	Rep	Jennifer Faunce	32768 Lancaster, Warren 48093
30	Rep	Sue Rocca	39964 Saal Road, Sterling Heights 48313
31	Dem	Paul Gielegem	37310 Glenbrook, Clinton Township 48036
32	Rep	Alan Sanborn	27140 Irwin, Richmond 48062
33	Rep	Janet L. Kukuk	23611 23 Mile Road, Macomb 48042
34	Dem	Dave Woodward	560 East 13 Mile Road, #202, Madison Heights 48071
35	Dem	Gilda Z. Jacobs	8353 Hendrie Boulevard, Huntington Woods 48070
36	Dem	Nancy L. Quarles	18131 Magnolia Parkway, Southfield 48075
37	Rep	Andrew Raczkowski	28619 Herndonwood, Farmington Hills 48334
38	Rep	Nancy Cassis	22186 Daleview Drive, Novi 48374
39	Rep	Marc Shulman	4838 Rolling Ridge Court, West Bloomfield 48323
40	Rep	Patricia Godchaux	1155 West Lincoln, Birmingham 48009
41	Rep	John Pappageorge	1246 Provincial Drive, Troy 48084
42	Rep	Robert Gosselin	5220 Vineyards Court, Troy 48098

District	Party	Name	Address
43	Dem	Hubert Price, Jr.	583 Pearsall, Pontiac 48341
44	Rep	Mike Kowall	2333 Cumberland Valley Drive, White Lake 48383
45	Rep	Mike Bishop	803 W. University Drive, Rochester 48307
46	Rep	Ruth Johnson	8500 Gail Drive, Holly 48442
47	Dem	Rose Bogardus	416 West Salem Court, Davison 48423
48	Dem	Vera B. Rison	6223 Bermuda Lane, Mt. Morris 48458
49	Dem	Jack D. Minore	1009 Manning Court, Flint 48503
50	Dem	Deborah L. Cherry	2124 S. Belsay Road, Burton 48519
51	Dem	Patricia A. Lockwood	901 Newport, Fenton 48430
52	Dem	John Hansen	7880 Fifth, Dexter 48130
53	Dem	Elizabeth S. Brater	1507 Wells, Ann Arbor 48104
54	Rep	Ruth Ann Jamnick	7776 LakeCrest Drive, Ypsilanti 48197
55	Rep	Gene DeRossett	11207 Pleasant Lake Road, Manchester 48158
56	Rep	Randy Richardville	2060 N. Custer Road, Monroe 48162
57	Dem	Doug Spade	768-2 W. Maple, Adrian 49221
58	Rep	Steve Vear	275 West Bacon Street, Hillsdale 49242
59	Rep	Cameron Brown	29047 East Lafayette, Sturgis 49091
60	Dem	Ed LaForge	1818 Nottingham, Kalamazoo 49001
61	Rep	Charles R. Perricone	1909 Nichols Road, Kalamazoo 49006
62	Dem	Mark Schauer	15 North Broad Street, Battle Creek 49017
63	Rep	Jerry Vander Roest	2689 N. 37th Street, Galesburg 49053
64	Rep	Clark E. Bisbee	609 S. Durand, Jackson 49203
65	Rep	Mickey Mortimer	217 Round Lake Road, Horton 49246
66	Rep	Judith L. Scranton	2457 Spring Lake Lane, Brighton 48114
67	Rep	Paul N. DeWeese	3896 North Williamston Road, Williamston 48895
68	Dem	Lingg Brewer	2682 Fontaine Trail, Holt 48842
69	Dem	Lynne Martinez	306 Leslie Street, Lansing 48912
70	Dem	Laura Baird	1762 Spring Lake Drive, Okemos 48864
71	Rep	Susan Tabor	1005 Firwood, Lansing 48917
72	Rep	Mark C. Jansen	6857 Linden Avenue, Grand Rapids 49548
73	Rep	Doug Hart	9111 Summit, Rockford 49341
74	Rep	James L. Koetje	3346 Whispering Court, Grandville 49418
75	Rep	William R. Byl	1241 Benjamin Avenue, S.E., Grand Rapids 49506
76	Dem	Steve Pestka	1830 Ranch Drive, N.W., Grand Rapids 49504
77	Rep	Joanne Voorhees	5380 Kenowa Avenue, S.W., Grandville 49418
78	Rep	Ron Jelinek	7605 W. Stickles Road, Three Oaks 49128
79	Rep	Charles LaSata	1424 Newberry Hills Lane, St. Joseph 49085
80	Rep	Mary Ann Middaugh	603 West Michigan, Paw Paw 49079
81	Rep	Lauren M. Hager	3978 Butternut Court, Port Huron 48060
82	Rep	Jud Gilbert	9882 North River Road, Algonac 48001
83	Rep	Stephen R. Ehardt	5557 Barmilvian Parkway, Lexington 48450
84	Rep	Mike Green	1405 Blackmore, Mayville 48744
85	Rep	Larry Julian	257 N. M-13, Lennon 48449
86	Rep	Valde Garcia	306 N. Swegles Street, St. Johns 48879
87	Rep	Terry Geiger	950 Maple Road, Lake Odessa 48849
88	Rep	Patricia L. Birkholz	3413 Sixty-fourth Street, Saugatuck 49453
89	Rep	Jon Jellema	510 Park Avenue, Grand Haven 49417
90	Rep	Wayne Kuipers	364 West 31st, Holland 49423
91	Rep	Gerald VanWoerkom	4216 Harbor Point, Muskegon 49441
92	Dem	Julie Dennis	739 Wilson Avenue, Muskegon 49441
93	Rep	Larry DeVuyst	3345 Kali Lane, Alma 48801
94	Rep	Jim Howell	7001 Andrews, St. Charles 48655
95	Dem	Michael J. Hanley	203 S. Bates, Saginaw 48602
96	Dem	A.T. Frank	6090 Western Drive, #18, Saginaw 48603
97	Dem	Joseph L. Rivet	4481 W. Park Drive, Bay City 48706
98	Rep	Tony Stamas	185 East Isabella Road, Midland 48640
99	Rep	Sandy Caul	1930 Woodland Drive, Mt. Pleasant 48858
100	Rep	Mike Pumford	2122 E. 84th, Newago 49337
101	Rep	David Mead	4160 Mick Road, Frankfort 49635

District	Party	Name	Address
102	Rep	Rick Johnson	16209 13 Mile Road, LeRoy 49655
103	Dem	Dale Sheltroun	5425 Greenwood Road, Gladwin 48624
104	Rep	Jason Allen	910 Lincoln Street, Traverse City 49686
105	Rep	Ken Bradstreet	1029 Scotch Pine Trail, Gaylord 49735
106	Dem	Andy Neumann	127 North Garden, Alpena 49707
107	Rep	Scott Shackleton	2762 W. 16th Avenue, Sault Ste. Marie 49783
108	Dem	Douglas R. Bovin	1607 Lake Shore, Gladstone 49837
109	Dem	Michael Prusi	1485 County Road PC, Ishpeming 49849
110	Dem	Paul Tesanovich	Route 2, Box 758, L'Anse 49946

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NOVEMBER 3, 1998 GENERAL ELECTION

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We further certify that the persons named on the attached listing were duly elected for the indicated offices.

We further certify that State Proposals A and C were adopted and that State Proposal B was not adopted.

In witness Whereof, we have hereto subscribed our names
at Lansing, this 23rd day of November 1998.

Linda K. Shinkle, Chairperson
James E. O'Neill, Jr., Vice-Chairperson
James M. Alexander, Member

The communications were referred to the Secretary for record.

The roll of the Senate was called by the Acting Secretary of the Senate.

