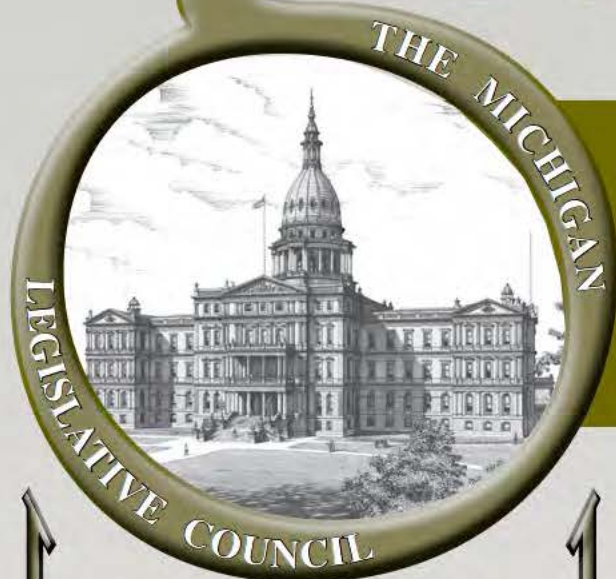


Legislative government



2013

Briefing book

The State Capitol

The State Capitol, the seat of state government, is the most widely recognized historic building in Michigan. Each year, thousands come to the Capitol to make their voices heard, see government in action, and learn how laws are made. However, Michigan's statehouse is more than a place of business and lawmaking. It is also a national historic treasure that represents a successful marriage of 19th century art and architecture and 21st century technology.

Dedicated on January 1, 1879, at a cost of approximately \$1.4 million, it was the first of three capitols designed by Elijah Myers (the others are in Texas and Colorado) and was among the first to take as its inspiration the United States Capitol. Myers' use of a central dome and balanced wings, like the nation's capitol, set the standard for statehouses all over the country.

Over the years, hard use took a toll on the Capitol. The additions of electricity, telephones, and computers damaged the building's art and architecture. Crowding became a constant problem. By the late 1960s, 50,000 square feet of new floor space had been created by subdividing the Capitol's high-ceilinged rooms. Ornate plasterwork, wood trim, and decorative paint—some of the most elaborate and extensive in the nation—disappeared under drop ceilings, layers of plain paint, and wallboard.

In 1989, a project to restore the Capitol began. Its success was the result of a highly successful collaboration among legislative leaders, the executive branch, and the public. To implement the project, the Michigan Capitol Committee was formed. This 12-member bipartisan body, made up equally of House, Senate, and Governor's Office members, managed the restoration. The committee established two goals for the project. The Capitol would be truly restored, faithfully returning it to its original appearance following guidelines established by the National Trust for Historic Preservation, and it would be restored as a fully functioning building—not as a museum. The Michigan Capitol Committee continues to oversee this grand building.

In that same year, the National Trust for Historic Preservation recognized the restoration with the nation's highest historic preservation award. Also in 1992, the Capitol was designated a National Historic Landmark. The restoration garnered attention for innovative engineering and, in 1996, the American Institute of Architects conferred its top honor on the building.

Today the Michigan Capitol Committee and the Legislative Council Facilities Agency preserve this beautiful building as our working seat of state government. It is a national treasure; our challenge is to ensure that future generations of Michigan citizens can continue to enjoy and learn from it.

For information on arranging tours, call the Capitol Tour and Information Service, a branch of the Legislative Council Facilities Agency, at 373-2353.



The Capitol is a gathering spot for numerous celebrations, protests, and special events.

Legislative Briefing Book 2013

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Jim Stamas
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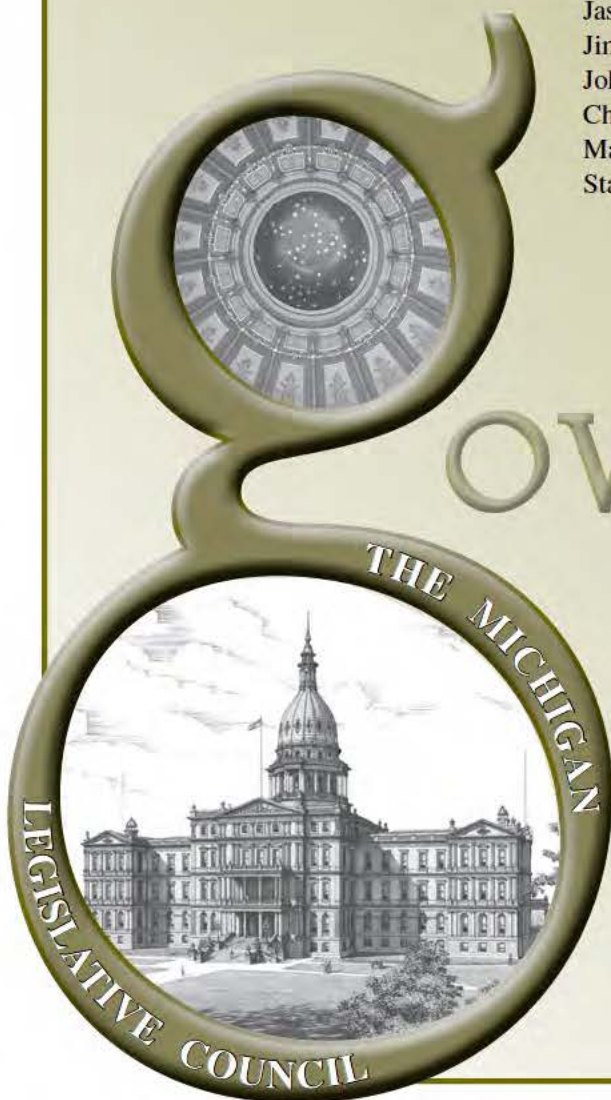
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Legislative Council Administrator

November 2012

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Legislative Council

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Congratulations on your election to Michigan's Ninety-seventh Legislature!

On behalf of the Legislative Council, the Legislative Service Bureau prepared the Legislative Briefing Book 2013 to introduce you to the workings of the Legislature, and the people and resources that can help as you embark on your lawmaking responsibilities. The pace of work in the Legislature can be frenetic, the subject matter diverse, the stakes high, and the interested parties varied and forceful. Learning who does what in the Legislature and how different staffs can be of assistance to you will help you navigate the complex and demanding work of a legislator.

The Briefing Book 2013 is one means of acquainting yourself with the resources you need to tap. This book can serve as your initial reference to and means to contact the people who help make session run, those who help you with office matters, staff who draft the bills and resolutions you introduce, people who research questions and issues at your request, and many others who regularly help you complete your work. Aside from people, the Legislature is dependent on computers and networks to get the job done, access information, and make requests of others. References to these networks are also included in the Briefing Book 2013 to round out the introduction to resources that you will come to depend on in the 2013/2014 legislative session.

Let me start this process by acquainting you with the Legislative Council, the joint committee created by the Michigan Constitution to provide for the staff needed to draft bills, conduct research, and provide other services used by the Legislature. Statute fills in the details of how the Council provides for these services. I am the Legislative Council Administrator and in that capacity I oversee the work of the Legislative Service Bureau that provides the drafting, research, printing and telecommunication services you need; the Legislative Council Facilities Agency that manages the Capitol; and the Legislative Corrections Ombudsman to assist you with complaints and oversight of the corrections system; and several commissions established by the Legislature. Please do not hesitate to contact me at 373-0212 with any questions or concerns.

Sincerely,

John Strand
Legislative Council Administrator
jstrand@legislature.mi.gov

Special thanks are extended to the Legislative Service Bureau's Research Services Division for compiling the Briefing Book 2013 and the Printing Division for composing and printing the final product.

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Overview of the Legislature

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The Michigan Senate.



The Michigan House of Representatives.

The Legislature and its Members

The legislative power of the State of Michigan is vested in a Senate and a House of Representatives. The Senate consists of 38 members elected by the qualified electors of each district. Senators are elected at the same election as the Governor for four-year terms concurrent with the Governor's term of office. The House of Representatives consists of 110 members elected by the qualified electors of each district. House members are elected in even-numbered years for two-year terms. All legislators are elected from single-member districts, that is, only one legislator is elected from each district. The terms of office for Senators and Representatives begin at 12 o'clock noon on the first day of January following the November general election. (Constitution, Art. XI, Sec. 2.)

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

Eligibility for Office

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

- Must be a citizen of the United States, at least 21 years of age, and an elector of the district he or she represents.

- Must not have been convicted of subversion or, within the past 20 years, have been convicted of a felony involving a breach of the public trust. (Constitution, Art. IV, Sec. 7.)
- Must not hold any office, employment, or position under the United States, the State of Michigan, or any political subdivisions thereof. A person may, however, be a notary public or a member of the armed forces reserve. This constitutional provision allows people holding offices or positions to run for the Legislature, but dual officeholding is prohibited. (Constitution, Art. IV, Sec. 8.)

Members-elect, before entering the duties of office, are required to take and subscribe to the oath of office set forth in Article XI, Section 1, of the State Constitution.

Legislative Privileges

Senators and Representatives are privileged from civil arrest and civil process during sessions of the Legislature and for five days before the commencement and after the termination of session. (Constitution, Art. IV, Sec. 11.) Statutes prohibit legislators from being made party to civil actions and to contested cases brought under the Administrative Procedures Act for actions that are duties of a legislator. Specified legislative records are exempt from subpoena. In certain administrative proceedings and civil actions, exceptions were provided to service of process requirements and provision made for continuance to a nonsession day. Members cannot be questioned in any other place for any speech made in either chamber. Legislators are not immune from arrest on criminal charges.

The Constitution also permits legislators the privilege of dissenting from and protesting against any act, proceeding, or resolution that the member deems injurious to any person or the public and to have the reason for the dissent entered into the journal.

Restrictions of Office

Once elected to the Legislature, a member is not eligible to receive any civil appointment, except as a notary public, within this state from the Governor, the Legislature, or from any other state authority during the term for which elected. (Constitution, Art. IV, Sec. 9.)

A member of the Legislature cannot have an interest, either directly or indirectly, in any contract with the state or any political subdivision which would cause a substantial conflict of interest. (Constitution, Art. IV, Sec. 10. This constitutional provision was implemented by 1968 PA 318.)

Members should also be aware of those provisions in the Senate Rules and House Rules related to conduct and ethics.

Under the State Constitution, each chamber of the Legislature is the sole judge of the qualifications, elections, and returns of its members. (Constitution, Art. IV, Sec. 16.)

Each chamber of the Legislature also has authority to expel a member with the concurrence of two-thirds of its members. The reasons for an expulsion must be entered in the journal along with the votes and names of the members voting on the expulsion. The Constitution prohibits a member from being expelled a second time for the same reason. (Constitution, Art. IV, Sec. 16.)

Under the provisions of the 1992 amendment to the State Constitution setting term limits, no one may be elected to the office of State Representative more than three times. No one may be elected to the Senate more than twice. A person who fills a vacancy for a term with half or less of the term remaining is eligible to be elected and serve for two full terms in the Senate and three terms in the House. (Constitution, Art. IV, Sec. 54.)

Vacancies in Office

Under the Michigan Constitution, the Governor is responsible for determining whether a special election will be held to fill a vacancy in a legislative office or if the vacancy will be filled at the next general election. The election procedures for filling the vacancy are prescribed by law. (Constitution, Art. V, Sec. 13.)

Legislator Compensation and Benefits

Legislators' salaries and expense allowances are determined by the State Officers Compensation Commission, which was created by the Michigan Constitution. Under a constitutional amendment approved by voters in August 2002, the commission's determinations must be approved by a majority vote in both chambers of the Legislature before any salary or expense allowance can increase, but the determinations are not effective until the next legislative session following the next general election.

The Legislature can reduce the amount of any proposed increase. (Constitution, Art. IV, Sec. 12.)

The salary for legislators is \$71,685, with an expense allowance of \$10,800.

Legislators who first took office after March 31, 1997 are eligible to participate in the State of Michigan *Defined Contribution* retirement system (www.michigan.gov/orsstatedc). Under Public Act 200 of 2011, legislators completing 6 years of service by January 1, 2013 as a qualified participant in this plan also vest in retiree health benefits offered by the State of Michigan. Currently, legislative retirees share 10% of the cost of these benefits. Legislators who do not meet this eligibility criterion will not be eligible for state retiree health benefits.

Legislators who first took office on or before March 31, 1997 are part of a defined benefit retirement system and are eligible for retiree benefits. These benefits are administered by the Legislative Retirement System (517-373-0575).

Leadership and Organizational Framework

The Michigan Legislature is organized to effectively handle the voluminous workload presented to it. To that end, each chamber of the Legislature chooses from its own membership a leadership team who guides the business of the chamber, who determines committee assignments, and who handles administrative functions of their respective chambers. Aiding in their work, the Legislature has a number of institutional organizations, including the Clerk of the House, Clerk of the Senate, Legislative Council, and Caucus Staffs.

Chamber Leadership

The presiding officer or President of the Senate is the Lieutenant Governor, who is not an elected member of the Senate. The Senate elects from its own membership the remaining officers. The President Pro Tempore is the presiding officer in the absence of the President of the Senate. Assistant and Associate roles have been created to help the President Pro Tempore with this function. Majority and Minority Leaders are elected by their own caucuses. The Majority Leader appoints committees, assigns duties to Senate employees, and establishes guidelines for the financial management of Senate offices. Floor leaders direct the activities of their party on the floor. Caucus Chairs and Whips are responsible for conducting caucus meetings.

Members of the House of Representatives also elect their own officers from the House's membership. The Speaker of the House is the presiding officer, assisted by the Speaker Pro Tempore. The Speaker appoints committees, selects employees, presides during session, and handles administrative functions. These officers are elected by a majority of the voting members. Majority, Minority and caucus positions are similar in their responsibilities as their Senate counterparts. The House does not use the title Majority Leader.

The Secretary of the Senate and Clerk of the House serve as the chamber's respective parliamentarians. They are elected as officers by the chamber's full membership to assist in record keeping, assist in conducting sessions, and other administrative responsibilities. For more detail on using these entities and the other resources, including the Caucus staff, Research and Legal Services, please refer to the chapter on Necessary Resources.

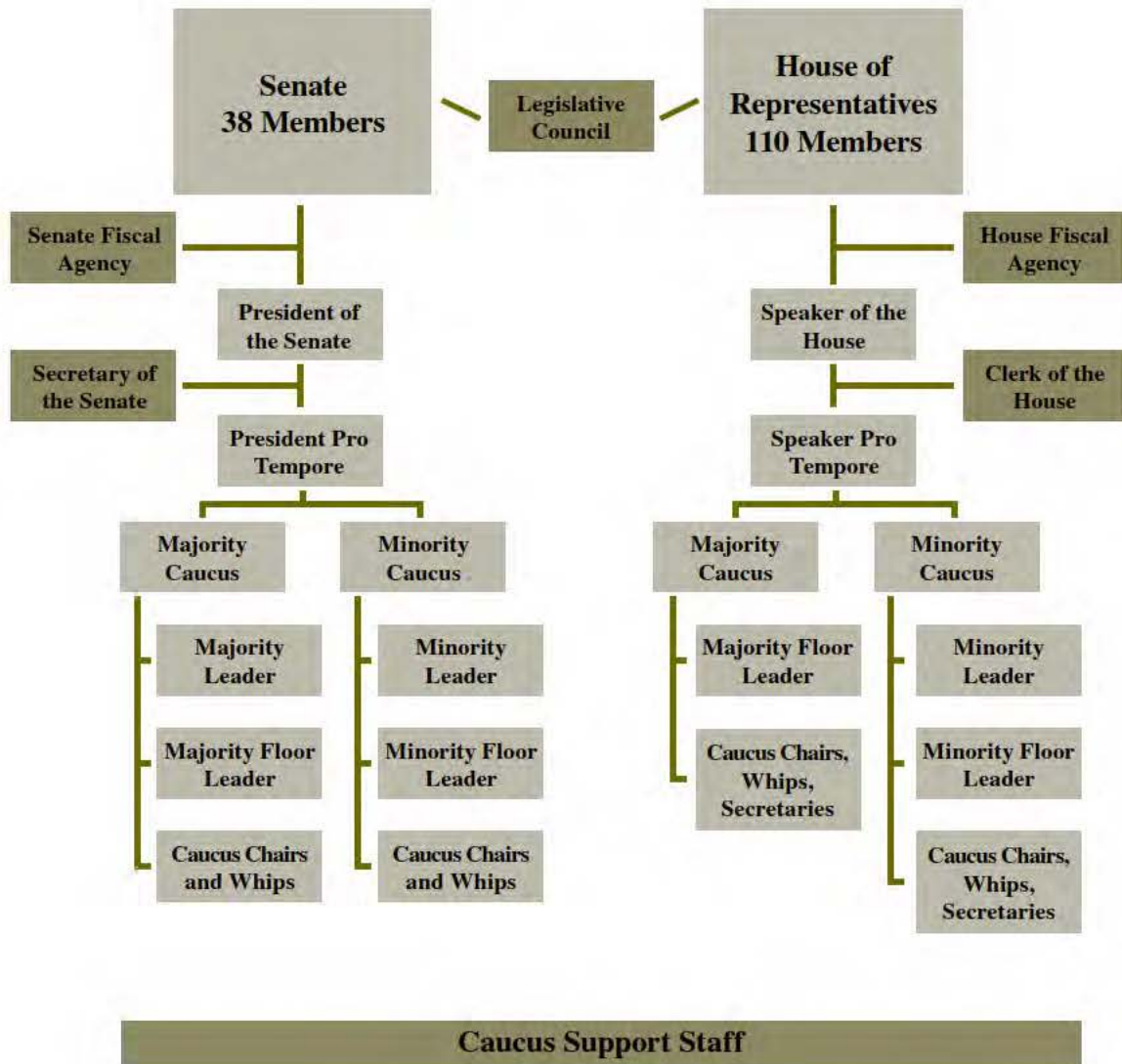


Senate Majority
Leader
Randy Richardville.