District	Name	District	Name
1st	Joe Young, Jr.	20th	Harry Gast
2nd	Virgil C. Smith, Jr.	21st	Dale L. Shugars
3rd	Raymond M. Murphy	22nd	William Van Regenmorter
4th	Jackie Vaughn III	23rd	Joanne G. Emmons
5th	Burton Leland	24th	John J.H. Schwarz
6th	George Z. Hart—excused	25th	Dianne Byrum
7th	Christopher D. Dingell	26th	Mike Rogers
8th	Loren N. Bennett	27th	Dan L. DeGrow
9th	Thaddeus G. McCotter	28th	John D. Cherry, Jr.
10th	Arthur J. Miller, Jr.	29th	Robert L. Emerson
11th	Kenneth J. DeBeaussaert	30th	Glenn Steil—excused
12th	Dave Jaye	31st	Kenneth R. Sikkema
13th	Vacant	32nd	Leon Stille
14th	Gary Peters	33rd	Mike Goschka
15th	Bill Bullard, Jr.	34th	Joel D. Gougeon
16th	Mat J. Dunaskiss	35th	Bill Schuette
17th	Beverly S. Hammerstrom	36th	George A. McManus, Jr.—excused
18th	Alma Wheeler Smith	37th	Walter H. North
19th	Philip E. Hoffman	38th	Don Koivisto

The Acting Secretary of the Senate announced that 33 Senators having answered the roll call, a quorum of the Senate was present.

Oath of Office

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

The President of the Senate made a statement and requested that it be printed in the Journal.

The President's statement is as follows:

I, too, want to join with Justice Corrigan in congratulating all of you as a member not too many days ago of this body. I appreciate what each of you will have to do in the next four years. It's a serious task but one that I'm sure each one of you will meet, and I hope that as you go forward that we're able to continue to move Michigan in the direction that all of us would want it to go.

Senator McCotter moved that Senators McManus and Steil be excused from today's session.
The motion prevailed.

Senator McCotter moved that Senator Dunaskiss be temporarily excused from today's session.
The motion prevailed.

Senator V. Smith moved that Senator Hart be excused from today's session.
The motion prevailed.

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator McCotter offered the following resolution:

Senate Resolution No. 1.

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

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

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

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

The resolution was adopted.

Senator DeGrow offered the following resolution:

Senate Resolution No. 2.

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

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

**CHAPTER I - SECTION 1
SENATE ORGANIZATION**

1.101 PRESIDING OFFICER

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

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

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

1.102 AUTHORITY OF THE PRESIDENT OF THE SENATE

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

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

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

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

1.104 ELECTION OF SENATE OFFICERS

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

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

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

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

1.105 APPOINTMENT OF COMMITTEES

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

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

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

1.106 ELECTION OF A SECRETARY OF THE SENATE

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

1.107 SENATE PARLIAMENTARIAN

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

1.108 SENATE BROADCAST

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

1.109 SENATE JOURNALS

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

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

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

1.110 INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

a) All bills and joint resolutions to be introduced shall be submitted to the Secretary of the Senate to be available for introduction on the next succeeding Senate legislative day, and accompanied by 12 true copies. Once submitted to the Secretary of the Senate, all bills and joint resolutions become the property of the Senate and cannot be withdrawn.

Each bill, conference report, substitute bill and joint resolution shall be approved as to form and numbering of sections by the Legislative Service Bureau prior to being submitted for introduction. Bills and joint resolutions may be submitted for introduction during the interim between sessions.

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

c) Senators may move to co-sponsor a Senate bill or Senate joint resolution when it is in possession of the Senate and not in a Senate committee. The first named member is the sponsor. A sponsor or co-sponsor may move to remove his or her name from a Senate bill or Senate joint resolution when it is in possession of the Senate and not in a Senate committee, provided that at least one Senator remains listed as the sponsor.

1.111 NUMBERING, LETTERING AND PRINTING OF BILLS AND JOINT RESOLUTIONS

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

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

1.112 ANNOUNCEMENT OF PRINTING AND ENROLLMENT OF BILLS AND JOINT RESOLUTIONS

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

1.113 CARE AND PRESERVATION OF BILLS AND RESOLUTIONS

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

1.114 ENROLLMENT OF BILLS AND PRESENTATION TO THE GOVERNOR

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

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

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

1.115 ENROLLMENT OF JOINT RESOLUTIONS

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

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

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

1.116 BILL AND RESOLUTION HISTORY

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

1.117 SENATE ADMINISTRATION AND OFFICE BUDGETS

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

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

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

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

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

A) Grant the request.

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

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

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

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

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

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

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

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

(ii) An employee's benefit selection.

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

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

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

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

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

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

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

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

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

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

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

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

h) The Secretary of the Senate shall install and maintain any electro-mechanical equipment approved for use by the Senate.

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

j) 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".

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

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

1.118 SECRETARY OF THE SENATE'S STAFF

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

1.119 DUTIES OF THE SERGEANT AT ARMS

a) The Sergeant at Arms shall be the chief security officer of the Senate. Under the direction of the Senate Majority Leader, the Secretary of the Senate shall supervise and direct the work of the Sergeant at Arms, Assistant Sergeants at Arms, and Pages.

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

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

1.120 EXECUTIVE SESSION

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

CHAPTER I - SECTION 2 MEMBER RESPONSIBILITIES

1.201 OATH OF OFFICE

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

1.202 CONTESTED ELECTIONS

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

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

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

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

1.203 PROCEDURE FOR EXCLUSION

a) A Senator-elect shall not be given the oath of office or seated as a Senator if he or she has been convicted of subversion or has, within the preceding 20 years, been convicted of a felony involving breach of the public trust (see Const. Art. 4, Sec. 7). Upon finding by a majority vote of the Senators elected and serving that a Senator-elect has

committed an offense within the provisions of this rule, he or she shall be declared to be unqualified for membership in the Senate and his or her office declared vacant.

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

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

1.204 EXCUSED ABSENCE

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

1.205 SENATORS DEEMED PRESENT UNLESS EXCUSED

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

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

1.206 COMPENSATION FOR SENATORS

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

1.207 FACILITIES FOR SENATORS

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

1.208 EXPENSE REIMBURSEMENT

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

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

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

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

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

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

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

1.209 MAILING

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

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

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

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

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

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

1.301 LEGISLATIVE CONDUCT

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

1.302 ATTENDANCE AND VOTING

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

1.303 IMPROPER INFLUENCE

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

1.304 CONFLICTING EMPLOYMENT

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

1.305 UNDUE INFLUENCE

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

1.306 DISCLOSURE AND DISQUALIFICATION

A Senator having a personal, private, or professional interest in a bill, of which he or she has knowledge, shall not vote on the bill and shall disclose in writing his or her interest in the bill. A personal, private, or professional interest in a bill is an interest that would provide a benefit particular to a Senator or a benefit particular to any individual or entity to whom the Senator is financially or legally obligated or is personally related. The disclosure shall be filed with the Secretary of the Senate to be printed in the Journal immediately following the record of the vote on the bill. If a Senator votes on a bill that might appear at the time of the vote to provide a benefit particular to that Senator or a benefit particular to any individual or entity to whom the Senator is financially or legally obligated or is personally related, a Senator may submit a statement explaining his or her reasons for voting. The statement shall be printed in the Journal.

1.307 SENATE EMPLOYEES AND CONFLICTS

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

1.308 IMPROPER USE OF STAFF AND FACILITIES

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

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

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

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

1.309 ADVISORY OPINIONS

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

1.310 PENALTIES FOR VIOLATION

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

CHAPTER I - SECTION 4 SENATE EMPLOYEES

1.401 EMPLOYEES OF EACH SENATOR

a) All Senators may appoint necessary staff in accordance with Senate rules and subject to policies established by the Senate Majority Leader. These employees shall be directly responsible to the Senator. Except as provided in Rule 1.403, a Senator shall not appoint any employee who is related within the third degree of consanguinity or direct affinity to any Senator elected or serving.

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

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

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

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

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

1.402 COMMITTEE CLERKS

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

1.403 EMPLOYEE APPOINTMENT

The Senate Majority Leader shall appoint employees as may be necessary for the work of the Senate. The Senate Majority Leader shall appoint minority staff employees from a list submitted by the Senate Minority Leader. A person who is employed under the exclusive appointment of the Senate Majority Leader shall not be related within the third degree of consanguinity or direct affinity to any Senator elected or serving. This rule does not prohibit the appointment of a former member of the Legislature whose expertise is deemed necessary for the work of the Senate.

1.404 EMPLOYEE COMPENSATION

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

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

1.405 EMPLOYEES AS CANDIDATES

Any Senate employee who files for a full-time elective office shall be placed on an unpaid leave of absence.

1.406 TERMINATION OF EMPLOYMENT

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

CHAPTER II - SECTION 1 COMMITTEE ORGANIZATION

2.101 AUTHORIZATION FOR STANDING COMMITTEES

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

2.102 POWERS AND RESPONSIBILITIES OF COMMITTEES

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

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

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

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

- a) Refuses to be sworn or testify, or
 - b) Fails on demand to produce any papers, books, or documents in regards to any matter under investigation, or
 - c) Otherwise neglects or refuses to obey the committee subpoena.
- 2) He or she is guilty of deliberately interfering with the duties and powers of the Legislature while in attendance at a committee hearing.
- d) Contempt of the Legislature shall be punishable as provided by law (see MCL 4.82 and 4.83).

2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

- Appropriations (16 members)
 - Economic Development, International Trade and Regulatory Affairs (5 members)
 - Education (5 members)
 - Families, Mental Health and Human Services (5 members)
 - Farming, Agribusiness and Food Systems (5 members)
 - Finance (5 members)
 - Financial Services (7 members)
 - Gaming and Casino Oversight (5 members)
 - Government Operations (5 members)
 - Health Policy (5 members)
 - Human Resources, Labor, Senior Citizens and Veterans Affairs (5 members)
 - Hunting, Fishing and Forestry (5 members)
 - Judiciary (7 members)
 - Local, Urban and State Affairs (5 members)
 - Natural Resources and Environmental Affairs (5 members)
 - Reapportionment (9 members)
 - Technology and Energy (7 members)
 - Transportation and Tourism (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 (4 members) (see MCL 38.1026)
 - Michigan Capitol Committee (4 members) (see MCL 4.1701)

2.104 COMMITTEE ON GOVERNMENT OPERATIONS

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

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

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

3) The vote of a majority of the Senators elected and serving 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.

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

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

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

2.105 COMMITTEE CHAIRPERSONS AND TEMPORARY MEMBERS

a) The first named member of any committee shall be the chairperson, the second named member shall be the majority vice chairperson, and the remaining members of the committee shall rank in the order in which they are named. The first named member of the minority party shall be the minority vice chairperson. In the temporary absence

of the chairperson and majority vice chairperson, the highest ranking member in attendance shall act as chairperson. When all members of a subcommittee are also members of the standing committee, the committee chairperson shall appoint the subcommittee members.

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

2.106 CALLING OF A COMMITTEE

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

2.107 NOTICE OF MEETINGS AND PUBLIC HEARINGS

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

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

2.108 COMMITTEE STAFFING

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

2.109 COMMITTEE EXPENSES

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

CHAPTER II - SECTION 2 COMMITTEE PROCEDURE

2.201 COMMITTEE QUORUM

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

2.202 COMMITTEE RECORDS

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

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

2.203 COMMITTEE REPORTS

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

to the Secretary of the Senate within two Senate legislative days of the committee meeting. The Secretary of the Senate shall cause all committee reports and attendance reports to be printed in the Journal.

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

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

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

2.204 ITEMS REPORTED WITHOUT RECOMMENDATION

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

2.205 MANUAL OF COMMITTEE PROCEDURE

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

CHAPTER III - SECTION 1 ORDER OF BUSINESS

3.101 TIME OF SESSION

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

3.102 ORDER OF BUSINESS

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

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

3.103 CHANGE OF ORDER OF BUSINESS

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

3.104 QUORUM OF THE SENATE

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

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

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

3.105 COMMUNICATIONS TO THE SENATE

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

3.106 COMMITTEE REPORTS ON THE CALENDAR

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

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

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

3.107 RESOLUTION CONSENT CALENDAR

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

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

CHAPTER III - SECTION 2 INTRODUCTION OF BILLS

3.201 FIVE DAYS' POSSESSION

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

3.202 BILLS AND RESOLUTIONS AMENDED BY THE HOUSE

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

3.203 REFERRAL OF BILLS AND RESOLUTIONS

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

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

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

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

3.204 RESOLUTIONS

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

b) Once a resolution is submitted to the Secretary of the Senate, any Senator and the President of the Senate wishing to co-sponsor it shall complete a form provided by the Secretary of the Senate. A member must be present and specifically request to be named as a co-sponsor of a resolution.

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

3.205 PRINTING

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

3.206 THE BILL TITLE

The title of a bill shall include:

a) The object of the bill, and

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

3.207 THREE SEPARATE READINGS

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

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

3.208 INITIATIVE PETITIONS

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

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

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

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

CHAPTER III - SECTION 3 MOTIONS

3.301 RECOGNITION

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

3.302 PRECEDENCE OF MOTIONS

The following motions shall take precedence in the order listed:

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

3.303 MOTION IN WRITING

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

3.304 MOTION WITHDRAWAL

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

3.305 NONDEBATABLE MOTIONS

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

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

3.306 CONSIDERATION FOLLOWING A RECESS

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

3.307 MOTION TO LAY ON THE TABLE

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

3.308 MOVE THE PREVIOUS QUESTION

a) Any Senator may move the previous question. The previous question shall be ordered by a majority of the Senators voting. The motion for the previous question may be limited by the mover to one or more of the questions preceding the main question. The effect of ordering the previous question shall be to close debate instantly, bringing

the Senate to an immediate vote on the pending question or questions in their regular order. If the previous question is ordered on the third reading of a bill or joint resolution, only amendments to the bill or joint resolution that have been filed with the Secretary of the Senate prior to the ordering of 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 Chair shall be decided without debate.

3.309 MOTION TO DIVIDE

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

3.310 MOTION TO STRIKE OUT AND INSERT

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

3.311 MOTION TO RECONSIDER

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

- 1) The subject matter on which the vote was taken is in the possession of the Senate, and
- 2) It is made on the same day the vote is taken or within the next two Senate legislative days.

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

c) The vote of a majority of the Senators elected and serving shall be required to reconsider the vote by which any bill or joint resolution was passed or adopted by the Senate.

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

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

3.312 INDEFINITE POSTPONEMENT

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

3.313 MOTION FOR CALL OF THE SENATE

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

CHAPTER III - SECTION 4 AMENDMENTS

3.401 TWO READINGS BEFORE AMENDMENT

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

3.402 AMENDMENTS ON THIRD READING

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

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

3.403 PRINTING OF AMENDMENTS IN THE JOURNAL

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

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

CHAPTER III - SECTION 5 VOTING PROCEDURE

3.501 ACTIONS REQUIRING AN EXTRAORDINARY MAJORITY

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

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

3.502 MAJORITY VOTE ON QUESTIONS SHORT OF THE FINAL QUESTION

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

3.503 FINAL PASSAGE BY REQUIRED VOTE

- a) The vote on the final passage of any bill or the adoption of any joint resolution shall be taken by yeas and nays, which shall be printed in the Journal (see Const. Art. 4, Sec. 26).
- b) The final vote on all joint resolutions ratifying a proposed amendment to the federal Constitution shall be by record roll call.
- c) When any bill or joint resolution receives the constitutionally required assent, that fact shall be certified on the bill or joint resolution by the Secretary of the Senate.
- d) When a bill is given immediate effect by a two-thirds vote of the Senators elected and serving, that action remains in effect as the bill proceeds through the legislative process, unless the vote for immediate effect is reconsidered and defeated.