Speaker of the House
Jase Bolger.

Michigan Legislature



- Chamber Membership
- Support Staff

Clerk of the House of Representatives

The Clerk of the House of Representatives is the parliamentarian for this chamber of the Michigan Legislature. The Clerk of the House (373-0135) offices are located on the ground floor of the Capitol.

The Clerk of the House, who is elected to this position by the members of the House of Representatives, has an active role during legislative sessions. It is the Clerk who calls the roll, announces the proceedings of the House of Representatives, records votes, serves as parliamentarian, and presides in the absence of a designated presiding officer. Assisting the Clerk at the podium during session are the various clerks responsible for bills, resolutions, amendments to bills and resolutions, the journal, and other recordkeeping responsibilities.

To introduce a bill in the House, a member submits the blueback as received from the Legislative Service Bureau to the Clerk of the House of Representatives. Bills must be submitted not less than three hours prior to the time the House commences daily session.

The Office of the Clerk of the House performs duties that are stipulated in statute, rule, joint rule, and at the direction of the membership, and performs a wide range of administrative and technical services that facilitate the day-to-day operations of the House of Representatives. These responsibilities include preparation of various legislative documents, including the House Journal and the Daily Calendar, which specifies the order of pending business; the printing or reproduction of bills, acts, or other documents; and the overall responsibility for the care and preservation of each bill introduced in the House or received from the Senate.



The chamber of the Michigan House of Representatives.

House Session Staff

- *House Bill Clerks (373-0136) and Resolution Clerks (373-0404)*: Maintain House bills, resolutions, concurrent resolutions, and joint resolutions and all Senate bills, concurrent resolutions, and joint resolutions as they are acted upon in the House. The bill and resolution clerks also update the status of legislative action, prepare the daily House Calendar, enter bill amendments and substitutes, and update the session website. The resolution desk prepares commemorative non-policy resolutions, including providing formal copies of the resolutions.
- *House Committee Clerks (373-0015)*: Assist standing committees in recording the actions taken by each committee on legislation. Committee clerks maintain records of all motions, amendments, substitutes, and proposed actions considered in committee. They also are responsible for preparing committee reports for the full House.
- *House Enrolling Clerks (373-0138)*: Record bill introductions for each day's session. The enrolling clerks are also responsible for the enrollment of House-originated bills that have passed both houses and are ready to go to the Governor. The enrolling clerks are responsible for the joint resolutions in the same manner as the enrolled bills.
- *House Journal Clerks (373-0137)*: Prepare material for the publication of the House Journal, which is compiled following each day's session. The House Journal is the formal record of proceedings of the House of Representatives and includes official action.

Secretary of the Senate

The Senate elects the Secretary of the Senate as a constitutional and statutory Senate officer at the beginning of the four-year term. The Secretary's most visible role is the work on the rostrum during session, reading in bills, recording votes, serving as the parliamentarian, and, occasionally, presiding in the absence of the designated presiding officers.

The Secretary of the Senate has many statutory record-keeping responsibilities, including the recording and validating of official Senate actions; preparation of the journal of each session day's proceedings; and the responsibility for conducting training seminars for legislators, committee clerks, and other Senate staff. This officer is often called upon to provide historical information as well.

The Secretary also serves as the Senate's chief administrative and information officer, with a broad range of functions, from the administration of the Senate budget and payroll to supervisory authority for the Senate's physical plant, including the Farnum Building, and responding to requests for information about the Senate. The Secretary, in consultation with the Senate Majority Leader, prepares the Senate's annual budget and oversees its administration.

The Secretary provides electronic status reports to each Senator about staff and office operations accounts, committee operations accounts for Senators who chair committees, and oversight to assure compliance with budget guidelines and Senate Rules. The Secretary also acts as the Senate's chief purchasing agent for all equipment, services, contracting, and supplies.



The chamber of the Michigan Senate.

Senate Session Staff

The Senate Session Clerks (373-6528) provide a variety of technical support in the area of legislation dealing with the introduction of bills, amendments, committee reports, Senate calendars, Senate journals, and resolutions. They provide various other session-related activities, such as assisting the Secretary and Assistant Secretary of the Senate, Senators, and staff during session; conducting committee clerk training; providing legislative and parliamentary research; distributing updated Senate Rules; and responding to legislative inquiries. The Session Staff unit includes the following:

- *Enrolling Clerks* (373-6770 or 373-9423): Number, introduce, print, enroll, and present bills to the Governor and receive and process resolutions.
- *Amending Clerks* (373-6758 or 373-0101): Support processing amendments, substitutes, and committee reports.
- *Bill Clerks* (373-0514 or 373-6748): Receive, prepare, and transmit messages and bills that are considered by each chamber, update status histories, and prepare the daily Senate calendar.
- *Journal Clerks* (373-6523, 373-7495, or 373-2403): Attend daily Senate sessions and record legislative actions for publication in the Senate Journal, the official record of Senate session proceedings. Journal clerks also receive Governor's appointments and Executive Orders and begin the processing of amendments that are submitted during session.

Legislative Council

The Legislative Council is a constitutional body established in Article IV, Section 15, of the Michigan Constitution to provide essential bill drafting, research, and other services to members of the legislature. The Legislative Council is governed by a joint legislative committee comprised of six members from the



House of Representatives appointed by the Speaker and six members of the Senate appointed by the Senate Majority Leader and six alternate members as prescribed by the Legislative Council Act (1986 PA 268). The Legislative Council Rules are adopted by the council members to guide their activities and govern those of Legislative Council staff. The Legislative Council is the governing body of the following agencies:

- *Legislative Service Bureau (LSB)*: Assists staff and lawmakers in the legislative process through bill drafting, research, printing, telephones, and the Legislature's public website. The Necessary Resources chapter has more information on how to take advantage of their services.
- *Legislative Council Facilities Agency*: Provides building management services for the Capitol and monitors the safety system of all legislative buildings. This office also provides tour and information services for Capitol visitors and manages parking lots under the control of the Legislative Council.
- *Legislative Corrections Ombudsman*: Assists legislators with concerns about the state's corrections system, including monitoring activities, investigating complaints, reporting findings, and, where possible, helping to achieve equitable solutions when problems are confirmed.
- *Joint Committee on Administrative Rules*: Reviews rules transmitted to the committee by state departments.
- *Michigan Commission on Uniform State Laws*: Confers with other states to try to eliminate statutory barriers to interstate cooperation.
- *Michigan Law Revision Commission*: Examines the common law and statutes of the state and current judicial decisions to identify defects and anachronisms in the law and recommend reforms to the Legislature.
- *State Drug Treatment Court Advisory Committee*: Monitors the effectiveness of drug treatment courts and the availability of funding for those courts and presents recommendations regarding proposed statutory changes for drug treatment courts to the Legislature and the Supreme Court.

These agencies share the same commitment to providing all services with impartiality, nonpartisanship, and in the strictest confidence. This is a commitment expressed both in law and in the spirit of Legislative Council employees.

Legislative Rules and Procedures

The rules and procedures of each chamber are determined by the chamber's membership. Each Michigan Legislature conducts its work on a two-year cycle. Any business or legislation pending at the final adjournment of a regular session held in an odd-numbered year carries over with the same status into the next year. However, under the Joint Rules, either chamber is prohibited from reconsidering in a subsequent year the vote by which any business, bill, or joint resolution was defeated or vetoed in a previous year. No pending business or legislation is carried over from one two-year cycle to the next. Such legislation must be reintroduced in the new or subsequent session.

Under the State Constitution, the doors of each chamber must be kept open unless the public security requires otherwise. The Michigan Open Meetings Act (1976 PA 267) includes the following provisions:

- The right to address or speak at a meeting of the Legislature or either chamber may be limited to prescribed times at hearings and committee meetings only.
- Partisan caucuses of members of the Legislature may be held in closed session.
- The 18-hour public notice for rescheduled meetings does not apply to conference committees.

Committees that must reschedule meetings are required to give at least a six-hour notice. A second conference committee has to give only a one-hour notice. The conference committee meeting notice must include written notice to each committee member and the majority and minority leaders of each chamber of the time and place of the meeting.

The House has also included, as a part of its Standing Rules, Uniform Committee Rules, which are intended to ensure public access to House committee meetings.

When the Chambers Meet

In accordance with the State Constitution, the Legislature is required to meet at the seat of government (Lansing) on the second Wednesday in January of each year at 12 o'clock noon. Depending on the circumstances, the intense work of the session may not begin until after the Governor's State-of-the-State or the Governor's presentation of the budget.

Daily sessions of the Legislature are normally held, unless either chamber designates a different hour for convening, on Tuesday, Wednesday, and Thursday at 10:00 a.m. in the Senate and Tuesday and Wednesday at 1:30 p.m. and Thursday at noon in the House.

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

Compelling Member Attendance

In either chamber, if a quorum is not present, the members present may adjourn from day-to-day, or may compel the attendance of absent members in the manner and with penalties as each chamber may prescribe. This is known as a "call of the Senate" or "call of the House". Members may be ordered in the Senate by a majority of the Senators present, regardless of whether a quorum is present. A call of the House may be ordered by a majority of members present, but the total in favor of the call shall not be less than 15. Once a call is ordered, the doors of the House or Senate are closed and the members are prohibited from leaving the floor of the chambers without permission of the body. The Sergeant-at-Arms or other authorized persons may also be dispatched after the absentees.



Senator Hildenbrand showing how votes are cast in the chamber.

Chamber Rules Governing a Quorum

The Senate adopts its standing rules every four years and the House adopts its rules every two years. The House Rules, Senate Rules, and Joint Rules are contained in the *Legislative Handbook and Directory* compiled by the Secretary of the Senate and the Clerk of the House. The rules are available online at www.legislature.mi.gov under "Publications."

In the Senate, amending or repealing a rule must be by resolution referred to the Committee on Government Operations for review. The amendment or repeal of a rule requires a majority vote of the Senators present. A rule may be suspended by a majority of the members elected and serving. House Rules may be altered by a majority vote of the members elected and serving but any proposed changes must be made in writing and in the possession of the House five days prior to their consideration.

A rule may be suspended by a vote of three-fifths of the Representatives present and voting. Suspension of the rules on matters related to the order of business, schedule of legislative sessions, and adjournment may be by majority vote of the members elected and serving.

Legislative and Parliamentary Procedures

One of the areas new legislators are generally least familiar with initially is legislative/parliamentary procedures. Both members and staff should be familiar with the rules of both chambers, the Joint Rules, and the constitutional provisions governing the Legislature, which may be found in Article IV of the Michigan Constitution.

In the Senate, the rules of parliamentary practice comprised in *Mason's Manual of Legislative Procedure* govern in all cases where they are not inconsistent with the standing rules and precedents of the Senate. Senators' inquiries about parliamentary procedure during session should be directed to the presiding officer. It should also be noted that, by Senate Rule, the Secretary of the Senate or a member of the staff of the Secretary of the Senate shall serve as the Senate Parliamentarian to advise the Senate on questions relating to parliamentary law and procedure.

In the House, in cases not provided for by the State Constitution, the House Rules, or by the Joint Rules of the Senate and House of Representatives, the authority is also *Mason's Manual of Legislative Procedure*. In the House, members' inquiries should be directed to the presiding officer during session. By House Rule, the Clerk of the House serves as the House Parliamentarian.

Outside of session, the Secretary of the Senate or the Clerk of the House and their staffs are available to answer questions of procedure or to provide general information concerning the operation of the chambers.

Recesses and Adjournments

By constitutional provision, neither chamber can adjourn, without the consent of the other, for more than two intervening calendar days, nor adjourn to any place other than where the Legislature may then be in session. Generally, the House and Senate adopt a concurrent resolution at the start of each biennial session authorizing a longer period of adjournment without the approval of both chambers. For longer periods, a concurrent adjournment resolution is adopted by both chambers with specific dates for adjournment and reconvening.

Regular sessions are adjourned sine die (without day) on a day determined by concurrent resolution at 12:00 noon. Usually, the sine die or final adjournment occurs during the last week of the year.

Special Sessions

The Governor is authorized by the State Constitution to convene the Legislature on extraordinary occasions. The Governor may also convene the Legislature at some other place if the seat of government becomes dangerous for any reason. During a special session called by the Governor, the Legislature cannot pass bills on any subject other than those expressly stated in the Governor's proclamation or those submitted by special message.

Under the Joint Rules, if either or both chambers of the Legislature have adjourned for more than two days until a specific date, a committee composed of the Senate Majority Leader and the Speaker of the House may by unanimous vote convene either or both chambers at any time in case of emergency.

From Idea to Law: Bills and Resolutions

How an Idea Becomes a Bill

Turning a Bill Into Law

Introduction, Title Reading, Referral to Committee, Committee Review, Committee Action and Reports, General Orders or Second Reading, Third Reading, Enactment by the Legislature, Approval by the Governor, Legislative Veto Response

How to Read a Bill

Structure of a Bill, Modifying a Bill, Resolutions

Developing a Budget and Authorizing Appropriations

Development of the Executive Budget, Legislative Consideration of the Budget, Appropriation Bill Format, Enactment of Appropriation Bills, Budget Revisions



From Idea to Law

Many civics books detail the legislative process. However, an often overlooked, but no less important, component of our system of self-government is the transformation of ideas into bills. Far less is written about what happens before the formal steps of drafting, introduction, committees, and public input on a proposal. In the variety of sources from which an idea can spring, this first step in lawmaking reflects the diversity of our society. It illustrates the stake we all have in what the Legislature does.

This chapter sets out to accomplish two aims: detailing the process and framework that bills are channeled through and providing an introduction on how to transform a concept into statute. The first topic is an overview of how ideas for legislation are generated. That is followed by the ten-step process a bill experiences from introduction to the Governor's signature or veto and what it takes for a bill to advance to the stages in between. A discussion on how to read the various parts of a bill follows. Finally, this chapter concludes with an overview of Michigan's appropriation process and budget cycle. The supporting resources that aid legislatures and staff in the efforts that are mentioned throughout the text are detailed in the next chapter.

How an Idea Becomes a Bill

Unlike the State Constitution, which is considered a broad framework and is amended infrequently, laws are more fluid to reflect changes in how we live, work, educate our children, develop our economy, protect our citizens, promote health, and safeguard the environment. In theory, there is no limit to the sources for or numbers of ideas for new laws or changes to existing laws. In practice, of course, ideas for most bills come from the following sources:

- *Legislators:* The membership has a diverse set of experiences.
- *The Governor:* As the state's chief executive officer, the Governor has a leadership role in proposing solutions to problems. The Governor cannot introduce bills and must work with legislators to have them introduce the appropriate proposals as bills.
- *Constituents:* Constituent questions or problems frequently uncover a legislative need.
- *Interest Groups:* Virtually all citizens are represented in some way by interest groups. These groups speak for the places people work and live and the common interests we share with others. These lobby groups bring ideas and knowledge to the lawmaking process.
- *Government Agencies:* Many bills originate in state agencies through the people "on the front lines" carrying out state policies.
- *Courts and the Attorney General:* The interpretation of statutes by the courts and Attorney General's opinions can point out areas where a law needs to be refined, clarified or rewritten.
- *Federal Government:* Changes in federal law and regulations often make it necessary for state laws to change to remain consistent, to qualify for federal funding, or to avoid losing federal aid.
- *Special Committees and Task Forces:* Groups of lawmakers and staff often work together to study a given problem. Many major packages of legislation, like school finance and the consolidation of health laws, were developed through these groups.
- *Legislative Agencies:* Staff people working on an issue can encounter innovative laws in other states or reports from sources like the *National Conference of State Legislatures* or the *Council of State Governments*. The *Michigan Law Revision Commission* and the *Michigan Commission on Uniform State Laws* regularly make recommendations.