3.504 DEMAND FOR RECORDED VOTE

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

3.505 VOTING

- a) After a question is stated by the Chair, no motion shall be in order and no Senator shall be entitled to speak until the roll call is finished and the result is declared.
- b) The electronic voting system shall be used, if operational, to determine the question before the body when the vote is taken by roll call or by division, and shall display the votes of each Senator and the running total. At the direction of the presiding officer, the Secretary of the Senate shall immediately activate the electronic voting system for one minute for a roll call vote, after which the vote shall be closed and no further votes shall be entered in the record. If all Senators present have voted before one minute has elapsed, the presiding officer may ask Senators if there is objection to closing the vote. If no Senator objects, the presiding officer shall instruct the Secretary of the Senate to close the board immediately and record the vote.
- c) The presiding officer 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 shall direct the Secretary of the Senate to conduct a roll call or a division vote orally, and to record and announce the results.
- e) A Senator shall not vote for another Senator. A person not a Senator shall not vote for any Senator. In addition to penalties prescribed by law, any Senator may be punished as the Senate may determine for voting for another Senator.

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

3.506 A SENATOR'S RIGHT TO DISSENT

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

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

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

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

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

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

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

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

3.507 ANNOUNCEMENTS AND STATEMENTS

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

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

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

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

CHAPTER III - SECTION 6 APPROPRIATION BILLS

3.601 GENERAL APPROPRIATION BILLS

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

3.602 BILLS REQUIRING APPROPRIATIONS

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

3.603 ESTIMATED REVENUE

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

CHAPTER III - SECTION 7 COMMITTEE OF THE WHOLE

3.701 FAVORABLE REPORTS

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

3.702 BUSINESS IN ORDER

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

3.703 BILLS AND JOINT RESOLUTIONS CONSTITUTING GENERAL ORDERS

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

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

3.704 CHAIRPERSON OF THE COMMITTEE OF THE WHOLE

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

3.705 RULES IN THE COMMITTEE OF THE WHOLE

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

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

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

3.706 BILLS ORDERED TO THIRD READING

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

**CHAPTER III - SECTION 8
PARLIAMENTARY PROCEDURE****3.801 AUTHORITY AND PRECEDENCE OF SENATE RULES**

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

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

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

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

3.802 MANUAL OF LEGISLATIVE PROCEDURE

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

3.803 RULES OF A NEWLY CONVENE SENATE

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

3.804 AMENDMENT OR REPEAL OF SENATE RULES

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

3.805 SUSPENSION OF RULES

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

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

3.901 MEMBERS OF THE MEDIA

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

- 1) A member of the media shall be defined as a person employed by or working as:
 - a) A newspaper (as defined by U.S. postal regulations);
 - b) A broadcast station licensed by the Federal Communications Commission, or a network serving one or more licensed broadcast stations;
 - c) A cable television system with a franchise granted by a Michigan unit of government, or a network serving one or more franchised cable systems;
 - d) A wire service; or
 - e) An independent contractor on assignment to report state government news for an organization described above.
- 2) A visiting member of the media shall register on a daily basis at least 30 minutes before the start of session with the Secretary of the Senate.
- 3) The Secretary of the Senate may, under special circumstances, register representatives of the media not defined above if it is determined to be in the public interest.
- 4) Technicians for broadcast/cable stations shall also be registered when accompanying members of the media and shall be subject to the same rules.
- 5) The Secretary of the Senate may revoke the registration of any member of the media for cause. Cause shall include, but not be limited to, a change in employment status, lobbying or acting as a lobbyist agent, disrupting Senate proceedings, or refusing to comply with Senate rules or the directives of the presiding officer, Senate Majority Leader, or Secretary of the Senate. A decision to revoke registration may be appealed to the Committee on Government Operations.
- 6) Members of the media may talk with a Senator in the front entry or the hallway behind the Senate rostrum. Members of the media, notwithstanding Senate Rule 3.902, may leave the media's designated area and talk with Senators in the Chamber immediately following adjournment.
- 7) Members of the media shall enter from the north main door or the two south doors on either side of the rostrum and shall proceed directly to the areas designated for the media. If a member of the media enters through the north main door, he or she shall proceed directly to the areas designated for the media using the east or west side aisles only. Members of the media shall not enter the cloak room or the restrooms of the Senate Chamber.
- 8) Members of the media may film, videotape, or photograph the Senate session from the media's designated area. During the first 20 minutes after the attendance roll call, with permission from the Senate, members of the media shall be allowed to film, videotape, or photograph from along the full length of the east and west side aisles.
- 9) A member of the media, including a broadcast technician, shall be entitled to record Senate session as long as it does not disrupt the proceedings of the Senate. "Record" shall mean videotaping, photographing, filming, taping, or electronically transmitting Senate proceedings or activities on the Senate floor when the Senate is in session.

3.902 FLOOR PRIVILEGE AND CONDUCT

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

- 1) No person, other than the following, shall be admitted to the Senate floor:
 - a) Senators or Representatives
 - b) The President of the Senate
 - c) The Governor
 - d) Senators or Representatives in Congress
 - e) Former Michigan Legislators
 - f) The Secretary of the Senate and his or her support staff
 - g) Legislative staff as authorized in guidelines issued by the Senate Majority Leader
 - h) One representative of the Governor
 - i) Members of the immediate family of a Senator or the President of the Senate
 - j) Registered members of the media pursuant to Rule 3.901
 - k) A guest who has been invited by a Senator to offer the invocation, and an immediate family member of that guest.

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

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

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

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

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

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

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

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

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

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

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

10) 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.

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

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

Senator Dunaskiss entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Motions and Communications

President Pro Tempore

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

Senator Gast nominated Senator Schwarz as President pro tempore of the Senate.

Senator Rogers seconded the nomination.

Senator DeGrow moved that the nominations for President pro tempore be closed.

The motion prevailed.

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

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

Roll Call No. 1

Yeas—34

Bennett	Emmons	McCotter	Shugars
Bullard	Gast	Miller	Sikkema
Byrum	Goschka	Murphy	Smith, A.
Cherry	Gougeon	North	Smith, V.
DeBeussaert	Hammerstrom	Peters	Stille
DeGrow	Hoffman	Rogers	Van Regenmorter
Dingell	Jaye	Schuetten	Vaughn
Dunaskiss	Koivisto	Schwarz	Young
Emerson	Leland		

Nays—0

Excused—3

Hart

McManus

Steil

Not Voting—0

In The Chair: President

Senators Gast and Rogers asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Gast's statement is as follows:

It is indeed a privilege for me to say something to my colleagues that all of us who have been serving here for a number of years fully understand. The man who I am going to nominate is probably as well-respected as anyone in this building for the way he conducts the meeting and the fairness in which he persuades us to follow his lead. On that basis, I would nominate Senator Joe Schwarz as the upcoming President pro tempore.

Senator Rogers' statement is as follows:

I proudly stand to recognize the distinction that this gentleman has brought to the office of President pro tempore. Not only that, but it is not many who we can find in this chamber who can be funny while speaking Latin. I proudly second the nomination of Senator John Schwarz for the office.

Oath of Office

Senator Schwarz, President pro tempore, took and subscribed to the Constitutional Oath of Office, which was administered by Justice Maura Corrigan, and entered upon the discharge of his respective duties.