After receiving ideas from these diverse sources, a legislator must decide if the problem requires



Representatives Durhal and Brown.

legislation. Determining this involves research and communication with many of the same sources listed above. This stage—weeding out notions that do not call for changes to state law—is probably one of the most important steps in the entire process.

When the decision is made to contact the Legal Division of the Legislative Service Bureau (LSB) to make a bill request, the idea begins to take shape into the language of law. The attorney working with legislators and staff on the draft will often use the information gathered already to craft a solution to the original problem. After preparation, the drafted bill (often referred to as the “blueback”) is ready for introduction and review through the legislative process.

Turning a Bill Into Law

The Michigan Legislature develops and considers legislation for the state on any subject not prohibited by the state or federal constitutions. There are various steps that every piece of legislation follows in the course of being considered. These steps constitute the legislative process.

During its two-year term, the Legislature considers many of the 3,000 to 5,000 bills introduced. Proper consideration of the bills requires organization, time, and hard work. Legislators and legislative committees spend many hours working on bills before they are submitted for consideration on the floor of either chamber of the Legislature. The floor debate on a bill, as seen by a visitor, is the final stage of legislative consideration of the bill prior to passage or defeat in each chamber.

The State Constitution requires that an introduced bill be printed and in the possession of each chamber for at least five days prior to passage. This provision serves to prevent hasty or ill-considered legislation and to allow interested persons outside the Legislature to become familiar with proposed legislation. (Constitution, Art. IV, Sec. 26.) No act shall take effect until the expiration of 90 days from the end of the session at which the measure was enacted. The Legislature may give immediate effect to an act by a two-thirds vote of the members elected and serving in each chamber. (Constitution, Art. IV, Sec. 27.)



The following is a general and very brief description of the major steps of the legislative process a bill must go through before it is enacted into law:

1. Introduction:

Bills may be introduced in either chamber of the Legislature. Senate bills are filed with the Secretary of the Senate and House bills with the Clerk of the House. Upon introduction, bills are assigned a number. At the beginning of each biennial session, House bills are numbered consecutively starting with House Bill No. 4001 and Senate bills are numbered starting with Senate Bill No. 1. In both chambers, joint resolutions are assigned a letter starting with the letter “A.”

2. Title Reading:

Under the State Constitution, every bill must be read three times before it may be passed. The courts have held, however, that this requirement can be satisfied by reading the bill’s title. Upon introduction, the bill’s title is read a first and second time in the Senate and is read once in the House. The introduced bill is then ordered to be printed.

3. Referral to Committee:

Upon introduction, a bill is also referred to a standing committee in the Senate by the Majority Leader and in the House of Representatives by the Speaker. All Senate bills involving an appropriation must be referred either directly to the appropriations committee or to an appropriate standing committee and then to the appropriations committee.

4. Committee Review:

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

5. Committee Action and Reports:

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

- a. Report the bill with favorable recommendation.
- b. Report the bill with amendments with favorable recommendation.
- c. Report the bill with the recommendation that a substitute be adopted.
- d. Report the bill without recommendation.
- e. Report the bill with amendments but without recommendation.
- f. Report the bill with the recommendation that the bill be referred to another committee.
- g. Take no action on the bill.
- h. Vote to not report the bill out of committee.

Reported with recommendation. If a bill is reported from committee favorably with or without amendment or in the form of a substitute bill, the committee report is printed in the journal, with a list of how committee members voted on reporting the bill. On being reported favorably from committee, the bill and recommended committee amendments (if any) are placed on the order of "General Orders" in the Senate. In the House, the bill and amendments (if any) are referred to the order of "Second Reading."

Reported without recommendation. The bill, upon being reported from committee, is tabled (temporarily removed from consideration) on the floor. A majority vote of the members present and voting in the chamber where the bill is tabled is required to remove the bill from the table before it may be given further consideration.

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

6. General Orders or Second Reading:

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



Senator Booher and the
Osceola County Sheriff testify
before committee.

7. Third Reading:

While there are provisions in the House Rules and the Senate Rules for reading bills, unless exception is made, in practice, bills are not read in full in either chamber. In both chambers, amendments must be approved by a majority vote of the members serving and the previous question may be moved and debate cut off by a vote of a majority of the members present and voting. At the conclusion of Third Reading, the bill is either passed or defeated by a roll call vote of the majority of the members elected and serving (pursuant to the State Constitution, approval of certain measures requires a “super majority” of a two-thirds or three-fourths vote) or one of the following four options is exercised to delay final action on the bill: (a) the bill is returned to committee for further consideration; (b) consideration of the bill is postponed indefinitely; (c) consideration of the bill is postponed until a certain date; or (d) the bill is tabled.

Following either passage or defeat of a bill, a legislator may move for reconsideration of the vote by which the bill was passed or defeated, if the bill is still in possession of the chamber. (A motion to reconsider can be made for any question.) In the Senate, the motion for reconsideration must be made within the following two session days; in the House, the motion must be made within the next succeeding session day.

8. Enactment by the Legislature:

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

If a bill is passed by both chambers in identical form, the bill is ordered enrolled by the chamber in which the bill originated. Enrollment is the procedure used to verify what was actually passed by the Legislature. The enrolled bill is the final authoritative copy of a bill passed by both chambers and signed by the Clerk of the House and the Secretary of the Senate. Following enrollment and printing, the bill is sent to the Governor.

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

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

Enrolled bills. When a bill is passed by both chambers of the Legislature, it is enrolled. This version of the bill does not show the specific legislative changes in “~~strike through~~ / **BOLD**” form. The sections of law having proposed changes are published at length as they will actually appear when the bill is enacted into law.

9. Approval by the Governor:

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

- a. Sign the bill;
- b. Veto the bill and return it to the chamber of origin with a message stating the Governor's objections; or
- c. Choose not to sign or veto the bill.

If the Governor signs the bill it becomes law at the expiration of 90 days after the Legislature adjourns sine die, or on a date specified in the bill that is beyond the ninetieth day, or immediately upon filing with the Secretary of State if two-thirds of the Legislature voted for immediate effect. If a bill is neither signed nor vetoed, the bill becomes law 14 days after having reached the Governor's desk if the Legislature is in session or in recess. If the Legislature should adjourn sine die and the Governor does not sign the bill within 14 days, it does not become law. For each year, Public Acts are numbered sequentially starting with number 1.



Bill signing ceremony with Governor Snyder, Senators Dappage and Richardville, Secretary of State Johnson, and families of the U.S. Armed Forces.

10. Legislative Veto Response:

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

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

How to Read a Bill

Bills can amend existing law by adding or deleting language, or propose to create completely new law. These changes are presented in a particular style and format to make it easier to understand what a bill proposes to do.

Adding to the bill. In the body of a bill that proposes to amend existing law, all new language to be added to existing law is printed in BOLD UPPER CASE type, **LIKE THIS**. (For the 2003-2004 legislature, new language was signified by bold type only.) Language in lower case is not being changed by the bill.

Removing from the bill. If the object of a bill can be achieved by eliminating some, but not all, of the language of a section of existing law, the words to be deleted are shown with a line through them, ~~like this~~. This means, of course, that if a proposal passes, the words lined through will be deleted from the law. If an entire section of law is being repealed, a reference to the section will appear in the enacting section and the section being repealed will not appear in the body of the bill.

Completely new. Bills that propose a completely new act, appropriation bills, and bills that do not propose to change the general laws, such as local acts and land conveyance legislation, are typed in lower case.

Article IV of the Michigan Constitution contains several guidelines relating to the style, content, and enactment of bills.



Senator Johnson with Senators Whitmer, Warren, Hood, Gleason, and Anderson.

Sample of Introduced House Bill

HOUSE BILL No. 4845

Heading

HOUSE BILL No. 4845

June 30, 2011, Introduced by Reps. Foster and LaFontaine and referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 80101, 80104, and 80141 (MCL 324.80101,
324.80104, and 324.80141), section 80101 as amended by 2004 PA 547,
section 80104 as amended by 2004 PA 587, and section 80141 as added
by 1995 PA 58; and to repeal acts and parts of acts.

Style Clause

→ **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

Title

1 Sec. 80101. As used in this part:

2 (a) "Airboat" means a motorboat that is propelled, wholly or
3 in part, by a propeller projecting above the water surface.

4 (b) "Anchored rafts" means all types of nonpowered rafts used
5 for recreational purposes that are anchored seasonally on waters of
6 this state.

Line Numbers

Drafting Attorney

01768'11 ← **Bill Request Number and Year**

TLG

HOUSE BILL No. 4845

The Structure of a Bill

The more significant structural components of a bill are described in the following paragraphs and are listed according to their customary order of appearance. Each of the components may not be necessary for every bill. Their arrangement may also be revised according to the particular needs of a bill.

- *Headings* show the chamber in which the bill was introduced, the bill number assigned upon introduction, the date of introduction, the sponsor(s), and the committee to which the bill was referred.

Sample heading:

HOUSE BILL No. 5966

October 17, 2012, Introduced by Reps. McMillin, Poleski, Clemente and Howze and referred to the Committee on Regulatory Reform.

- *Titles* state the purpose of the bill in as clear and concise a manner as possible. The Michigan Constitution requires a title for all bills and further specifies that a law must embrace only one object, which shall be expressed in its title. In the case of an appropriation bill or a bill that does not amend existing law, the title is generally a short description of the bill. The title of a bill to change existing law specifically identifies the act and section(s) of law to be amended. The Michigan Constitution provides that a law cannot be revised, altered, or amended by reference to its title only.

Sample title (amendatory bill):

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending the title and sections 103 and 601 (MCL 4.1103 and 4.1601), the title as amended by 1988 PA 100 and section 601 as amended by 1933 PA 24.

- *Style clauses* are required by Article IV, Section 23, of the Michigan Constitution, which provides, "The style of the laws shall be: The People of the State of Michigan enact." This phrase has no bearing on the substance of a bill; even bills that only repeal or amend sections of the *Michigan Compiled Laws* (MCL) must include the style clause.

Style clause:

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- *Statutory short titles* can be included, for sake of brevity or ease of identification, such as the "Michigan penal code" or the "Revised judiciary act of 1961." Generally, if a statute contains a short title, it appears in the first section of the act and is also used in the title of a bill amending that act.

Sample short title:

Sec. 1. This act shall be known and may be cited as "the general property tax act".

- *Definition sections* are often included in new acts if the act contains key words or phrases that are used frequently in the act that have several dictionary meanings or that are limited or extended beyond common meanings.

Sample definition section:

Sec. 2. As used in this act:
(a) "Board" means the medical practice board in section 3.
(b) "Medical practice" means....

- *Provisions.* There are numerous varieties of *substantive provisions* included in the body of a bill. Types of sections that fall into this category include *principal operation provisions* that may, for example, specify by whom and how a bill shall be administered; *enforcement provisions* that may include directions on who shall enforce, investigate, or prosecute violations; and *savings clauses* that are utilized when the provisions of a bill affect existing rights, obligations, procedures, and pending matters, and when the Legislature wishes to preserve the status quo of those rights, obligations, procedures, or pending matters. In addition, many bills have provisions prescribing criminal or civil penalties for violating provisions set forth in the bill. These sections must be drafted to assure that persons subject to the law have a clear and unequivocal warning, in language that people generally will understand, of the actions that may expose them to liability. Within appropriation measures, the substantive sections that appear at the end of the bill are known as *boilerplate*. These provisions may relate to the reporting of expenditures or the intended use of appropriated funds, but should not attempt to amend substantive changes in existing law.

In passing legislation, a bill cannot be altered or amended so as to change its original purpose as determined by its total content, which is generally indicated in the substantive provisions, and not alone by its title.

- *Repeal clauses* are used by the Legislature to repeal existing statutes or parts of laws, and all statutes are subject to repeal at the discretion of the Legislature. The Legislature's repeal powers are limited by the state constitutional provision requiring a two-thirds vote of the members serving in each chamber to repeal laws regulating banking and a three-fourths vote to repeal a law adopted by initiative petition, unless otherwise provided in the initiated measure.

Sample repeal clause that appears as an enacting section:

Enacting section 1. 1986 PA 268, MCL 4.1101 to 4.1901, is repealed.

- *Effective dates.* The State Constitution provides, "No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the Legislature may give immediate effect to acts by a two-thirds vote of the members elected and serving in each chamber." (Constitution, Art. IV, Sec. 27.) As a general rule, a legislative enactment, other than a bill that will take effect immediately upon being approved by the Governor and filed with the Secretary of State or that will take effect on the date specified in the bill by the Legislature, becomes effective on the ninety-first day after the sine die adjournment of the Legislature.

Sample effective date provision of a specified date that appears as an enacting section at the end of a bill:

Enacting section 1. This amendatory act takes effect December 1, 2012.

- *Tie bars* are devices used to condition the effectiveness of a bill upon the enactment of another bill or bills into law. A tie bar provides that the bill in which it is contained will not take effect unless the other bill or bills are enacted into law.

Sample tie bar provision that appears as an enacting section at the end of a bill:

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4001 of the 97th Legislature is enacted into law.

- *Referendum clauses.* The State Constitution permits the Legislature to condition the effectiveness of an enacted bill, other than an appropriation bill, upon the approval of the electors of the state. If a bill is an amendatory bill, the *referendum clause* appears as an enacting section at the end of the bill. In a bill proposing a new act, the referendum provision is the last section. Certain enactments for which the State Constitution requires approval by referendum include a legislative alternative to an act proposed by initiative petition, a local or special act, an act proposing long-term state borrowing, and a proposed amendment to the State Constitution. (Constitution, Art. IV, Sec. 34.)

Sample referenda:

Enacting section 2. This amendatory act does not take effect unless approved by a majority of the electors of this state voting on the question at the general election to be held November 6, 2012. This amendatory act shall be submitted to the qualified electors of this state at that election as provided by the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. If approved by the electors, this amendatory act takes effect December 10, 2012.

- *Bill request number* or control number is assigned to each bill request. This number, along with the year in which the bill was requested, appears at the bottom of every page on all bills. The initials of the Legislative Service Bureau attorney who drafted the bill also appear at the bottom of the first page of the bill.

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For more information on bill structures, please contact the Legal Division of the Legislative Service Bureau (373-9425). More information on using the Legal Division can be found in the Necessary Resources chapter.

Modifying a Bill

Each line of every section in a bill is numbered to assist in the amending process. Amendments are prepared to read and appear in the journals, for example, as follows: “Amend page _____, line _____, after _____ by inserting _____ (or striking out _____ and inserting _____).”

Amendments to bills may be offered by a member either in committee (if the legislator is a committee member) or on the floor, in accordance with the rules of the House or Senate. If there are a number of amendments to a bill, they may be incorporated into one document called a substitute. The Legislative Service Bureau Legal Division prepares amendments and all substitutes, and those requests are given immediate priority attention. Amendments, but not substitutes, may also be drafted by members and staff as well.

Amendments adopted in committee are printed in the journal, in the form of a committee report, when the measure comes to the floor on Second Reading in the House or General Orders in the Senate. A substitute is not available until the committee report is received by the Clerk of the House or Secretary of the Senate and read into the record or after an individual legislator offers it from the floor.

Resolutions

Other legislative work is accomplished through a device known as a resolution. Resolutions are used to communicate with other governmental bodies, to state the official position of the Legislature or one chamber on a particular issue, to request action formally without having to enact a law, or to carry out various internal business, such as amending the rules, establishing special committees, or to express official legislative approval of an action of an executive branch department. Resolutions are also sometimes used to honor prominent citizens and commemorate events.

There are three types of resolutions.

Joint resolutions are measures that are processed in a similar manner as bills and are used to propose amendments to the Michigan Constitution; to ratify amendments to the United States Constitution which are submitted to the states by Congress; and to act upon matters where power is solely vested in state legislatures by the United States Constitution. Key differences between joint resolutions and bills are that joint resolutions are not presented to the Governor, and they are not subject to the five-day rule. Joint resolutions that propose amendments to the Constitution of Michigan (by far the most common purpose of a joint resolution) require a two-thirds vote of the members serving in each chamber for adoption. Other joint resolutions may be adopted by a majority vote.

Concurrent and plain resolutions are the formal expressions of the opinion, sentiment, or will of the Legislature or either chamber. Concurrent resolutions are used for matters of interest to both chambers and must be adopted by both the House and the Senate. However, they are not enrolled or filed with the Secretary of State. Plain resolutions (often called “straight” resolutions) involve only matters pertaining to one chamber and when introduced are printed only in the journal of that chamber.