Assistant President Pro Tempore

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

Senator Gast nominated Senator Hoffman as Assistant President pro tempore of the Senate.

Senator Schuette seconded the nomination.

Senator DeGrow moved that the nominations for Assistant President pro tempore be closed.

The motion prevailed.

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

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

Roll Call No. 2

Yeas—34

Bennett

Bullard

Byrum

Cherry

DeBeaussaert

DeGrow

Dingell

Dunaskiss

Emerson

Emmons

Gast

Goschka

Gougeon

Hammerstrom

Hoffman

Jaye

Koivisto

Leland

McCotter

Miller

Murphy

North

Peters

Rogers

Schuette

Schwarz

Shugars

Sikkema

Smith, A.

Smith, V.

Stille

Van Regenmorter

Vaughn

Young

Nays—0

Excused—3

Hart

McManus

Steil

Not Voting—0

In The Chair: President

Senators Gast and Schuette asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Gast's statement is as follows:

I think it's a dubious honor that I had to make two recommendations. I hope the second one will be as successful as the first.

It's my pleasure to nominate Phil Hoffman who I think has done a commendable job as Assistant President pro tempore.

Senator Schuette's statement is as follows:

It's a great privilege for me to second the nomination of Phil Hoffman, a man I've known since 1979 when he was part of the sheriff department in Jackson County and has risen to such prominence and a man of distinction here whose word you can trust, a character that is as big as the Great Lakes State, and a man of conviction. I'm very proud to second this nomination of Phil Hoffman for Assistant President pro tempore.

Oath of Office

Senator Hoffman, Assistant President pro tempore, took and subscribed to the Constitutional Oath of Office, which was administered by Justice Maura Corrigan, and entered upon the discharge of his respective duties.

Associate President Pro Tempore

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

Senator Cherry nominated Senator Vaughn as Associate President pro tempore of the Senate.

Senator V. Smith seconded the nomination.

Senator Emerson moved that the nominations for Associate President pro tempore be closed.

The motion prevailed.

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

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

Roll Call No. 3

Yeas—34

Bennett

Bullard

Byrum

Cherry

DeBeaussaert

DeGrow

Dingell

Dunaskiss

Emerson

Emmons

Gast

Goschka

Gougeon

Hammerstrom

Hoffman

Jaye

Koivisto

Leland

McCotter

Miller

Murphy

North

Peters

Rogers

Schuette

Schwarz

Shugars

Sikkema

Smith, A.

Smith, V.

Stille

Van Regenmorter

Vaughn

Young

Nays—0

Excused—3

Hart

McManus

Steil

Not Voting—0

In The Chair: President

Senators Cherry and V. Smith asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cherry's statement is as follows:

Mr. President and Senate colleagues, our colleague, Senator Jackie Vaughn III, has served his constituents with distinction since first being elected to the Senate in 1978. Senator Vaughn's stellar attendance record for 20 years shows his devotion to the people of Michigan and his respect for this institution. Throughout his service, he has fought to improve educational opportunities for Michigan's young people. He has fought for tuition breaks for North American Indians and nursing students. He has sponsored legislation to expand higher education to everyone by using the newest computer and long-distance technology to create a virtual university.

Senator Vaughn is equally committed to fostering good citizenship for our young people. Senator Vaughn is the sponsor of the law that lowered the voting age to 18, and he has sponsored a companion resolution that would allow 18-year-old citizens to run for public office. He authored a bill requiring a community service component in high school curriculums, and he sponsored another bill to require voting registration as a graduation requirement. There is no question of Senator Vaughn's dedication to the people of Michigan and to his colleagues here in the Senate.

Mr. President, it is my pleasure to place in nomination the name of Senator Jackie Vaughn III to be the Associate President pro tempore of the Senate.

Senator V. Smith's statement is as follows:

Mr. President and Senate colleagues, I am proud to serve with Senator Jackie Vaughn III. Senator Vaughn's work as a Senator has helped ensure that we remember and honor the people who have made a difference in our society. Thanks to Senator Vaughn, Michigan will again celebrate the Reverend Dr. Martin Luther King's birthday next Monday. As sponsor of the law designating this holiday and chair of the King Holiday Commission, Senator Vaughn helps ensure that communities across Michigan honor and celebrate Dr. King every year.

Senator Vaughn is also the author of the law honoring Mrs. Rosa Parks, the mother of the Civil Rights Movement. On her birthday, Michigan is privileged to be the home of Mrs. Parks. Thanks to Senator Vaughn, we now have the opportunity to join together and pay our respects to her for her courage and vision. Throughout his years in the Senate, Senator Vaughn has shown his commitment to the principles of these individuals in the bills he has sponsored. He has fought to educate Michigan citizens on their history and their duties as citizens, and he has fought to encourage and broaden citizen participation in the government.

It is my privilege and honor to second the nomination for Senator Jackie Vaughn III as Associate President pro tempore.

Oath of Office

Senator Vaughn, Associate President pro tempore, took and subscribed to the Constitutional Oath of Office, which was administered by Justice Maura Corrigan, and entered upon the discharge of his respective duties.

Secretary of the Senate

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

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

Senator Cherry seconded the nomination.

Senator McCotter moved that the nominations for the Secretary of the Senate be closed.

The motion prevailed.

The question being on the election of Carol Morey Viventi as Secretary of the Senate,
The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 4**Yeas—34**

Bennett	Emmons	McCotter	Shugars
Bullard	Gast	Miller	Sikkema
Byrum	Goschka	Murphy	Smith, A.
Cherry	Gougeon	North	Smith, V.
DeBeaussaert	Hammerstrom	Peters	Stille
DeGrow	Hoffman	Rogers	Van Regenmorter
Dingell	Jaye	Schuette	Vaughn
Dunaskiss	Koivisto	Schwarz	Young
Emerson	Leland		

Nays—0**Excused—3**

Hart	McManus	Steil
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Not Voting—0

In The Chair: President

Senators DeGrow and Cherry asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator DeGrow's statement is as follows:

It gives me a great deal of pleasure to nominate for an additional term as the Secretary of the Senate Carol Morey Viventi. During her tenure, I think Carol has earned the trust of all of us in the performance of her job and has proven her competency. It is my honor to nominate her for an additional term as Secretary of the Senate.

Senator Cherry's statement is as follows:

I rise to second the nomination of Carol Viventi as the Secretary of the Senate. Carol is every bit as competent as the Majority Leader described, but Carol is also a very fair administrator of the office. I think that everyone on both sides of the aisle has found Carol to be not only an effective Secretary, but one who is concerned about them as they meet their obligations of service here in the Senate, and I'm proud to second her nomination.

Oath of Office

Carol Morey Viventi, Secretary of the Senate, took and subscribed to the Constitutional Oath of Office, which was administered by Justice Maura Corrigan, and entered upon the discharge of her respective duties.

The following communication was received and read:

Office of the Secretary of the Senate

January 12, 1999

This is to inform you that Carol Linteau has been appointed the Assistant Secretary of the Senate.

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

The communication was referred to the Secretary for record.

Senators Cherry and DeGrow asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cherry's statement is as follows:

I want to congratulate the new officers of the Senate, but in particular, I wish to acknowledge and congratulate Carol Linteau on her appointment as the Assistant Secretary of the Senate. Until January 1, Carol served as my Chief of Staff in my office. I know that many on the Democratic side of the aisle are very familiar with Carol, but I want to say to all members of the Senate, I think they will find her to be an extremely competent, thorough Assistant Secretary, one who is capable of working with everyone, and clearly one who respects the institution, one that she has worked in for a number of years.

So, Carol, I want to say congratulations. I know you'll do an excellent job.