Developing a Budget and Authorizing Appropriations

Budget developmental and appropriation authorization can be compared to a perpetual motion machine of constantly moving parts. Analysts in the Executive Branch and Legislature are continually monitoring the performance of the state’s economy, revenues collected by the state, and demands placed on programs by citizens and federal and state laws. While parts of the Executive Branch are analyzing and projecting needs for future budgets, other parts are working with the Legislature to enact the next fiscal year budget or revise the current fiscal year appropriations to adjust to revenues that are falling short of or exceeding forecasts. The overview of the budget development presented here highlights key elements of the process; for a more detailed discussion see *A Guide to the Legislative Appropriation Process (2008)* <http://house.mi.gov/hfa/PDFs/process08.pdf>.

Development of the Executive Budget

The Executive Branch begins the behind-the-scenes work for each fiscal year's budget (October 1 to September 30) about one year before the new fiscal year begins. Individual departments submit management plans and budget requests for review by the Governor's budget office as they shape a budget for the next fiscal year.

In January of each year, the consensus revenue estimating conference is convened to develop revenue forecasts that are used by the Governor along with various targets to craft the budget to be presented to the Legislature. The first consensus conference was convened in 1992 under Public Act 72 of 1991 to improve revenue forecasts for the state budget. The principal participants in the conference are the State Treasurer, the Director of the House Fiscal Agency, and the Director of the Senate Fiscal Agency, or their respective designees. The forecasts of this conference influence the budget prepared by the Governor and submitted to the Legislature within 30 days (60 days if it is a newly elected governor) after the Legislature convenes in regular session on the second Wednesday in January as required by Public Act 431 of 1984.

Forecasts and projections are a key element of this conference. Economists from the House and Senate Fiscal Agencies and the University of Michigan prepare extensive analyses of the state's overall economy to forecast performance trends and how those trends will impact revenues collected by the state. Those revenue forecasts are projections of how much money the state will collect and often how much the state can expect in federal matching funds for various programs, which forms the basis for the budget recommendations. Unforeseen events or performance that differs from the forecasts can raise or lower actual revenues requiring adjustments in the current or future budgets.

Legislative Consideration of the Budget

After the Governor submits the budget and accompanying explanations, recommendations, and legislation, the appropriation bills, which are introduced by a member or members of the Legislature, are referred to appropriations committees for hearings and analysis. A second revenue estimating conference is held in May to review the economic forecasts and make any revisions to the legislative budget bills based on revenue collections and the general economic performance in the time elapsed since the January conference. Soon after the May conference, leaders from the House and Senate and the Governor's representatives convene target meetings to negotiate appropriation levels for particular programs, other budget issues, or policies. These targets are meant to serve as a ceiling for their respective bills as they move through the legislative process. Budget bills are usually passed prior to the beginning of the new fiscal year.

Legislative Budget Timeline

MONTH/YEAR	ACTION TAKEN
January 2013	First meeting of Consensus Revenue Estimating Conference
January 2013	Governor's Recommendation Prepared for Submission to Legislature, Governor's State-of-the-State and Budget Message Prepared
February 2013	Budget Documents Delivered to Legislature—Legislative Action Begins
March-June 2013	Legislative Action—Subcommittee and Committee Hearings, Floor Votes, Conference Committees
May 2013	Second meeting of Consensus Revenue Estimating Conference
May 2013	House and Senate Leaders and Governor meet to set spending targets
June 2013	Governor Signs (or Vetoes) Bills—May Include Line-Item Vetoes
September 30, 2013	Fiscal Year 2012-2013 Ends
October 1, 2013	Fiscal Year 2013-2014 Begins

Appropriation Bill Format

Multiple and omnibus appropriation bill formats have both been used in Michigan. When multiple appropriation bills are introduced, separate bills are typically introduced for 15 budget areas: agriculture, community colleges, community health, corrections, education, licensing and regulation, environmental quality, general government, higher education, human services, military affairs, natural resources, K-12 school aid, state police and transportation. The general government budget is a “mini-bus” as it provides appropriations for the executive office, legislature, and judiciary, as well as the departments of attorney general, state, management and budget, treasury, civil service, and civil rights, and provides for local government revenue sharing. Appropriations are authorized by major governmental unit, program, and line item. Generally, the appropriation bills offered by the Governor are in the same detail as enacted for the previous year except when format changes are proposed. Fiscal Analysts construct the budget bills, legal provisions governing the appropriations are reviewed and often revised and the bills are checked for form by the Legislative Service Bureau. In addition, each appropriation bill contains certain conditions and stipulations governing the expenditures called “boilerplate.”

Enactment of Appropriation Bills

Past customs were set aside in the 2011/2012 biennial session as the Senate introduced the set of multiple appropriations bills for the entire budget and the House considered two omnibus budget bills for the state budget. One omnibus budget bill for school aid provided appropriations for K-12 school aid, community colleges, and universities. The second omnibus budget bill provided appropriations for the remaining 12 budget areas. Each chamber considered and passed its budget bill(s) and ultimately the budget was presented to the Governor for his signature in the form of two omnibus bills.

Prior to the 2011/2012 session, the set of multiple (15) appropriation bills were introduced in both chambers simultaneously and were divided between the chambers for consideration. The chamber of origin alternated each year so both appropriations committees could work simultaneously on the appropriation bills. For example, Senate Bill 245 authorizing the budget for the Department of Transportation (MDOT) was considered first and enacted in 2009, while House Bill 5889 authorizing the MDOT budget was considered first and enacted in 2010.

Legislators serving on the appropriations committee have multiple opportunities to hear and consider the Governor’s recommendations for the budget. As the appropriations subcommittees conduct hearings on the appropriation bills, House and Senate Fiscal Agency staffs provide detailed briefings, analyses, and reviews of the Governor’s budget proposals. Executive Department budget officials generally attend the hearings as well to provide explanations or clarifications. The chair of the subcommittee considering a bill may offer a substitute revising the original recommendations for consideration by the full Appropriations Committee. The full committee may report the bill for consideration on the floor without changes, with amendments, or as a substitute.

Legislators not serving on the appropriations committee may have their first extensive look at the budget in caucus meetings prior to consideration of the bills on the floor. Caucus meetings provide an opportunity to develop a caucus position and to build a better understanding of the bills. To support consideration of the bills on the floor, House and Senate Fiscal Agency staffs will prepare summaries of the bills highlighting differences in funding levels from the previous fiscal year, the Governor’s recommendation and any changes to funding levels recommended in the bills reported by the committee.

Final approval of appropriation bills follows similar procedures as other bills. If the House and Senate do not agree, the bill(s) are sent to conference committees to forge an agreement that is then returned to each chamber for adoption. Bills that are approved are enrolled and presented to the Governor for signature. Unlike other bills, the Governor has line-item veto authority in appropriation bills, meaning the Governor can veto a single item(s) rather than an all-or-nothing veto of the entire bill. The Legislature can override a line item veto with a two-thirds vote of the House and Senate.

Depending on the level of agreement between the Legislature and Governor, consideration of the appropriation bills can proceed expeditiously or not. When the level of agreement is high, the budget can be completed in June. Many entities that depend on state funds, such as public schools, institutions of higher education, and local governments, prefer early completion as their fiscal years begin on July 1. When there is significant disagreement between the Governor and Legislature, appropriation enactment can extend into August or September and on rare occasions continuation budgets have been needed.

Budget Revisions

Adjustments often need to be made to the budget since the planning begins more than a year before enactment. It should be noted that an appropriation is not a mandate to spend; it is merely an authority. When it appears that actual revenues for a fiscal period will fall below the revenue estimates which were the basis for the appropriation, the Governor needs to take actions to reduce expenditures. The Governor can do so by issuing an executive order which must be approved within 10 days by both the House and Senate Appropriations Committees. If the order is disapproved, the Governor has 30 days to submit alternative recommendations for approval or disapproval. The Governor cannot use an executive order to reduce expenditures for the legislative or judicial expenditures. Another means of revising expenditures is through a supplemental appropriation bill, which can increase or decrease the original appropriation.

The Working Legislature: Michigan's Committee System

Types of Committees

Standing Committees, Special
Committees, Statutory and
Constitutional Committees, Conference
Committees

Committee Operations

Legislative Oversight

Tools of Oversight, The Auditor General



Michigan's Committee System

While the Legislature makes its mark with the votes that are cast in its chambers, much of the work in preparing for those votes occurs in committees. Established committees attend to the regular work of the Legislature and special committees may be created to work on very specific issues. Committees also play a significant role in monitoring and overseeing the work of the Executive Branch. This section presents an overview of the committee structure, operations and oversight.

Types of Committees

The committee system, as part of the legislative process, has evolved in response to the great number and diversity of issues which must be considered. Without being divided into committees, it would be difficult for either the Senate or the House to evaluate effectively or efficiently the thousands of proposals introduced each biennial session. The committee system distributes the workload; in many instances, the critical decisions regarding legislation are made in committee and sometimes in a subcommittee.

Standing Committees

There are several different types of committees utilized by the Michigan Legislature to achieve various objectives. The standing committees are the central vehicles through which legislation must pass for scrutiny, debate, and modification. The standing committees are created in the rules of each chamber. In 2010, there are 20 standing committees in the Senate and 25 standing committees in the House.

The House or Senate Rules specify the number of legislators who serve on each committee. For 2010, the committees contain three to 30 members, with the appropriations committees being the largest. Committee assignments are made by the Majority Leader in the Senate and by the Speaker in the House unless directed otherwise. In the Senate, appointments to committees are subject to approval of the Senate. The Senate Rules provide that appointments of minority party members must be made from a list submitted by the Minority Leader and must consider the preferences, seniority, and experience of the members. If the Majority Leader rejects names on the list and their corresponding committee assignments, the Minority Leader submits replacement nominations. In both chambers, the first member named to the committee is the chairperson and the second named is the vice chairperson. The first named member of the minority party is the minority vice chairperson.

Legislation is referred to the standing committees by the Senate Majority Leader or the Speaker of the House. The rules of the Senate and House do not describe the jurisdictions of the individual standing committees except that all Senate bills involving an appropriation must be referred either directly to the appropriations committee or to an appropriate standing committee and then to the appropriations committee. Traditionally, the assignment of bills follows topical lines.

While the primary function of the standing committees is to consider legislation, there are a few specific exceptions. For example, the appropriations committees in the House and Senate have the added responsibility under the State Constitution of approving or disapproving gubernatorial executive orders that propose reductions of expenditures authorized by appropriation. The Senate Committee on Government Operations is the committee to which nominations to office submitted by the Governor requiring advice and consent and all other executive business are referred. This committee also responds to questions relating to the interpretation and enforcement of Senate Rules concerning legislative conduct and ethics.

Special Committees

Special committees may be established by legislative resolution or by directive of a legislative leader and may consist of members of one or both chambers. The number of members who serve on these committees varies. Special committees are generally appointed to serve for a specified period of time. For the most part, the purpose of a special committee is to study and investigate topics of special interest, such as fire safety needs, oil and gas extraction on public lands, or health care costs. There are other terms used in the Michigan Legislature to describe single-purpose, specific-issue committees. These include "select,"

“ad hoc committee,” “task force,” and “ad hoc task force.” Much of the time they are similar in purpose to a subcommittee directed to look into an issue. These committees and task forces do not take formal action on bills. Information gathering, often in preparation to formal consideration of legislation, is usually the prime aim of these types of committees.

Statutory and Constitutional Committees

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

Legislative Council—A bipartisan committee of the House and Senate, consisting of 12 regular and six alternate members, established pursuant to Article IV, Section 15, of the State Constitution. The primary responsibility of the Legislative Council is to maintain bill drafting, research, and other services for legislators. The council appoints the Council Administrator, who has overall supervisory responsibilities for council agencies, including the Legislative Service Bureau (LSB). The council also appoints three Commissioners on Uniform State Laws for Michigan and four non-legislators to the Michigan Law Revision Commission. The council may create subcommittees that may include members of the Legislature who are not council members.

Joint Committee on Administrative Rules (JCAR)—A ten-member committee created pursuant to the Administrative Procedures Act, 1969 PA 306. The committee is responsible for reviewing rules proposed by state administrative agencies.

House Fiscal Agency (HFA) Governing Board—A six-member committee comprised of the Speaker of the House, the Minority Leader, the chairperson and minority vice chairperson of the House Appropriations Committee, and the majority and minority floor leaders.

Senate Fiscal Agency (SFA) Governing Board—A five-member committee comprised of the majority and minority leaders, the Senate Appropriations Committee chairperson, and two other Senators.

Board of Trustees for the Michigan Legislative Retirement System—An 11-member body established by statute to govern the administration of the Legislative Retirement System. The board includes four current legislators.

Conference Committees

Another type of committee that plays an integral part in the legislative process is the *conference committee*. Conference committees consist of three members from each chamber and are assigned the responsibility of resolving differences between versions of the same bill passed by both chambers. The first-named member of the chamber in which the bill originated is the chairperson of the conference committee. The conference committees of the two chambers vote separately while in conference and the majority of each committee determines what the recommendations of the conference will be. If the conferees agree, they make a report which is signed by at least a majority of the conferees from each chamber. Conference committees are most often necessary for appropriations bills.

Committee Operations

Standing committees are empowered to review legislation and hear testimony and operate under the applicable rules of their respective chambers. House committees also use supplemental rules. Committee actions require the approval of a majority of those appointed and serving on the committee. Under the State Constitution, committees are required to keep an action journal recording the date and time of each meeting, the members present and absent, and all action on legislation with the names and votes of the members. Members with unexcused absences for three committee meetings shall be automatically dropped from committee membership.



Representative Kowall testifies before committee.

Standing committees generally have a regular schedule that indicates what day and time the committees will meet each week. Notice of committee meetings is posted on the legislative website (www.legislature.mi.gov) and at various locations around the Capitol. A standing committee in either chamber may also hold public hearings on bills referred to that committee. Notice of the hearing, its subject, time, and place, is also printed in the journal and on the calendar and is posted. Committee meetings and notices must comply with the Michigan Open Meetings Act (1976 PA 267). Committees cannot meet during daily session unless authorized by their respective chambers.

Though rare, committees may be authorized, by resolution, to administer oaths, subpoena witnesses, and examine the books and records of any persons, partnerships, or corporations involved in a matter properly before any committee. The Legislature may punish witnesses who neglect or refuse to obey committee subpoenas, or who refuse to be sworn or testify, or who fail, upon demand, to produce necessary materials relative to an investigation. The Legislature may also punish witnesses or attorneys who are guilty of any contempt while in attendance at any hearing before any committee.

Legislative Oversight

While the term “oversight” is regularly used in the halls of the Capitol and in political science classes, Michigan Legislature exercises this function less formally as they consider and draft legislation. This section will identify the principal tools for legislative oversight.

Legislative oversight is how the Legislature monitors the other branches of state government, primarily the executive branch, to make sure state programs are operating effectively. This process is a key part of the checks and balances that are integral to our system of self-government. Legislative oversight is an attempt to ensure accountability in public spending. It helps the Legislature make decisions in the future, particularly whether or not a government program is worthwhile.

Tools of Oversight

The Legislature has several ways to monitor the activities of state government. While these tools are available, how much oversight is undertaken depends upon how vigorously the Legislature uses them. Many of the avenues to oversight are part of other aspects of the legislative process. A standing committee reviewing bills, for example, can also look into the processes used by an executive department to carry out its work. While this may not be as obvious as a committee expressly established to study a certain program, both are illustrations of legislative oversight.

- **Appropriations Process**

The task of appropriating funds provides an excellent and ongoing vehicle for legislative oversight. In addition to the forward-looking nature of determining a budget, work on appropriations offers a retrospective view of the impact of prior spending. Besides setting the amount to be spent, appropriations bills include boilerplate language that sets forth directions on how the money is to be used. Sometimes, this language provides requirements for communicating with the Legislature.

- **Study Committees and Task Forces**

The Legislature may create special-purpose committees to study certain issues. These bodies are distinct from standing committees in that they do not consider bills. They are sometimes called select committees, special committees, or ad hoc committees. These may be created by resolution or by appointment by leadership. In addition to the groups set up formally through the Legislature, caucus groups often initiate studies.

- **Executive Orders**

The Michigan Constitution provides the Legislature the power to disapprove an Executive Order issued by the Governor to reorganize units within the executive branch or to reduce the state budget during time of revenue shortfalls. This is a direct mandate for legislative oversight.

- **Gubernatorial Appointments**

The Michigan Constitution provides the Senate with advice and consent powers on certain appointments by the Governor. During this review, the Senate can exercise its responsibilities for legislative oversight.

- **Administrative Rules**

Many laws provide for executive departments to promulgate administrative rules to carry out the details of law. The administrative process, outlined in the Administrative Procedures Act, includes responsibilities for the Legislature to participate in the development and approval of these rules. Early involvement in the process is the key to effective legislative oversight through administrative rules. (See the section on the Administrative Rules Process in the Executive and Judicial Branches chapter.)

- **Sunset**

Inserting sunset dates into laws—dates of expiration for certain or all provisions of an enactment—is an effective oversight tool. This automatically brings an issue or program back before the Legislature for review. The review can be as brief or comprehensive as lawmakers feel is warranted.

- **Constitutional and Statutory Language**

To ensure that the Legislature maintains its involvement on some issues, some acts and sections of the Michigan Constitution contain options for approval or disapproval by the Legislature of some actions. Several provisions require the Legislature to take a specific action before a state agency can continue carrying out an activity. These actions are often taken by the Legislature adopting a concurrent resolution.

- **Legislative Service Bureau**

The Legislative Service Bureau (LSB) provides nonpartisan and confidential research services to support the Legislature in its work, including oversight support. While the LSB cannot independently bring forward oversight matters to the committee, the in-house research staff with area expertise will answer any specific questions. In addition, the Bureau publishes policy briefs on the legislative computer network website, **MiSource**. This site and its contents are exclusive to legislators and their staff. For more information, please refer to the Necessary Resources Chapter.

- **Caucus Staff**

Both the majority and minority caucus offices in both chambers maintain policy specialists who develop expertise in areas relevant to state government and advise their caucus' members and staff. The staff conducts research, maintains contacts with experts in their field and interested parties, assists standing committee members, and provides bill analyses. More information on using your caucus staff can be found in the Necessary Resources Chapter.

- **Other Tools**

In addition to the formal vehicles for oversight, the Legislature also can monitor the work of the executive departments in many other ways. Standing committees routinely seek information from government agencies during the course of considering bills. Individual lawmakers can request information on their own. Handling requests from constituents can offer insights into a program.

The science of effective legislative oversight goes far beyond identifying the tools used to conduct evaluations. While this aspect of the Legislature does not often garner the attention of the media, this work is important to the quality of government services.

The Auditor General

The Office of the Auditor General, established by the State Constitution within the legislative branch of state government, is responsible for conducting financial and performance audits of state government operations. The resulting audit reports provide a continuing flow of information to assist the Legislature in its oversight of state government; to provide citizens with a measure of accountability; and to assist state departments and agencies in improving the financial management and the effectiveness, efficiency, and economy of the activities and programs approved by the Legislature.

The mission of the Office of the Auditor General (OAG) is to improve the accountability for public funds and to improve the operations of state government for the benefit of the citizens of the state of Michigan. The OAG best accomplishes its mission by committing to total quality; by adhering to the professional standards of the auditing profession; and by promoting an atmosphere of mutual trust, honesty, and integrity among OAG staff and the people they serve.

The OAG has the responsibility, as stated in Article IV, Section 53, of the State Constitution, to conduct post financial and performance audits of state government operations. In addition, certain sections of the *Michigan Compiled Laws* contain specific audit requirements in conformance with the constitutional mandate.

The following types of audits are performed by the Office of the Auditor General:

- *Financial Audits.* Provide reasonable assurance that financial statements (or schedules) of an audited entity conform with generally accepted accounting principles.
- *Single Audits.* Financial audits performed to meet the needs of all federal grantor agencies and require the assessment of compliance with requirements that could have a direct and material effect on a major federal program.
- *Performance Audits.* Provide an independent assessment of the performance of a governmental entity, program, activity, or function to improve public accountability and to facilitate decision making by parties responsible for overseeing or initiating corrective action.

OAG audits are intended to provide the following:

- To the Legislature. Objective, unbiased, and independently developed information that members of the Legislature can use in making informed decisions with confidence. The OAG also responds directly to requests from the Legislature to review activities, programs, or funds not included in the scope of scheduled audits.
- To the Auditee. Objective, unbiased, and independently developed information about the auditee's operations that can be used by management to improve its methods of operating. OAG recommendations, when implemented, frequently result in more effective, efficient, and economical programs.
- To Third Parties. Information that investors and creditors can rely on to make decisions.
- To the Citizens of Michigan. Knowledge that the Legislature is aggressive in its oversight and accountability of money paid to the state in the form of taxes, fees, and other revenue.

The Office of the Auditor General is located at 201 N. Washington Square, Lansing, Michigan 48913. The OAG can be reached at 334-8050; facsimile 334-8079; Internet at <http://www.audgen.mi.gov>.

People and Products: Necessary Resources

**Finding Introduced Bills, Public Acts,
and Laws for Each Legislative Session
Making and Viewing Requests for Bills,
Resolutions, and Research**

Bill and Joint Resolution Requests,
Policy Resolution Requests, Research
Requests

**Making Arrangements for Capitol
Tours, Events, Parking, Flags and Seals**

Requesting Printing Services

People—Who They Are

Caucus Staff

Nonpartisan Staff



Necessary Resources

The legislative workplace is unlike others you have encountered. The demands on a legislator and office staff are more like that of a CEO and executive assistant as you are asked to move seamlessly between public and private meetings on an extraordinarily diverse set of topics. When you are in public, your time is rarely your own, as many people will approach you to talk about a topic or event that is important to them but may not be what you were thinking about a moment ago. Computers, smart phones, tablets and all-day news make us think we have access to all the information and resources we need at our finger tips. So much information is available today that it can be overwhelming to sort, sift, and analyze information on a topic you just learned about a moment ago. Success in this environment often means learning about the resources—people, paper, and electronic—that are unique to the Legislature and available to you to help you get the job done. This chapter provides a brief overview and the means to access the people, paper, and electronic resources that are available to Michigan legislators and staff.

Finding Introduced Bills, Public Acts, and Laws for Each Legislative Session

The Michigan Legislature's public website www.legislature.mi.gov is the primary electronic resource for the work of the current legislative session and like documents dating back to 1997-1998. Here you can find and search:

- Introduced bills and resolutions and the history of their consideration;
- Journals recording the proceedings of each session day;
- Session schedules and calendars, and committee meeting announcements;
- Public Acts for each calendar year; and
- *Michigan Compiled Laws*, Constitution, and Executive Orders (1993 to present).

The screenshot shows the Michigan Legislature's public website. The browser address bar displays <http://www.legislature.mi.gov/>. The page features a navigation menu on the left with links to various legislative resources. The main content area includes a welcome message, a notice about the local government fiscal responsibility act, and a section for recent activity. There are also search boxes for legislative bills, public acts, and Michigan Compiled Laws (MCL). The page is titled "Michigan Legislature - Home" and includes a "Security Warning" at the bottom.

Michigan Legislature - Home

http://www.legislature.mi.gov/

Michigan Legislature - Home

Home Register Login Help

Legislative Bill Search

Bill Number (current session) Search (ex. "4001" or "4001-4005")

Bill Key Word Search (current session) Search (ex. "environment")

Michigan Compiled Laws Search

MCL Section Search (ex. "2.29" or "8.40-8.50")

MCL Key Word Search Search (ex. "tenant")

Legislative Activity

Today's Calendar

Today's House Meetings

Today's Senate Meetings

House Audio/Video

Senate Audio/Video

Recent Bill Activity

Daily Intro/Passed/Enrolled

Related Sites

Michigan House

Contact your Representative

Michigan Senate

Contact your Senator

Security Warning

Additional public information on current session committee proceedings, written testimony and minutes, can be found by selecting the committee of interest at the committee page of the House website (<http://www.house.mi.gov/MHRPublic/committee.aspx>) and Senate website (<http://www.senate.michigan.gov/committee/committeeinfo.shtm>). However, committee information from previous sessions is not maintained at these websites.

Legislators will also rely heavily on the *chamber automation systems* in the House and Senate that present the necessary documents under consideration and others, such as calendars that support work in each session day. These systems allow real-time access to the version of the bill under consideration in the chamber, or amendments and substitutes that are being offered. These systems are not available to the public but are vital to the proceedings in each chamber.

Making and Viewing Requests for Bills, Resolutions, and Research

Legislators and authorized staff will submit requests for bills, resolutions and research to the *Legislative Service Bureau (LSB)* established under the Legislative Council. You can make your requests by memo, phone, email, or through an online request system (generally known as “*MiSource*”) available to you on the House or Senate computer network. **MiSource** is convenient, secure and built with safeguards so that only a legislator or staff authorized by the legislator can submit requests. Further, legislative or research documents that are drafted or prepared at your request are securely uploaded to this site so that you and your authorized staff can view the requests made and documents delivered. It is also important to note that as LSB employees work on your requests, state law prohibits them from urging or opposing legislation and requires the work to remain confidential without revealing the nature of any matter not yet published without the requestor’s consent.

Welcome | Manage Security
Give Us Your Feedback



Michigan Legislative Council

Legislative Drafting»

Printing

Research»

Telecommunications»

Ombudsman»

Welcome

Created for the exclusive use of members and staff of the Michigan Legislature, MiSource provides online access to the services provided by the agencies of the Legislative Council, including the Legislative Service Bureau. Through MiSource, you will find many useful tools and resources and the capability to make requests and monitor their status. As with every aspect of the operations of the Legislative Council, all services reflect an absolute commitment to nonpartisanship and confidentiality.

To learn more about MiSource features and how to set up and manage your requests, click the **Get Started** button.





RESOURCES

- ▶ ONLINE PUBLICATIONS
- ▶ CONSTITUENT BOOKLETS
- ▶ HELPFUL LINKS



WHAT'S NEW

- ▶ ANNOUNCEMENTS
- ▶ NEW PUBLICATIONS
- ▶ UNSUBSCRIBE FROM EMAIL



LEGISLATURE 101

- ▶ OUR ROLE
- ▶ E-LEARNING
- ▶ ABOUT THE LEGISLATURE



CONTACT US

- ▶ LEGAL
- ▶ LEGISLATIVE PRINTING
- ▶ OMBUDSMAN
- ▶ RESEARCH SERVICES
- ▶ TELECOMMUNICATIONS

Bill and Joint Resolution Requests

In general, bills will propose new laws, amend existing laws, or make appropriations. Joint resolutions propose an amendment to the Michigan Constitution, ratify an amendment to the U.S. Constitution, or handle matters where the power is solely vested in state legislatures by the U.S. Constitution. LSB's attorneys *draft bills* and *joint resolutions* for introduction and any star run, substitute, amendment, or conference report documents that may be needed during consideration of bills and joint resolutions.

Contact the LSB Legal Division by phone: 373-9425, FAX: 373-5642, email: legal@legislature.mi.gov, in person: 124 W. Allegan, Third Floor, Boji Tower, or online at <http://misource.legislature.mi.gov> and select "Legislative Drafting" and then "Actions" to make a request.

The more complete the information provided at the time of the bill request, the easier it is to process the request. Within a few days of making a bill request, you will receive a confirmation of the request, along with a request number and a description to classify the subject of the request. All bill documents prepared will be identified by the request number.

Legislative Council rules determine how the LSB accepts, processes, and prioritizes bill requests. Bill requests for the 2013/2014 session may be made beginning on the fifth business day after the November election. For 2012, this date is **Wednesday, November 14**. From November 14, 2012, until the end of the year, members are allowed ten requests each, which can be submitted at any time during that period. After January 1, 2013, each legislator may make five bill drafting requests in each month. The Legislative Council drafting rules provide for certain exceptions and the designation of three bill requests as personal priorities during the two-year legislative session. These rules help the LSB to assure fairness and complete confidentiality in its operations and to manage the volume of work. View the complete rules at <http://misource.legislature.mi.gov> and select "Legislative Drafting".

If you have any questions on any aspect of requesting bills or taking advantage of LSB's legal services, please call any member of the Legal Division (373-9425). Legal Division staff will be happy to help you and give you advice on how to use these services most efficiently and effectively.

The screenshot displays the MiSource website interface for submitting a legislative request. The header includes 'Welcome', 'Manage Security', and 'Give Us Your Feedback'. The main navigation bar features 'Legislative Drafting', 'Printing', 'Research', 'Telecommunications', and 'Ombudsman'. The left sidebar lists 'LEGISLATIVE DRAFTING' services and 'ACTIONS' for submitting various requests. The main content area is titled 'Home > Legislative Drafting > Request Form' and 'Bill or Joint Resolution Drafting Request'. It contains a 'Client Information' section with dropdowns for 'Client' and 'Submitted By', and a 'Contact Person Info' field. The 'About Your Request' section includes a large text area for 'Intent of your legislation', a field for 'Statute, section of law, or section of constitution you wish to amend', and checkboxes for 'Send a draft for review before finalizing this request' and 'Designate this request as a double set'. The 'Background Material' section has a text area for background information and three 'File Attachment' fields with 'Browse' buttons. The 'Priority Status' section has a checkbox for using personal priorities. A 'Submit Request' button is at the bottom right. The footer contains links for 'Home', 'Employment Opportunities', 'Staff Directory', 'Contact Us', 'Site Policies', 'Report Site Issues', and '© 2012 Legislative Council'.

Policy Resolution Requests

Sometimes called *business resolutions*, policy resolutions help the Legislature carry out various duties specified in law, rules, and the Constitution. These documents express the opinion of the House (House Resolution), the Senate (Senate Resolution), or the entire legislature (House Concurrent Resolution or Senate Concurrent Resolution). Resolutions are not enrolled, they do not go to the Governor for any action, and they are generally not part of the permanent body of laws. Resolutions considered in one chamber, often called “plain” or “straight” resolutions, reflect the opinion or will of only that chamber.

Resolutions are often used to communicate with Congress and other governmental bodies, amend chamber rules, establish special legislative committees, or express approval of executive branch action. For example, a resolution might memorialize the Congress of the United States to take a certain action, including enacting or repealing federal legislation. Under the Legislative Council drafting rules, LSB cannot draft resolutions that honor or pay tribute to a person or group or cause. Legislators should consult their chamber rules governing honorary resolutions and will need to rely on their own staff to draft them.

Contact the LSB Research Services Division, Resolution Coordinator, by phone: 373-0495, FAX: 373-0171, email: researchrqsts@legislature.mi.gov, in person: 124 W. Allegan, Fourth Floor, Boji Tower, or online at <http://misource.legislature.mi.gov> and select “Legislative Drafting” and then “Actions” to make a request.

Resolution requests for the 2013/2014 session may be made beginning on the fifth business day after the November election. For 2012, this date is **Wednesday, November 14**. There is no monthly limit on the number of resolution requests each member can make. If you provide the general purpose of the resolution, LSB can start preparing a draft for your review. After the draft language is approved, LSB Research Services Division will prepare the document for introduction and deliver a “grayback” (plain resolution) or “greenback” (concurrent resolution) that provides a signature page for co-sponsorship similar to the “blueback” signature page used on introduction sets for new bills.

If you have any questions on any aspect of requesting resolutions, please call the Research Services Division, Resolution Coordinator (373-0495).

The screenshot displays the MiSource Michigan Legislative Council website. The top navigation bar includes links for Welcome, Manage Security, Give Us Your Feedback, and a search bar. The main header features the MiSource logo and a navigation menu with links for Legislative Drafting, Printing, Research, Telecommunications, and Ombudsman. The left sidebar contains links for Legislative Drafting Services, Glossary, Actions, and Contact Us. The main content area is titled "Policy Resolution Request Form" and includes instructions for users. The form fields include Client Information (Client, Submitted By, Office Address), About Your Resolution Request (Resolution Type, Purpose of Resolution, Background Information), File Attachment (three fields with Browse buttons), and a Submit Request button. The footer contains a list of links: Home, Employment Opportunities, Staff Directory, Contact Us, Site Policies, Report Site Issue, and Copyright 2012 Legislative Council.

Research Requests

Information is a key ingredient to everything a legislator does from:

- Preparing bill or resolution requests and drafting the documents;
- Considering bills or resolutions in committee or on the floor;
- Meeting with interested parties or constituent groups in the district;
- Writing speeches; and
- Getting up to speed on an issue.

For example, you may want to know how the federal government enters illicit synthetic drugs on the federal controlled substances list, how other states have responded, and how to properly name and spell the name(s) of those compounds. You may be interested in collecting data on commerce on the Great Lakes—what is shipped, how much, by whom, and where. You may want to know why a previous legislature amended a specific law and what issues were considered.

Many people that you encounter will expect you to know or be able to get information on many different issues. The Internet has been a boon for information access, sharing, and gathering, but analyzing the voluminous information uncovered can be overwhelming. Stakeholders and lobbyists are also often willing to share information relevant to their interests. Many demands are placed on legislators and their office staff, so learning to rely on and use available resources can be a key to getting the job done.

The staff expertise and document collections maintained by the LSB Research Services Division can help you with these requests and many others.