Senator DeGrow's statement is as follows:

I want to join with Senator Cherry's comments of welcoming Carol to the Senate as the Assistant Secretary of the Senate, and I'm sure she'll do a great job. We all look forward to working with her during the next four years.

The following communication was received and read:

Office of the Senate Majority Leader

January 8, 1999

The majority caucus has elected the following caucus leaders:

Majority Leader	Senator Dan L. DeGrow
Majority Floor Leader	Senator Michael J. Bouchard
Majority Whip	Senator William Van Regenmorter
Majority Caucus Chairman	Senator Glenn D. Steil
Assistant Majority Leader	Senator Loren N. Bennett
Assistant Majority Floor Leader	Senator Thaddeus McCotter
Assistant Majority Whip	Senator Joel Gougeon
Assistant Majority Caucus Chairman	Senator Leon Stille

Sincerely,
Dan L. DeGrow
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Democratic Leader

November 5, 1998

Democrats in the Michigan Senate elected the following individuals to caucus leadership positions. All elections were by unanimous acclamation.

Senator John Cherry	Minority Leader
Senator Virgil Smith	Minority Floor Leader
Senator Gary Peters	Minority Caucus Chair
Senator Ray Murphy	Minority Whip
Senator Chris Dingell	Minority Assistant Leader
Senator Bob Emerson	Minority Assistant Floor Leader
Senator George Hart	Minority Caucus Chair
Senator Burton Leland	Minority Assistant Whip

The leadership appointments will take effect when the Senate convenes its new session next January.

The communication was referred to the Secretary for record.

The Secretary announced that the Majority Leader has made the appointment of the following standing committees and statutory standing committees:

STANDING COMMITTEES

Appropriations - Senators Gast (C), Schwarz (VC), McManus, Hoffman, Steil, North, Gougeon, Bennett, Stille, Goschka, A. Smith (MVC), Koivisto, Young, Vaughn, DeBeaussaert, and Emerson

Economic Development, International Trade and Regulatory Affairs - Senators Schuette (C), McCotter (VC), Jaye, Leland (MVC), and Peters

Education - Senators Bennett (C), Emmons (VC), Stille, Peters (MVC), and Leland

Families, Mental Health and Human Services - Senators Hammerstrom (C), Gougeon (VC), Jaye, Hart (MVC), and Vaughn
Farming, Agribusiness and Food Systems - Senators McManus (C), Stille (VC), Gougeon, Byrum (MVC), and Hart
Finance - Senators Emmons (C), Bullard (VC), Hammerstrom, Peters (MVC), and Dingell
Financial Services - Senators Bouchard (C), Shugars (VC), Dunaskiss, Jaye, Emmons, Miller (MVC), and Leland
Gaming and Casino Oversight - Senators Bouchard (C), Rogers (VC), Shugars, V. Smith (MVC), and Koivisto
Government Operations - Senators Bullard (C), Hammerstrom (VC), Sikkema, V. Smith (MVC), and Miller
Health Policy - Senators Shugars (C), Hammerstrom (VC), Schwarz, Byrum (MVC), and Murphy
Human Resources, Labor, Senior Citizens and Veterans Affairs - Senators Rogers (C), McCotter (VC), Schuette, Murphy (MVC), and Dingell
Hunting, Fishing and Forestry - Senators Jaye (C), Bullard (VC), Hoffman, Dingell (MVC), and Byrum
Judiciary - Senators Van Regenmorter (C), McCotter (VC), Bullard, Rogers, Peters (MVC), V. Smith, and Dingell
Local, Urban and State Affairs - Senators McCotter (C), Shugars (VC), Van Regenmorter, Miller (MVC), and Murphy
Natural Resources and Environmental Affairs - Senators Sikkema (C), Dunaskiss (VC), Gast, Peters (MVC), and Cherry
Reapportionment - Senators Schuette (C), Rogers (VC), Emmons, Sikkema, McCotter, Hoffman, V. Smith (MVC), Leland, and DeBeaussaert
Technology and Energy - Senators Dunaskiss (C), Sikkema (VC), Schuette, Rogers, Byrum (MVC), Leland, and Dingell
Transportation and Tourism - Senators Bullard (C), Bouchard (VC), North, Leland (MVC), and Hart

STATUTORY STANDING COMMITTEES

Joint Committee on Administrative Rules - Senators Hammerstrom (C), Steil, Van Regenmorter, Hart, and Murphy
Legislative Council - Senators DeGrow (C), Emmons, Bouchard, Sikkema, Cherry, and V. Smith; Alternates: Senators Schwarz, Hammerstrom, and Emerson
Legislative Retirement Board of Trustees - Senators McManus (C), Emmons, Schwarz, and Emerson
Michigan Capitol Committee - Senators Schwarz (C), Steil, Dunaskiss, and Byrum
 The standing committee appointments were approved, a majority of the members serving voting therefor.

The following communication was received and read:
 Office of Senator Michael J. Bouchard

January 11, 1999

It is with a combination of great sadness and excitement that I communicate my resignation to you. I have been very honored to serve the people as a Senator for these last eight years, but I have been called to serve them in a different capacity. In light of that, I resign effective immediately.

Sincerely yours,
 Michael J. Bouchard
 Majority Floor Leader
 State Senator, 13th Senate District

The communication was referred to the Secretary for record.

Senators DeGrow, Emerson, Gast and Emmons asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator DeGrow's statement is as follows:

At this time, I have a special tribute I would like to present on behalf of the Senate. One of the toughest jobs, I think, in terms of the staff here in the Senate has been the analyst for the K-12. We seem to go through them fairly quickly. Maybe that's because of the prior chair. Maybe I was too hard on them.

In any event, we have another analyst who has decided to leave and spend some time at home with her family. I just want to take a moment to thank her. It is a tough job. Since the passage of Proposal A, it is the biggest budget we do here in the state. It is a very demanding budget, one that draws the attention of every member and one with which she has done an excellent job in terms of putting together the budgets in recent years.

We will miss her. It is a tough job to find someone to fill. I wish Gary Olson good luck in finding someone to tackle this budget. I'm sure the new chair, Leon Stille, will find out you rely on these people to help you put together these budgets, and this is a tough one. Liz has done a great job.

I would like to take a moment to read part of the tribute we have for her:

“Let it be known that it is a pleasure to extend the highest praise to Elizabeth Pratt in acknowledgment of the excellent job she has done during the past six years with the Michigan Senate. As an economist and analyst, she contributed greatly to the state of Michigan in the advancement of our state school aid fund. Now, as she takes her leave, we are grateful for this opportunity to thank Liz for her dedication and loyalty. We wish her, her husband Scott, and children, Gary and Carolyn, well in every future endeavor.”

Liz, on behalf of myself and the entire Senate and all of the young people in the state of Michigan, we thank you for your six years here and all the school aid budgets you’ve worked on, and we wish you well.

Senator Emerson’s statement is as follows:

I would like to add my comments to Senator DeGrow’s. As a member of the House of Representatives and chair of the K-12 Subcommittee over the past couple of years, I’ve spent a lot of time with the Senator and also his staff. Liz has helped us on numerous occasions, provided invaluable service, kept us from making terrible mistakes that the Senator and I often wanted to do on our own. Liz, we appreciate everything. Know that you have other responsibilities that are more important than these duties, and I wish you well in the coming years.

Senator Gast’s statement is as follows:

I’d like to point out to my colleagues framed in the east window, talking to Senator Art Miller, is a former colleague of ours in the Senate, one of the gray-haired people, Don Bishop. Don goes back to the Bob VanderLaan, Bill Faust, era and Don has a son who is choosing his seat over in the House of Representatives right now. So, Don, welcome back to the Senate.