Research requests can be made by contacting LSB Research Services Division by phone: 373-5200, FAX: 373-0171, email: researchrqsts@legislature.mi.gov, in person: 124 W. Allegan, Fourth Floor, Boji Tower. To view research publications go to <http://misource.legislature.mi.gov> and select “Resources” and then “Online Publications” or make a request at <http://misource.legislature.mi.gov> and select “Research” and then “Actions”.

The screenshot shows the 'Research Request Form' on the MiSource website. The page has a dark header with 'MiSource Michigan Legislative Council' and navigation links like 'Legislative Drafting', 'Printing', 'Research', 'Telecommunications', and 'Ombudsman'. A sidebar on the left lists 'RESEARCH', 'RESOURCES', 'ACTIONS', and 'Contact Research'. The main form area is titled 'Home > Research > Request Form' and 'Research Request Form'. It includes a 'Client Information' section with fields for Client, Submitted By, Telephone Number, Email Address, and Office Address. Below this is the 'About Your Research Request' section, which contains a 'Research Question' text area, a 'Purpose of the Request' section with radio buttons for 'Gathering information', 'Related to bill', 'Monitoring state agencies', and 'Other state and federal programs', a 'Related Legislation' field, and a 'Background Information' text area. At the bottom, there are three 'File Attachment' fields with 'Browse' buttons, and a 'Special Instructions' text area. A 'Submit Request' button is located at the bottom right of the form. The footer of the page contains links for 'Home', 'Employment Opportunities', 'Staff Directory', 'Contact Us', 'Site Policies', 'Report Site Issue', and a copyright notice for 2012.

Each caucus in each chamber also has a central staff with policy analysts assigned to specific issue areas to support the policy development needs of their caucus. House Republican Policy Office (373-3100); House Democratic Staff (373-0150), Senate Majority Policy Office (373-3330), and Senate Democratic Staff (373-7370).

Each chamber also has a non-partisan fiscal agency to support the Legislature's consideration and analysis of the budget, appropriations, and other issues that affect the state's economy, expenditures and revenues. Contact the House Fiscal Agency at 373-8080 and online at www.house.mi.gov/hfa or the Senate Fiscal Agency at 373-2767 and online at www.senate.mi.gov/sfa.

Making Arrangements for Capitol Tours, Events, Parking, Flags and Seals

Constituent groups, interest groups, teachers and students, and others may contact you about using or touring the Capitol. In fact, thousands will visit or use the Capitol in some fashion each year. Some groups will schedule their tours and events a year in advance. Walk-ins may be accommodated on a tour but constituents are encouraged to call ahead as scheduled tours and staff levels may limit access to guided tours. You can monitor the schedule of Capitol events and tours maintained on the website to see if a group from your district will be in the Capitol, but the Capitol Tour Guides will also make every effort to alert your office when a group is scheduled to be in the Capitol. View the Capitol events and tour schedule at <http://council.legislature.mi.gov/lcfa.html>.

There are **procedures for the use of all public areas in the Michigan State Capitol**, including the rotunda and its galleries, the main corridors, the grand staircases, the first floor exterior porches and staircases, all exterior building surfaces, the Capitol grounds and Capitol parking lot. These procedures are administered by the Legislative Council Facilities Agency. Please call the facilities staff with any questions on the procedures of the Capitol at 373-0184.

- *Parking Problems and Questions*—Sign-up for parking, or if there are problems with the gates or a car parked in the wrong space, contact the Capitol Parking Coordinator at 373-0184. The parking coordinator administers the rules after spaces are assigned by the House and Senate.
- *Capitol Events*—To arrange events in the public areas of the Capitol and the grounds, contact Facilities Office, Capitol Events Coordinator at 373-9617. <http://council.legislature.mi.gov/lcfa/capitol-events.html>.
- *Flags and Seals*—To purchase 3'x5' U.S. and Michigan Flags and Seals with or without frames, contact the Capitol Facilities Office, 373-0184.
- *Capitol Tours*—Call 373-2353 for help with tours.

Requesting Printing Services

Legislative offices will order printed materials from the LSB Printing Division. Printing services are governed by Legislative Council rules, which include printing quotas. Printed materials are considered *discretionary* printing services, including office stationery, mailing labels, newsletters, and constituent information booklets. Members of the House place printing orders through their caucus Printing Coordinators. Members of the Senate place orders for general materials through the Senate General Services; newsletters, bookmarks, postcards and other items to be mailed through their caucus communication staff; and constituent information booklets or state maps with labels can be made directly with the Printing Division. For more detailed information on the services, products, Legislative Council printing rules, and printing forms, go to <http://misource.legislature.mi.gov> and then select "Printing". Printing rules can be found at <http://misource.legislature.mi.gov> and then select "Printing" and then "Legislative Council Printing Rules". Constituent information booklets can be viewed at <http://misource.legislature.mi.gov> and then select "Printing" and then "Constituent Booklets".

Extensive printing services are also provided to support the Legislature's session work. The Printing Division prints the paper copies of all introduced bills, enrolled bills, and the "linens" of enrolled bills delivered to the Governor for his or her signature. Daily journals and calendars documenting the proceedings of each session day are composed and posted to the Legislature's website. Ultimately daily journals are printed and prepared for binding for archival purposes at the end of the year.

A wide range of special printing projects are also undertaken each year. For example, the Printing Division composes the biennial *Michigan Manual* and prepares the pages for binding and publication. In 2012, and in other years with multiple proposals on the November ballot, the Printing Division prepares a constituent information publication approved by the Legislature providing the language of the proposals.

People—Who They Are

Legislators are served by the immediate staff they hire in their office, the partisan staff hired to serve their caucus' needs, the nonpartisan staff that serves their chamber, and the nonpartisan central staff that serves both chambers. The nonpartisan chamber staffs and the significant role that they play has been described elsewhere in this *Briefing Book*—the Clerk of the House and Secretary of the Senate are described in the *Overview of the Legislature*. This chapter takes a closer look at the caucus staffs, auditor general, fiscal agencies, Legislative Service Bureau, Legislative Corrections Ombudsman, and Legislative Council Facilities Agency.

Caucus Staff

Each party in each chamber is served by a central caucus staff. The leader of each caucus typically organizes and hires these staffs to provide a range of communications, analysis, and support services to the members of the caucus as described in this section.

House Republican Staff

The House Republican Staff members work under the immediate supervision of the Republican Leader and the Chief of Staff (373-0829). The Central Staff is divided into three units: Policy, Communication Services, and Constituent Relations. These offices are located in the House Office Building directly across the street from the Capitol.

The Policy Office (373-3100) subject area specialists assist in the development of the majority caucus agenda, provide issue-specific policy, conduct research, develop and analyze specific legislation, staff standing and appropriation committees, and serve as advisors to all members of the House Republican caucus. Attorneys in the office also conduct research for the caucus on legal issues and advise the members of the caucus on ethics and conflict of interest issues.

The Communication Services Office (373-3528) assists in public relations and is responsible for planning, writing, and producing group communications, including issue newsletters. This office also assists caucus members with their print and electronic media needs. Staff members handle media inquiries and provide news releases, commentaries, speeches, and photographic services. Staffers produce radio actualities and television programs and manage a website.

The Constituent Services Office (373-5205) assists members and their staffs with district-related events and constituent outreach efforts. The office compiles sample newsletters and printed materials and organizes various district events. The office also includes personnel with expertise in graphics, computer specialists for list development, and staff to plan a legislative strategy, which may include a legislative agenda, an active community relations program, and maintaining contact with key constituent groups, such as senior citizens, farmers, and businesses.



The House Office Building.

House Democratic Staff

The House Democratic Central Staff is under the direction and control of the Democratic Leader. It is divided into two units: Policy and Communications.

The Policy Staff (373-0150) prepares in-depth research reports; develops and drafts legislation and amendments; provides explanations for each bill that comes before standing committees and to the House floor; staffs standing committees, appropriations subcommittees, special committees, and Democratic task forces; and assists members in responding to constituent inquiries.

The Communications Staff (373-8298) supports members in their efforts to generate positive news coverage and effective communications. This staff assists members in writing press releases, opinion columns, legislative updates, and newsletters; produces television and radio news reports; and manages news conferences and other media events. Photographic and graphic art services are also available.

In addition, the communications staff provides a liaison between members and many statewide interest groups and organizations, as well as providing assistance to caucus members in developing district-based activities.

Senate Republican Staff

Under the supervision of the Senate Majority Leader and the Chief of Staff, the Senate Republican Staff is comprised of three separate areas—communications, legal, and policy. More information can be found at the Senate Republican Caucus website: <http://www.misenategop.com>.

The Office of the Senate Majority Counsel (373-3330) provides legal advice and analysis to the Majority Leader and the Republican Caucus, researches legal issues for the Caucus, monitors and assists with committee work.

The Senate Majority Policy Office (SMPO) (373-3330) consists of policy specialists who develop expertise in areas relevant to state government and advise Senators and their staffs. The office researches proposed legislation from a public policy and political perspective and analyzes current statutes for possible legislative changes. Staff members draft legislation and prepare amendments, testify before committees when requested by a Senator, and keep Caucus members informed of relevant developments in their area of expertise. Policy specialists also provide analyses of current legislation being considered by the Senate. Staff members also research various issues to develop policy ideas for the members of the Caucus.

The Senate Majority Communications Office (SMCO) (373-8880) assists Senators and their staffs with communications between Senators and their constituents. Staff members of the SMCO help Senators inform local and state media outlets of legislative activities, accomplishments, and initiatives that impact or affect the people of the state of Michigan. This includes preparing news releases and newsletters, writing speeches, preparing radio feeds, maintaining Senators' websites, and offering public relations advice.

Senate Democratic Staff

The Senate Democratic Staff answers to the Senate Democratic Leader. The Senate Democratic Caucus website is www.senatedems.com. The staff is divided into three units, each with its own director.

The Policy Staff provides Senators with expertise in different issue areas. Staff members conduct research, maintain contact with experts in their field and interested parties, assist standing committee members, provide bill analyses and other information, assist in the drafting of legislation, and help answer constituent questions.

The Caucus Communications Staff provides Senators with a variety of resources to keep the public informed of their work. Staff members provide Senators with press releases, speeches, constituent newsletters, photographs, audio and video taping, and graphic design services. In addition, the communications staff assists Senators in reaching out to their constituents and handling constituent issues not handled in the Senate offices.

The Information Services Staff provides, maintains, and supports computer systems within the Senate Democratic Staff and Democratic Senators' offices. Programming, data entry, user support, and hardware and software installation are among the services provided.

Staff members can be reached at a central number: 373-7370.

Nonpartisan Staff

Both chambers and the entire Legislature are served by nonpartisan staffs organized to serve the needs of the Legislature and not a single party. These entities are governed by rules of objectivity and confidentiality and are obligated to neither support or oppose legislation. They provide a vast array of drafting, research and analysis, fiscal, audit, printing, technology, facilities management, and ombudsman services as described in this section.

Auditor General

The Office of the Auditor General (OAG) is under the direction and control of the Auditor General. The OAG is divided into four main areas of responsibility: audit operations, professional practice, information technology, and administration. A State Relations Officer, currently Kelly Miller, is entrusted with the responsibility of enhancing communications and maintaining effective relationships with the Legislature. As of October 1, 2012, the OAG listed 147 active employees at <http://audgen.michigan.gov>. See the chapter on The Working Legislature: Michigan's Committee System for a more detailed discussion of the Auditor General's work.

House Fiscal Agency

The House Fiscal Agency (373-8080; www.house.mi.gov/hfa) is a nonpartisan agency within the Michigan House of Representatives. Agency personnel provide confidential, nonpartisan assistance to the House Appropriations Committee and all other members of the House on legislative fiscal matters. The agency also provides objective descriptions and analyses of bills under consideration by the standing policy committees of the House.

Fiscal analysts review the Governor's budget recommendation and assist legislators in developing budgetary alternatives; review and prepare budget bills, supplemental appropriations, and certain transfer requests; provide fiscal impact statements on legislative proposals; monitor state and national issues that may have budgetary implications; research and analyze fiscal issues; prepare reports and documents to assist legislative deliberations and prepare special reports at the request of Representatives.

Economists analyze legislation related to tax and lottery issues; respond to Representatives' inquiries on state tax revenue, revenue sharing, and other economic issues; monitor state revenue; track state and national economic conditions; and prepare reports on revenue and other economic issues.

Legislative analysts prepare precise nonpartisan summaries and analyses of bills. Summaries completed prior to committee deliberations describe how a bill would change current law, including any fiscal impact. Analyses are prepared for bills reported from committee and include, with summary information, a description of the problem being addressed and arguments for and against the bill and positions of interested organizations.

The House Fiscal Agency Director, by statute, is one of three state officials charged with annually forecasting state revenues at Consensus Revenue Estimating Conferences.

House Fiscal Agency reports and publications are available on the agency's website (www.house.mi.gov/hfa); bill summaries and analyses are available on the Michigan Legislative Information System website (www.legislature.mi.gov). The House Fiscal Agency is located on the Fourth Floor of the North Tower of the Anderson House Office Building.

Senate Fiscal Agency

The Senate Fiscal Agency (373-2767; www.senate.michigan.gov/sfa), located on the eighth floor of the Victor Building, has been providing nonpartisan analytical services to the Senate since 1964. The staff provides technical, analytical, and preparatory support for all appropriations bills. The agency also prepares an objective written analysis of bills and administrative rules, beginning with Senate standing committee action through final enactment.

Fiscal Analysis

Fiscal analysts of the Senate Fiscal Agency review and evaluate state programs, proposed policies, proposed rules, budgetary requests, and the fiscal impact of bills before the Senate. The agency also provides economic and revenue analysis and forecasting, analyzes the impact of federal budget decisions on the state, monitors the state's long-term and short-term debt, and monitors the state's compliance with constitutional and statutory fiscal requirements.

Analytical reports are published periodically providing updates on the status of appropriations, expenditures, and revenues. Special reports are prepared on important fiscal issues as they arise and at the request of Senators. Current reports are listed on the back cover of agency documents and may be obtained by calling 373-2767 or by visiting the Senate Fiscal Agency website.

Fiscal analysts are responsible for specific subject areas generally corresponding to appropriations bills and subcommittee budget areas. A current list of staff assignments is distributed routinely to Senate offices; copies may be obtained by accessing the agency website.

Legislative Analysis

Legislative analysts of the Senate Fiscal Agency are responsible for providing objective bill analysis. Analysts prepare summaries of bills in committee to provide a straightforward explanation of the changes a bill would make to present law. Once a bill is reported out of committee, a full analysis is prepared describing the changes a bill would make in present law, the reason for the bill's introduction, supporting and opposing arguments, and fiscal implications. Analyses are updated as bills are amended throughout the course of the legislative process.

Each legislative analyst is assigned to cover several standing committees. A current list of committee assignments is distributed routinely to Senate offices; copies may be obtained by calling the agency. In addition, the analysts assigned to a particular bill can always be determined by calling the agency. Copies of past (1980 on) or current analyses may be obtained by calling 373-5383.

House Business Office

The House Business Office (373-6339) is a nonpartisan office responsible for the overall administration and financial operations of the House. The office works under the direction of the Speaker of the House. The Business Director coordinates all administrative services, including policies, serves as the Chief Financial Officer and manages the following departments: Facilities and Technical Services, Financial Operations, Human Resources, and Information Systems.

The Facilities and Technical Services staff maintains daily building operations, performs maintenance and provides support services to members. Divisions within this department include: Carpenters, Consignment, Duplicating Center, and the Post Office. The Financial Operations section handles all purchasing, accounts payable, and travel and expense issues for the House. The Human Resources staff provides Representatives and House employees with benefits, payroll, training and all other personnel services. Information Systems administers computer hardware/software needs, programming, network management, and computer training for the House.

The Business Director is also responsible for responding to all requests for information from the general public made under House Rule 72 and the House of Representatives' "Access to Information" policy.

Legislative Service Bureau

The Legislative Service Bureau, established as a distinct entity in 1941, assists lawmakers and staff at virtually every step of the legislative process from compiling and analyzing information to determine if legislation is needed to drafting bills and amendments and compiling enacted legislation into the body of Michigan law. The Bureau's work is governed by the Legislative Council (see Overview of the Legislature).

Located primarily at 124 W. Allegan (the Boji Tower), the Legislative Service Bureau is often referred to as the "LSB" or simply "the Bureau." The most visible of the many LSB services are *Legislative Drafting, Research, Printing, Telephones, Websites.*



The Bureau is organized into divisions to handle its responsibilities with efficiency. The LSB divisions work together to expedite legislative requests for assistance. In all matters, whether discussing a proposed bill, amendment, or research request, confidentiality, impartiality, and nonpartisanship are the watchwords for each LSB employee. Here is a quick look at the divisions of the LSB that provide direct services to legislators.

Legal Division (Drafting of bills and joint resolutions, law compilation, and administrative rules)

Third Floor, 124 W. Allegan
373-9425

Intranet available through House or Senate networks:

<http://misource.legislature.mi.gov>. Select “Legislative Drafting”

email: legal@legislature.mi.gov

The LSB Legal Division is composed of attorneys and support personnel responsible for providing legal counsel and other legal services to members of the Legislature, including the drafting of all bills and joint resolutions considered by the Legislature. The Legal Division attorneys are members of the State Bar of Michigan. Bill requests are assigned for drafting according to the specialization of each attorney. The attorneys will research current law and prepare legislation to accomplish your objective. This will result in your receiving a bill document for introduction. The attorneys also draft substitute bills and amendments, prepare conference committee reports, and provide legal memoranda on legislative issues. Through its statutory compiling unit, the Legal Division also handles a variety of editorial responsibilities, including maintaining the computerized database of the *Michigan Compiled Laws* and reviewing the form of administrative rules.

Research Services Division (Research, reference, policy resolution drafting)

Fourth Floor, 124 W. Allegan
373-5200

Intranet available through House or Senate networks:

<http://misource.legislature.mi.gov>. Select “Research”

email: researchrqsts@legislature.mi.gov

The LSB Research Services Division provides legislators and staff nonpartisan research that helps at every stage of the legislative process and drafts resolutions that deal with public policy matters. Background research supports legislators as they draft bills, monitor state programs, and answer questions. Research on specific questions may help legislators define terms used in bills, shape the substantive provisions of a bill, or develop a deeper understanding of matters of legislative interest. Research Services staff are experienced in a wide range of subject areas. The Research Services Division includes science professionals available to help legislators, staff, and committees address complex scientific and technological issues. Whether responding to specific questions, contributing to work groups, or compiling background information, the research analysts in the division adhere to the same strict standards of confidentiality that govern the LSB.

Legislative Printing Division (Composing, printing, binding, and delivering legislative materials)

3350 Ranger Road, Lansing
Printing Coordinator: 373-7719

Intranet available through House or Senate networks:

<http://misource.legislature.mi.gov>. Select “Printing”

email: lsbprinting@legislature.mi.gov

The LSB Printing Division provides nonpartisan, comprehensive, and professional composition and printing for the Michigan Legislature. These services can be divided into several categories: legislative session, discretionary, specialty projects, and standardized constituent booklets. All printing requests are subject to approval according to the printing quotas, rules, and guidelines established by the Legislative Council.

Information Technologies Division (Telecommunications, Websites)

Help Desk for Telephones: 377-4663 (P-H-O-N-E)

Intranet available through House or Senate networks:

<http://misource.legislature.mi.gov>. Select “Telecommunications”

email: telecom@legislature.mi.gov

The LSB Information Technologies Division provides telecommunications and website services to the Michigan Legislature. Telecommunications services provided include unlimited local and long-distance telephone service, voice mail, and constituent toll-free services. Additional services, such as unlimited feature rearrangements, ad hoc audio/video conferencing support, end user consultation and training, and customized call handling based on individual office needs, are also available. More detailed information about these services can be found online at the **MiSource** website.

A quick link to the **MiSource** website is provided on Senate and House internal systems and features an up-to-date and easy-to-use legislative staff telephone directory, as well as detailed user guides on telephone equipment and voice messaging features.

In addition to telecommunications, this staff builds and maintains the Legislature’s public website at www.legislature.mi.gov and the LSB Intranet site “**MiSource**”. You can reach the Legislative Internet Technology Team at 373-3842 or LITDEV@legislature.mi.gov. The division works closely with House and Senate information services staff to integrate systems with other legislative information systems.

Legislative Council Facilities Agency

North Annex, Capitol Building
373-0184

email: CouncilFacilities@legislature.mi.gov

The Legislative Council Facilities Agency provides building management services for the Capitol and monitors the safety system of all legislative buildings. This office also provides tour and information services for Capitol visitors and manages parking lots under the control of the Legislative Council. The Legislative Council Facilities Agency handles these areas of responsibility:

Capitol—Maintains and operates the Capitol building and the grounds, except areas of the Capitol under the direct authority of the Executive Office, House, or Senate. *The Capitol has procedures for the use of the public areas at the Capitol.*

Parking—Coordinates parking assignments in the lots that are under the authority of the Legislative Council. Council Rules govern the system, although the Senate and the House assign the spaces.

Capitol Tours—Hosts and schedules tours for groups coming to the Capitol and to the Michigan Library and Historical Center, and provides general information to guests. For help with tours or events, call 373-2353.



The historic Michigan State Capitol blanketed with snow.

Legislative Corrections Ombudsman

Fourth Floor, 124 W. Allegan
373-8572

Fax: 373-5550

Intranet available through House or Senate networks:

<http://misource.legislature.mi.gov>. Select “Ombudsman”

email: LCO@legislature.mi.gov

The Office of Legislative Corrections Ombudsman (LCO) was created within the Legislative Council to assist Legislators with concerns about the state prison system. It is a vital resource for the Legislature and its constituents due to LCO’s unlimited access to all correctional facilities, information, records, and documents in the possession of the Michigan Department of Corrections (MDOC). The ability to obtain, interpret and explain information about the MDOC in an unbiased manner uniquely positions the Ombudsman to serve the Legislature in the investigation of complaints, oversight of corrections policies, and analysis of proposed legislation. Corrections are a source of costly litigation, judgments, and settlements against the state. The investigation of complaints yields a tremendous amount of information that can help to catch problems early and hopefully avoid costly outcomes.

Legislators receive complaints about the Corrections system in many forms—calls or email from constituents, letters and documentation from prisoners or their loved ones, or personal visits to district or Lansing offices. Legislators have a variety of options for referring complaints to LCO—electronic submission of the complaint via the **MiSource** intranet, email requests for assistance, telephone contact, fax, or mail.

Investigations begin by comparing the complaint to applicable MDOC policy and state law. LCO obtains any additional information that may be necessary to analyze a complaint from the MDOC, the affected prisoner and/or their loved one. LCO visits correctional facilities regularly to interview prisoners and MDOC staff to gather evidence or attempt resolution of an issue. On-site visits are also conducted to inspect and monitor prison conditions. If a violation of MDOC policy or state law is identified or suspected, LCO makes recommendations to MDOC for possible corrective action. If a violation is not proven or cannot be established, LCO notifies the complainant with an explanation. LCO notifies the legislator of investigation results and can provide a written response the legislator can use to respond to a constituent.

Executive and Judicial Branches of Government

State Departments

Executive Office, Agriculture
and Rural Development, Attorney
General, Civil Rights, Community
Health, Corrections, Education,
Environmental Quality, Human
Services, Licensing and Regulatory
Affairs, Military and Veterans
Affairs, Natural Resources,
State, State Police, Technology,
Management and Budget,
Transportation, Treasury

Michigan's "One Court of Justice"

Appellate Courts

Supreme Court, Court of Appeals

Trial Court

Circuit Court and Court of Claims,
Probate Court, District Court

State Court Administrator

Administrative Rules Process



State Departments

Executive Office

Romney Building, 2nd Floor
111 South Capitol Avenue
Lansing, Michigan 48909

Information: (517) 373-3400

www.michigan.gov/gov



The Governor is the chief executive officer of the state and commander-in-chief of its military. Major responsibilities specified in the Michigan Constitution include organization of the Executive Branch and annual preparation and submission of the Executive Budget. The Governor, with the advice and consent of the Senate, appoints directors of departments that are not headed by elected officials or commissions and appoints members of a wide range of boards and commissions. The Governor may also issue executive orders, some of which have the force of law unless disapproved by the Legislature within 60 calendar days of a regular session, or a full session, if of shorter duration. The Governor's Office includes the Governor's immediate staff and the Office of the Lieutenant Governor.

Department of Agriculture and Rural Development

Constitution Hall, North Tower, 6th Floor
525 West Allegan Street
Lansing, Michigan 48909

Information: 1-800-292-3939

www.michigan.gov/mdard



The mission of the Michigan Department of Agriculture and Rural Development is, "To protect, promote and preserve the food, agricultural, environmental and economic interests of the people of Michigan."

Department of Attorney General

G. Mennen Williams Building, 7th Floor
525 West Ottawa Street
Lansing, Michigan 48913

Information: (517) 373-1110

www.michigan.gov/ag



The Attorney General is the lawyer for the State of Michigan. When public legal matters arise, he renders opinions on matters of law, and provides legal counsel for the Legislature and for each officer, department, board, and commission of state government. He provides legal representation in court actions and assists in the conduct of official hearings held by state agencies.

Department of Civil Rights

Capitol Tower Building, Suite 800
110 West Michigan Avenue
Lansing, Michigan 48913

Information: (517) 335-3165

TDD: (517) 241-1965 or (877) 878-8464 in Detroit

www.michigan.gov/mdcr

The Department of Civil Rights, in implementing the mission of the commission, secures the full enjoyment of civil rights guaranteed by law and the Constitution through the elimination of discrimination. This is accomplished through the investigation and resolution of complaints of discrimination; outreach and education programs designed to promote voluntary compliance with civil rights laws; mediation; referral; crisis intervention; anti-hate crime programming; and the dissemination of information which explains citizen rights and responsibilities provided in a legal framework.



Department of Community Health

Capitol View Building
201 Townsend Street, 7th Floor
Lansing, Michigan 48913

Information: (517) 373-3740

www.michigan.gov/mdch

The Department of Community Health (MDCH) strives for a healthier Michigan. The functions of MDCH include development of state health policy and management of the state's publicly funded health service systems. More than 2 million Michigan residents will receive services this year funded in whole or in part through MDCH.

*Michigan Department
of Community Health*



Department of Corrections

Grandview Plaza
206 East Michigan Avenue
Lansing, Michigan 48909

Information: (517) 335-1426

www.michigan.gov/corrections

The Department of Corrections administers Michigan's adult prison, probation, and parole systems. The Department has jurisdiction over all adults convicted of felonies who are sentenced to prison. Convicted felons who are not sentenced to prison terms are either sentenced to a county jail term or are supervised in the community through a system called probation. Probation services for felons are provided by the Department for the various felony courts in Michigan's counties.



Department of Education

John Hannah State Office Building
608 West Allegan Street
Lansing, Michigan 48909

Information: (517) 373-3324

www.michigan.gov/mde

The Department of Education, under the direction of the Superintendent of Public Instruction, carries out the policies of the State Board of Education. The Department implements federal and state legislative mandates in education.



Department of Environmental Quality

Constitution Hall
525 West Allegan Street
P.O. Box 30473
Lansing, Michigan 48909

Information: (800) 662-9278

www.michigan.gov/deq

The Department is dedicated to protecting human health and to preserving a healthy environment. The Department will exemplify good environmental stewardship and affirm that a healthy environment is critical to our social, cultural, and economic well-being. The Department will protect human health and the environment while fostering a healthy economy by effective and efficient administration of agency programs, and by providing for use of innovative strategies. This is being accomplished in a manner that is rebuilding the integrity of the Department as an environmental protection agency that carries out this mission in a professional, just, and productive manner.



Department of Human Services

235 South Grand Avenue
Lansing, Michigan 48909

Information: (517) 373-2035

www.michigan.gov/dhs

The Department of Human Services directs the operations of public assistance and service programs, through county family independence agencies, in every county in Michigan. It administers assistance payment programs available within the state. These programs include temporary assistance for needy families (Family Independence Program); Child Day Care; medical assistance jointly funded by the federal government and the state; state disability assistance and state medical services program, which are funded by the state and State Emergency Relief Program; and food stamps, a federally funded program.



Department of Licensing and Regulatory Affairs

Ottawa Building, 4th Floor
611 West Ottawa Street
Lansing, Michigan 48909

Information: (517) 373-1820

www.michigan.gov/lara

The Department of Licensing and Regulatory Affairs (LARA) supports business growth and job creation while safeguarding Michigan's citizens through a simple, fair, efficient and transparent regulatory structure.



Department of Military and Veterans Affairs

2500 South Washington Avenue
Lansing, Michigan 48913

Information: (517) 481-8000

www.michigan.gov/dmva



The Department of Military and Veterans Affairs, also known as the state military establishment, has 3 primary missions: to execute the duties laid down by various statutes and the Governor, administration of state-supported veterans programming, and military preparedness to assist both state and federal authorities. The Michigan Army and Air National Guard constitute the armed forces of the state and serve under the orders of the Governor as commander-in-chief. The Governor appoints an adjutant general to serve as commanding general of the Michigan National Guard and as director of the Department of Military and Veterans Affairs.



Department of Natural Resources

Mason Building
530 West Allegan Street
Lansing, Michigan 48909

Information: (517) 241-2683

www.michigan.gov/dnr



The Department of Natural Resources is committed to the conservation, protection, management, use and enjoyment of the state's natural and cultural resources for current and future generations.

Department of State

Treasury Building
430 West Allegan Street
Lansing, Michigan 48922

Information: (888) 767-6424

www.michigan.gov/sos



The Department of State is the oldest department of Michigan state government and is administered by the Secretary of State. Elected to a 4-year term, the Secretary of State is a member of the executive branch of government and has constitutional as well as statutory duties.

Department of State Police

333 South Grand Avenue
Lansing, Michigan 48909

Information: (517) 332-2521

www.michigan.gov/msp



The purpose of the Department is to provide 24-hour statewide quality police service for the safety and protection of the people and their property in the state of Michigan. Its primary responsibilities are to reduce the opportunities for crime, to reduce traffic accidents through diligent and fair enforcement of the laws of this state, and to act as a first responder to any citizen's needs that can be addressed through the resources of the criminal justice system.

Department of Technology, Management and Budget

George W. Romney Building
111 South Capitol Avenue
Lansing, Michigan 48933

Information: (517) 373-1004

www.michigan.gov/dmb



The Department of Technology, Management and Budget promotes a unified approach to information technology management and provides centralized administration of services including auditing, budgeting, employee resources, financial services, fleet management, mail, printing, property management, purchasing, records management, and retirement services for departments and agencies in the executive branch of state government.

Department of Transportation

Transportation Building
425 West Ottawa Street
Lansing, Michigan 48909

Information: (517) 373-2090

www.michigan.gov/mdot



The primary functions of the Department of Transportation are the construction, improvement, and maintenance of the state highway system—the 9,620 miles of interstate, U.S.- and M-numbered highways, and the administration of other state transportation programs. Responsibilities include the development and implementation of comprehensive transportation plans for the entire state, including aeronautics and bus and rail transit, providing professional and technical assistance, and the administration of state and federal funds allocated for these programs. The director of the department is appointed by the Governor, with the advice and consent of the senate.

Department of Treasury

Treasury Building
430 West Allegan Street
Lansing, Michigan 48922

Information: (517) 373-3200

www.michigan.gov/treasury



The Department of Treasury exists to provide quality financial, tax, and administrative services. The State Treasurer acts as principal advisor to the Governor on tax and fiscal policy issues. The State Treasurer is the chairperson of the Michigan Debt Advisory Board, the Michigan Education Trust, the Michigan Higher Education Assistance Authority, the Michigan Higher Education Student Loan Authority, the Michigan Merit Award Board, the Michigan Municipal Bond Authority, and the Michigan School District Accountability Board.

Michigan's "One Court of Justice"

Michigan's concept of "One Court of Justice" was introduced in 1963 by Article VI, Section 1, of the Michigan Constitution. Under this principle, the judicial system functions as an integrated unit consisting of one supreme court, one court of appeals, one trial court (known as the circuit court), and several trial courts of limited jurisdiction.

Each court performs a certain role within the judicial system according to the jurisdiction given to it by the Michigan Constitution or Legislature. This jurisdiction is further outlined in various Michigan statutes and briefly described on the following pages. In addition to establishing "One Court of Justice," the Michigan Constitution authorized the appointment of a state court administrator to assist courts with administrative duties and tasks. Information: <http://courts.michigan.gov>.

Appellate Courts

Michigan Supreme Court

Hall of Justice, 6th Floor
925 West Ottawa Street
Lansing, Michigan 48915

Information: (517) 373-0128

The Supreme Court is Michigan's court of last resort, consisting of seven justices. Each year, the Supreme Court receives over 2,000 applications for leave to appeal from litigants primarily seeking review of decisions by the Michigan Court of Appeals.

The Supreme Court's authority to hear cases is discretionary. The Court grants leave to those cases of greatest complexity and public import, where additional briefing and oral argument are essential to reaching a just outcome.

Each justice is responsible for reviewing each case to determine whether leave should be granted. Cases that are accepted for oral argument may be decided by an order, with or without an opinion. These orders may affirm or reverse the Michigan Court of Appeals, may remand a case to the trial court, or may adopt a correct Court of Appeals opinion.