Senator Emmons’ statement is as follows:

We also have another staffer who is leaving today. Joe Graber has given outstanding service to the Senate, particularly me, as the Education chair. His enthusiasm, his knowledge were always appreciated, and we are going to miss Joe. It isn’t often that we send somebody off to do exactly what Joe’s going to do. He is going to go into the ministry, that is a high calling, a very responsible position. We all would wish that God would bless Joe as he begins his ministry and through Joe, bless many people. Joe, we’re sorry to have you gone, but we’re really pleased that you came and shared your talents with us for five years in the Senate.

The President of the Senate made a statement and requested that it be printed in the Journal.

The President’s statement is as follows:

I, too, would like to congratulate Joe, having worked with him in my previous life as Majority Leader. He was a great staff person, did a lot of work for all of us, and I wish you well.

The following communications were received:

Department of State

Administrative Rules
Notices of Filing

November 13, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:25 p.m. this date, administrative rule (98-11-2) for the Department of Treasury, Bureau of State Lottery, entitled “*Lottery Rules*,” effective 15 days hereafter.

December 14, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:45 a.m. this date, administrative rule (98-12-2) for the Department of Environmental Quality, Storage Tank Division, entitled “*Underground Storage Tank Regulations*,” effective 15 days hereafter.

December 18, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:30 p.m. this date, administrative rule (98-12-3) for the Department of Education, Proprietary School Unity, entitled “*Proprietary Schools*,” effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:
State Officers Compensation Commission

December 29, 1998

Enclosed please find the 1998 Report of the State Officers Compensation Commission. The report and the salary determinations contained herein are filed pursuant to Public Act 357 of 1968 and Public Act 213 of 1975 {MCLA 15.216, Sec. 6}.

The Commission has unanimously authorized me to transmit the 1998 report as a full and accurate accounting of our deliberations and determinations. With today's filing, the State Officers Compensation Commission has discharged its responsibilities for 1998.

Sincerely yours,
Matthew E. McLogan
Chairman

The communication was referred to the Secretary for record.

Messages from the Governor

The following messages from the Governor were received and read:

January 6, 1999

There are herewith presented for consideration and confirmation by the Senate, the following appointments to office:

Local Government Claims Review Board

Mr. Michael G. Maxfield, 639 North Old Woodward, Birmingham, Michigan 48009, county of Oakland, as a member representing the general public, succeeding Mr. Robert L. Bovitz of Trenton, whose term has expired, for a term expiring on March 26, 2001.

Ms. Mary Helmbrecht, 1168 Cliffdale Drive, Haslett, Michigan 48840, county of Ingham, as a member representing local government, succeeding Mr. John V. Harper of Battle Creek, whose term has expired, for a term expiring on March 26, 2000.

January 7, 1999

Please be advised of the following reappointments to office, subject to the advice and consent of the Michigan Senate:

Automobile Theft Prevention Authority Board of Directors

The Honorable Christopher S. Boyd, 111 S. Michigan, Saginaw, Michigan 48602, county of Saginaw, as a member representing law enforcement officials, succeeding himself, for a term expiring on July 1, 2002.

Colonel Michael D. Robinson, 714 S. Harrison Road, East Lansing, Michigan 48823, county of Ingham, as a member representing the Executive Office and as Chair, succeeding himself, for a term expiring on July 1, 2002.

Ms. Brenda L. Schneider, 37805 Glengrove, Farmington Hills, Michigan 48331, county of Oakland, as a member representing purchasers of auto insurance, succeeding herself, for a term expiring on July 1, 2002.

Chief Benny N. Napoleon, Detroit Police Department, 1300 Beaubien, Detroit, Michigan 48226, county of Wayne, as a member representing law enforcement officials, succeeding himself, for a term expiring on July 1, 2002.

Mr. Thomas E. Packla, 3781 Edgemont, Troy, Michigan 48084, county of Oakland, as a member representing auto insurers, succeeding himself, for a term expiring on July 1, 2002.

Ms. Rosemary A. Gordon, 377 Fisher Road Suite J, Grosse Pointe Farms, Michigan 48230, county of Wayne, as a member representing purchasers of auto insurance, succeeding herself, for a term expiring on July 1, 2002.

Mr. James William Oliver, 47183 Sunny Brook Lane, Novi, Michigan 48374, county of Oakland, as a member representing auto insurers, succeeding himself, for a term expiring on July 1, 2002.

January 7, 1999

There is herewith presented for consideration and confirmation by the Senate, the following reappointment to office:

Upper Peninsula State Fair Board of Managers

Mr. Steven D. Palosaari, Route 2, Box 76, Chassell, Michigan 49916, county of Houghton, as a member representing the general public, succeeding himself, for a term expiring on September 30, 2003.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Recess

Senator McCotter moved that the Senate recess until 2:00 p.m.
The motion prevailed, the time being 12:43 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Posthumus.

Recess

Senator McCotter moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 2:01 p.m.

2:04 p.m.

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

By unanimous consent the Senate returned to the order of

Messages from the House

The following message was received and read:

January 13, 1999

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

Further, I am directed by the House to notify you that the House of Representatives has elected Representative Charles R. Perricone, Speaker; Representative Patricia Birkholz, Speaker Pro Tempore; Representatives Bruce Patterson and Judith Scranton, Associate Speakers Pro Tempore; and Gary L. Randall, Clerk.

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

By unanimous consent the Senate returned to the order of

Resolutions

House Concurrent Resolution No. 2.

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

Resolved by the House of Representatives (the Senate concurring), That each House hereby grants unto the other permission to adjourn for not more than 15 intervening calendar days at such times as each House shall determine at any time during the 1999 and 2000 regular sessions.

The House of Representatives has adopted the concurrent resolution.

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

Senator McCotter moved that the rule be suspended.

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

The concurrent resolution was adopted.

House Concurrent Resolution No. 3.

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

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

JOINT CONVENTION RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE

Held in Hall of House.

Rule 1. Joint conventions shall be held in the Hall of the House of Representatives, or such other location as may be agreed to by the Speaker of the House of Representatives and the Majority Leader of the Senate. The President of the Senate or, in the absence of the President of the Senate, the Speaker of the House shall preside. Before the 2 Houses

shall meet in joint convention, a concurrent resolution shall be introduced in one House setting forth the date and hour at which the joint convention shall meet, which, if adopted, shall be transmitted to the other House for concurrence.

Secretaries-Journals.

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

Rules of House to Govern.

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

President pro tempore of Convention.

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

Power to Compel Attendance.

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

May Adjourn from Time to Time.

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

The House of Representatives has adopted the concurrent resolution.

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

Senator McCotter moved that the rule be suspended.

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

The concurrent resolution was adopted.

House Concurrent Resolution No. 4.

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

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives, Thursday, January 28, 1999, at 6:45 p.m., to receive the message of Governor John M. Engler.

The House of Representatives has adopted the concurrent resolution.

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

Senator McCotter moved that the rule be suspended.

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

The concurrent resolution was adopted.

Introduction and Referral of Bills

Senator Goschka introduced

Senate Bill No. 1, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

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

Senator Hammerstrom introduced

Senate Bill No. 2, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51c.

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

Senator Bennett introduced

Senate Bill No. 3, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.

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

Senator Shugars introduced

Senate Bill No. 4, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Bullard introduced

Senate Bill No. 5, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Rogers introduced

Senate Bill No. 6, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 507.

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

Senator Rogers introduced

Senate Bill No. 7, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145d. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Rogers introduced

Senate Bill No. 8, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

Senator Rogers introduced

Senate Bill No. 9, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4s.

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

Senator Rogers introduced

Senate Bill No. 10, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 502 (MCL 380.502), as amended by 1995 PA 289.