Cases come before the Court during a term that starts August 1 and runs through July 31 of the following year. The Court hears oral arguments in Lansing beginning in October of each term. Decisions are released throughout the term, following oral arguments.

In addition to its judicial duties, the Supreme Court is responsible for the general administrative supervision of all courts in the state. The Supreme Court also establishes rules for practice and procedure in all courts.

Court of Appeals

The Michigan Court of Appeals was created by the 1963 Michigan Constitution and heard its first cases in January 1965. Generally, decisions from final orders of a circuit court, as well as some probate court and agency orders, may be appealed to the court as a matter of right. Other lower court or tribunal decisions may be appealed only by application for leave to appeal, i.e., with permission of the court. The court also has jurisdiction to hear some original actions, such as complaints for mandamus or superintending control against government officers or actions alleging that state law has imposed an unfunded or inadequately funded mandate on local units of government.



The Hall of Justice.

The Court of Appeals started with only nine judges originally. The number of judgeships steadily increased through legislation over the years to accommodate the court's growing caseload—to 12 in 1969, to 18 in 1974, to 24 in 1988, and to 28 in 1993. Due to decreased filings in recent years, the size of the court was reduced in 2012 to 24 judges, which is to be achieved through attrition over time.

The judges of the Court of Appeals sit statewide, although they are elected or appointed from one of four districts based in Detroit, Troy, Grand Rapids, and Lansing. Hearings are held year-round before three-judge panels in Detroit, Lansing, and Grand Rapids. Hearings are also scheduled in Marquette and in a northern Lower Peninsula location in the spring and fall of each year for the convenience of the parties and their attorneys in those areas. Judges are randomly assigned to panels to sit in all courtroom locations so that a variety of judicial viewpoints are considered. At least two of the three judges on a panel must agree on the ruling in a case for it to be binding. Decisions of the court may generally be appealed by leave application to the Michigan Supreme Court.

Trial Courts

Circuit Court and Court of Claims

The Circuit Court is the trial court with the broadest powers in Michigan. In general, the Circuit Court handles all civil cases with claims of more than \$25,000 and all felony criminal cases (cases where the accused, if found guilty, could be sent to prison). The Family Division of the Circuit Court handles all cases regarding divorce, paternity, adoptions, personal protection actions, emancipation of minors, treatment and testing of infectious disease, safe delivery of newborns, name changes, juvenile offenses and delinquency, juvenile guardianship, and child abuse and neglect. In addition, the Circuit Court hears cases appealed from the other trial courts or from administrative agencies. The Friend of the Court Office is part of the Family Division of the Circuit Court and handles domestic relations cases where minor children are involved. There are 57 circuit courts in Michigan. Circuit Court judges are elected for six-year terms.

In addition, there is a Court of Claims for filing cases against the State of Michigan in which a claim for money damages is made. The Court of Claims is part of the 30th Circuit Court and is located in Ingham County. The Court of Claims is a specialized court that handles only claims over \$1,000 filed against the State of Michigan or one of its departments.

Probate Court

The Probate Court handles wills, administers estates and trusts, appoints guardians and conservators, and orders treatment for mentally ill and developmentally disabled persons. There are 79 probate courts in Michigan; probate judges are elected for six-year terms.

District Court

The District Court is often called the people's court. More people have contact with the District Court than any other court. The District Court handles most traffic violations, all civil cases with claims up to \$25,000, landlord-tenant matters, most traffic tickets, and all misdemeanor criminal cases (generally, cases where the accused, if found guilty, cannot be sentenced to more than one year in jail). In addition, small claims cases are heard by a division of the District Court. In Michigan, a few municipalities have chosen to retain a Municipal Court rather than create a District Court. The Municipal Courts have limited powers and are located in Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, and Grosse Pointe Shores/Grosse Pointe Woods. There are approximately 100 District Courts in Michigan. District Court judges are elected for six-year terms.

State Court Administrator

The Michigan Constitution, in Article VI, Section 3, directs that “. . . the supreme court shall appoint an administrator of the courts and other assistants of the supreme court as may be necessary to aid in the administration of the courts of this state. The administrator shall perform administrative duties assigned by the court.”

The State Court Administrator is charged with administering the state’s trial courts pursuant to the policies developed by the Supreme Court. Under the Michigan Court Rules, the State Court Administrator supervises and examines administration of the courts; examines the status of calendars of the courts; collects and compiles statistical and other data; recommends the assignment of judges where courts are in need of assistance; monitors the efficiency of case flow management; prepares budget estimates of state appropriations needed for the judicial system; monitors judicial business; approves and publishes court forms; and certifies the adequacy of recording devices used in making records of proceedings in the trial courts.

Administrative Rules Process

Introduction

Administrative rules are a little-known aspect of the legislative process. Rules are often necessary to carry out the intent of acts passed by the Legislature. Without rules, the *Michigan Compiled Laws* would be unmanageably large due to the need to explain technical details. The Administrative Procedures Act of 1969 (APA), 1969 PA 306, provides the mechanism for the Legislature to authorize the executive departments to implement the purpose of Public Acts.

In 2000, the Michigan Supreme Court ended a five-year controversy over the Legislature’s role in promulgating rules. As a result, the rules-promulgation process now emphasizes early active involvement by the Legislature instead of the formal ability to disapprove rules (which critics called a legislative veto). The Legislature’s active role in this process provides an opportunity to ensure that the Legislature’s intent when it passes laws is not undone by executive branch departments and agencies.

Rule Drafting Review

Two entities, one in the executive branch and one in the legislative branch, are at the heart of the process of reviewing proposed rules:

- The **Joint Committee on Administrative Rules**, known as JCAR (pronounced “jay car”), is the legislative committee established by the APA to review proposed administrative rules. The committee consists of five members from each of the House of Representatives and the Senate. Each chamber’s five-member contingent consists of three members from the majority party and two from the minority party.
- The **Office of Regulatory Reinvention**, known as ORR, located within the Department of Licensing and Regulatory Affairs, is the central executive branch staff for rule development.



The Capitol Rotunda.

The Rule-Making Process

The rule-making process under the APA has many steps. It is a dual process in which ORR and the Legislature/JCAR exercise responsibilities:

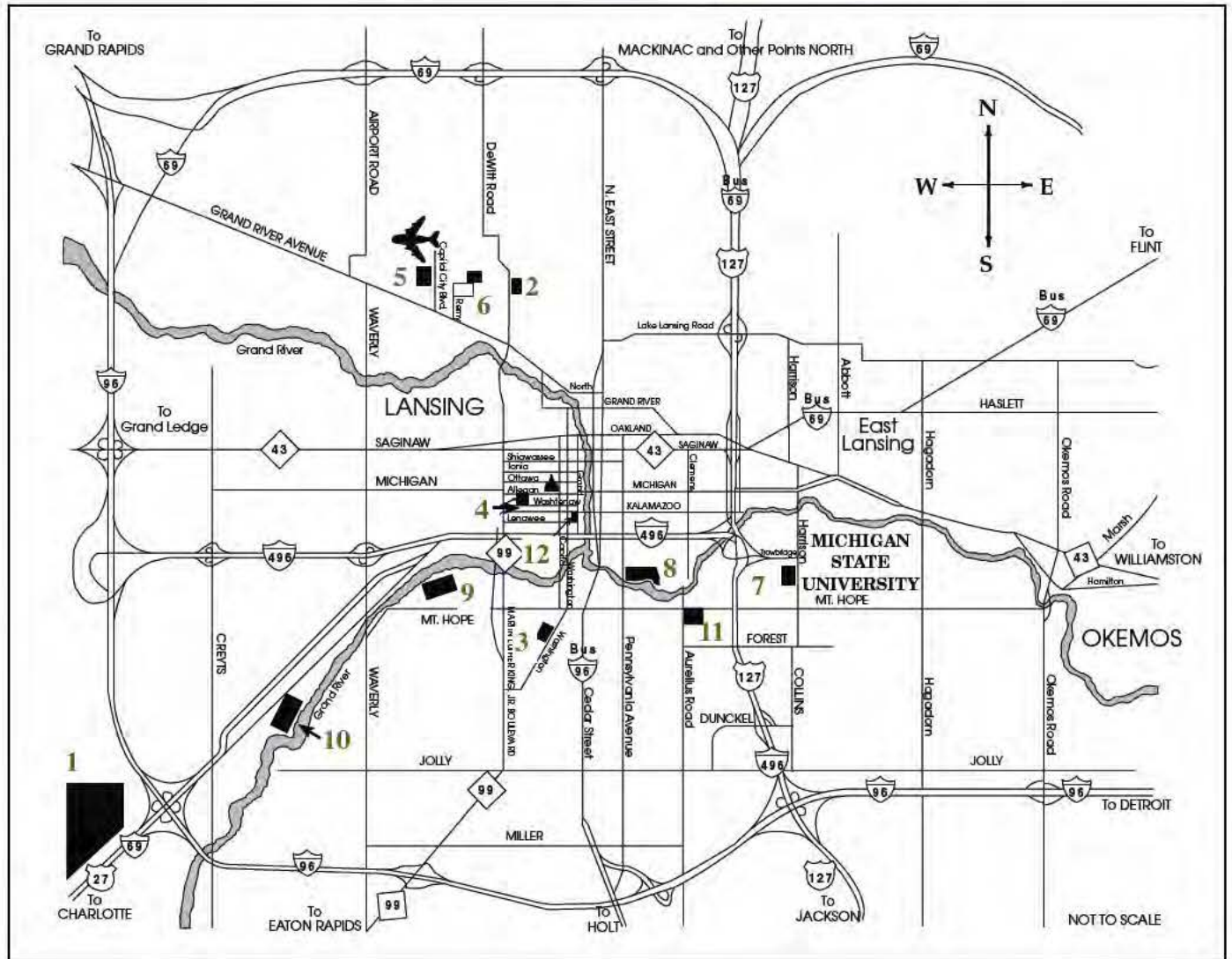
1. An agency submits a Request for Rulemaking (RFR) to the ORR, which forwards a copy to JCAR.
2. ORR then approves or disapproves the RFR or requests additional information.
3. ORR reviews draft rule language it receives and may grant approval to the agency to proceed to a public hearing. If approval for a public hearing is granted, ORR sends a copy of the approved draft rules to the LSB Legal Division for informal approval.
4. The promulgating department or agency must complete a Regulatory Impact Statement (RIS) that assesses the economic impact of the rule.
5. The agency schedules a public hearing and provides notice to ORR, which in turn forwards a copy of the public hearing notice to JCAR within seven days of receipt. JCAR sends a "Notice of Public Hearing" to JCAR members and members of appropriate standing committees.
6. The agency holds a public hearing.
7. The agency prepares a rules package for JCAR. JCAR has 15 session days from receipt of the rule package to review the proposed rule and object by filing a "Notice of Objection" approved by a majority of each house's committee members (a "concurrent majority").
8. If JCAR decides to hold a hearing on the rule or if a Notice of Objection is filed, the agency will make staff available to answer questions about the rule. If a Notice of Objection is adopted within the 15-day period for JCAR consideration, bills taking an action on the rules must be introduced in both houses of the Legislature simultaneously. The bills must rescind the rule upon its effective date, repeal the statutory provision under which the rule was authorized, or stay the rule's effective date for up to one year. The Legislature then has 15 session days to consider the bills. If a bill is enacted by the Legislature and presented to the Governor within the 15-session-day period, the rules do not become effective. If the Governor vetoes the bill, the rules may be filed immediately. If a bill is defeated in either house and the vote by which the bill failed is not reconsidered, the rules may be filed and shall take effect immediately. If a bill is not adopted by both houses within the time period, the rules may be filed and shall take effect.
9. If no Notice of Objection is filed, ORR may immediately file the rule with the Office of the Great Seal.

Exceptions to the Rule-Making Process

The notice and participation procedures of the APA may be set aside when the preservation of the public health, safety, or welfare is at stake. The department or agency must determine that an emergency exists, and the Governor must concur. The rules take effect the day they are filed with the Office of the Great Seal and can remain in effect for no more than six months. The rules may be extended another six months by the Governor.

Another exception eliminates the public hearings and much of the review process for the promulgation of Michigan Occupational Safety and Health Act (MIOSHA) rules substantially similar to federal rules. The federal government requires states to adopt safety and health standards at least as strict as federal standards within six months of the effective date of the federal standards.

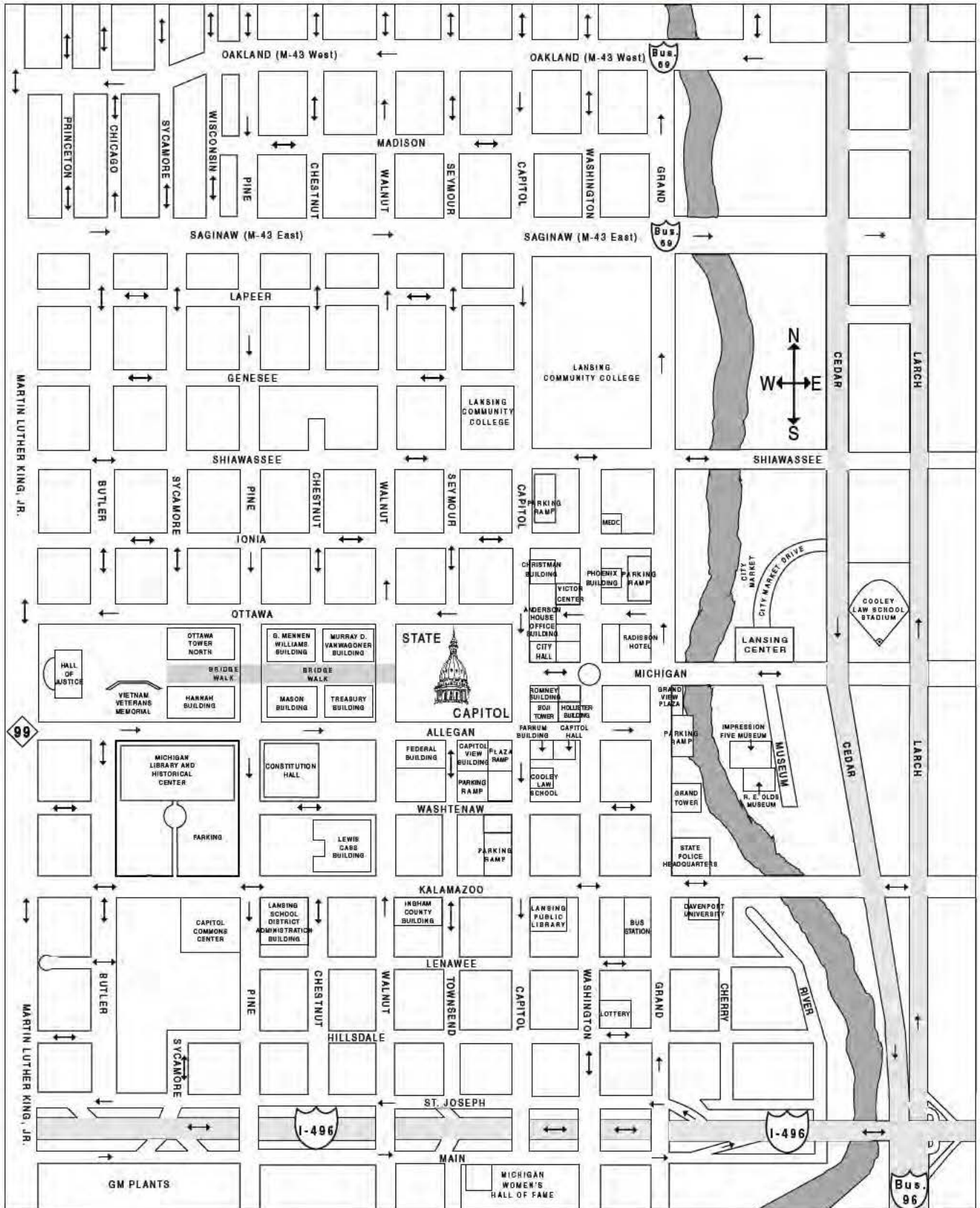
Greater Lansing Area



Legend

- | | |
|---|---|
| 1 - State Secondary Governmental Complex | 6 - Legislative Service Bureau
Printing Division |
| 2 - North MLK
Governmental Complex
Department of Community Health | 7 - Amtrak and East Lansing Bus Station |
| 3 - National Guard Armory
Department of Military and
Veterans Affairs | 8 - Potter Park Zoo |
| 4 - Library of Michigan, Historical Museum | 9 - Francis Park |
| 5 - Capital City Airport | 10 - Woldumar Nature Center |
| | 11 - Fenner Arboretum |
| | 12 - City of Lansing Bus Station |

Downtown Lansing



(Rev 9/2011)