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

Senator Bouchard introduced

Senate Bill No. 11, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 1, 2, 3, 4, 5, 7, 9, and 10 (MCL 28.721, 28.722, 28.723, 28.724, 28.725, 28.727, 28.729, and 28.730), section 3 as amended by 1995 PA 10 and sections 7 and 10 as amended by 1996 PA 494, and by adding section 5a.

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

Senator Bouchard introduced

Senate Bill No. 12, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as added by 1988 PA 251.

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

Senator Bouchard introduced

Senate Bill No. 13, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 316, 317, 321, and 324 (MCL 750.316, 750.317, 750.321, and 750.324), section 316 as amended by 1996 PA 21.

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

Senator Bouchard introduced

Senate Bill No. 14, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625 (MCL 257.625), as amended by 1998 PA 350.

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

Senator Bouchard introduced

Senate Bill No. 15, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2167 (MCL 600.2167), as amended by 1993 PA 288.

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

Senator Bouchard introduced

Senate Bill No. 16, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

Senator Bouchard introduced

Senate Bill No. 17, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520a (MCL 750.520a), as amended by 1983 PA 158.

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

Senator Bouchard introduced

Senate Bill No. 18, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13 of chapter IX, (MCL 769.13), as amended by 1994 PA 110, and by adding section 12a to chapter IX.

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

Senator Bouchard introduced

Senate Bill No. 19, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625a (MCL 257.625a), as amended by 1998 PA 351.

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

Senator Bouchard introduced

Senate Bill No. 20, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 37a of chapter VII (MCL 767.37a), as added by 1994 PA 229, and by adding section 37b to chapter VII.

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

Senator Dunaskiss introduced

Senate Bill No. 21, entitled

A bill to provide for reciprocal access of electric service between electric utilities and alternative electric suppliers under certain conditions.

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

Senator Dunaskiss introduced

Senate Bill No. 22, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Dunaskiss introduced

Senate Bill No. 23, entitled

A bill to amend 1909 PA 106, entitled "An act to regulate the transmission of electricity through the public highways, streets and places of this state, where the source of supply and place of use are in the same or different counties; to regulate the charges to be made for electricity so transmitted; to regulate the rules and conditions of service under which said electricity shall be furnished and to confer upon the Michigan public utilities commission certain powers and duties in regard thereto," (MCL 460.551 to 460.559) by amending the title and by adding sections 10 and 11.

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

Senator Schuette introduced

Senate Bill No. 24, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

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

Senator Schuette introduced

Senate Bill No. 25, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37e. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Schuette introduced

Senate Bill No. 26, entitled

A bill to regulate political activity; to regulate certain candidates and state officials; to require certain financial statements and reports; to prescribe the powers and duties of certain state departments, state and local officials and employees, and other persons; and to prescribe penalties and provide remedies.

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

Senator Schuette introduced

Senate Bill No. 27, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 1998 PA 339; and to repeal acts and parts of acts.

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

Senator Schuette introduced

Senate Bill No. 28, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 502 (MCL 324.502), as amended by 1998 PA 114, and by adding section 61505a; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Schuette introduced

Senate Bill No. 29, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 362.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senator Schuette introduced

Senate Bill No. 30, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21054u.

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

Senator Schuette introduced

Senate Bill No. 31, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by amending the title, as amended by 1997 PA 142, and by adding section 21.

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

Senator Schuette introduced

Senate Bill No. 32, entitled

A bill to require certain labor organizations to obtain an individual's written authorization on a specified form before using certain dues or fees paid by the individual for political, social, charitable, or other activities that are not related to collective bargaining, contract administration, or grievance processing; to impose certain duties on certain departments; and to provide for penalties and remedies.

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

Statements

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

The motion prevailed.

Senator Jaye's statement is as follows:

Today I introduced Senate Resolution No. 3 which states that no legislation shall be voted upon until a written or electronic copy of the legislation is available to Senators for 15 minutes prior to when the vote is taken.

This rule change is necessary because there are hundreds of bills that Senators vote on that most Senators and our staff don't have a clue what is inside the bill, the cost, or what the ramifications of the proposed new laws will be. Family members, how many of you would hand over your money or your family's money for a car, a kitchen appliance, a home, health care, college education, a retirement fund, and/or home or auto insurance when you don't know the price, the value, the benefits, or short comings of the product? How many of you would sign a contract, because that's what legislation is, a binding contract, how many would sign a contract, often for millions of dollars, contracts that affect the quality of life and liberty on the job, in schools, and neighborhoods, the type of your health care and retirement plans, without having at least 15 minutes to read the contract?

Approximately 300 bills were voted on in the last two weeks of the 1998 session. Some days we were voting on bills well past midnight, and most of the Senators and our staff didn't even have any idea what was before us. Some quick examples include: increasing gambling prizes at the cost of school revenues, approximately \$3.8 million in mysterious last minute spending, and legislation to give corporations millions in taxpayer dollars, even large corporate polluters.

The problem isn't with the Senators; the problem is with the unreasonable rules and constraints that we Senators are forced to work under. Out of the 36 other Senators, I have served with 35 in the House and Senate. I know each of these Senators, your family members, and friends. They are decent, dedicated people who work very hard to make Michigan a better place for their district, their neighbors, and their families. And I believe we should break this unreasonable, reckless, and dangerous rule that allows Senators to vote on millions of taxpayers' money and major contracts without knowing the details.

Fifteen minutes, at a minimum, would allow Senators, our staff, and the people most impacted by the proposed law to have a chance to read the legislation that our taxpayers will be forced to pay and our families and neighbors will be forced to live under.

I also introduced Senate Resolution No. 4 which would allow guests of Senators to sit in a Senators' chair ending one hour prior to session and beginning one hour after session. This rule change is necessary because, believe it or not, only an elected Senator is allowed to sit in a Senator's seat. Even though we Senators are "public servants" and even though Senator's salary, staff, and even our seats on the floor of the Senate are paid by the taxpayers, only a Senator's royal bottom is ever allowed to sit in a Senator's chair. In the Michigan House of Representatives, state Representatives are allowed to have their guests to sit in the seats of state Representatives.

I have a nephew, nine-year-old Joe Jaye, Jr., who I love very much. I want to bring Little Joe and the 26 other students of his third grade class from St. Clement Catholic Grade School to the Senate floor one day after Senate session and let these youngsters, Michigan's future, to have a chance to see the Senate, to have the chance to make government a little more interesting, and just maybe have them dream about being a Senator one day. Imagine the excitement for a group of students, their parent chaperones, and teachers to be escorted by their legislator, sit in legislator's chair, and get a legislator's eye view of the chamber. With the magic of the event of sitting in a legislator's chair, even having a mock vote, students learn that government isn't just dry book work; it's history on the run; it's action; and it's made by real people. Imagine a child dreaming of being the first lady Speaker of the House, the first state Representative from their hometown, or even being a Senator. I bet most of the Senators have a nephew or niece, a son or daughter, a grandson or granddaughter that you love just as much as I love little Joe and who would enjoy sharing our Senate work area with them and their fellow students. I bet you all have some neighborhood children and senior citizens who would also enjoy the opportunity to sit and visit with their own Senator on the Senate floor.

Unfortunately, our current Senate rules do not allow students, seniors, or other guests or even our own family members, our wives, husbands, parents, nuns, priests, rabbis, or friends can ever sit in the Senators' seats. The problem isn't with the Senators. The problem is with the unreasonable rules and constraints Senators are forced to work under.

My Senate colleagues, I ask for your support of Senate Resolution No. 3 and Senate Resolution No. 4 to change the Senate rules quickly. Let's do the right thing on behalf of our families, our friends, the neighbors, and of the great state of Michigan.

Senator McCotter moved that the Senate adjourn.

The motion prevailed, the time being 2:22 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Posthumus, declared the Senate adjourned until Tuesday, January 26, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.