House Resolution No. 1 - Adopted January 14, 2009
House Resolution No. 7 - Adopted February 3, 2009
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STANDING RULES
OF THE
HOUSE OF REPRESENTATIVES
IN ACCORDANCE WITH THE MICHIGAN CONSTITUTION
ARTICLE IV, SECTION 16
CHAPTER I
GENERAL PROVISIONS

Meetings, Officers and Quorum.

Rule 1. (1) The House shall meet in regular session at the seat of government on the second Wednesday in January of each year at twelve o'clock noon. In each odd-numbered year, it shall proceed with its organization, the election of a Speaker and a Clerk for the ensuing term of the Legislature. The Speaker shall appoint the Speaker Pro Tempore and Associate Speaker(s) Pro Tempore from the membership**.** All elections shall be by roll call and shall require a majority of the Members voting to elect.

(2) A majority of the Members elected to and serving in the House shall constitute a quorum to do business, but a smaller number may adjourn from day to day and not less than 15 Members voting in favor thereof may compel the attendance of absent Members and prescribe penalties for non-attendance. (See Const 1963, Art 4 §§ 13 and 14)

Admission to Floor--Defined.

Rule 2. (1) No person shall be admitted on the floor of the House for a period of 30 minutes immediately preceding the time set for any call to order during any session of the House through adjournment, except as follows:

(a) Representatives and Senators;

(b) Former Legislators, unless otherwise restricted;

(c) Sergeants at arms, pages, Clerk's staff**,** and legislative staff who are specifically designated to be working on the House floor during session;

(d) Directors of Michigan Departments and the Governor's legislative liaisons who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Majority Floor Leader;

(e) Immediate family of Representatives who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Majority Floor Leader;

(f) Media correspondents accredited by the Clerk of the House who are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Clerk. Media correspondents shall not use the center aisle or be at the Members' desks during roll call votes; and

(g) Such other persons as may be invited by the Speaker.

(2) No group or individual shall be allowed access to the floor when the House is not in session unless permission is granted by the Majority Floor Leader or Clerk. The Majority Floor Leader and Clerk shall issue guidelines to ensure that guests using the floor are responsible for costs incurred by the House. If permission is given to a Member to bring guests on the floor when the House is not in session, the Member shall accompany the guests.

(3) Only Members shall sit in Members' chairs.

(4) Any person who is a lobbyist or employed by a lobbyist shall not be admitted on the floor of the House at any time**.** A former Legislator shall not lobby on the floor, except if they are admitted under rule 2(1)**.** The words "floor of the House," when used in these rules, shall mean the space of the main floor of Representative Hall, together with adjacent rooms on the second floor of the Capitol under the jurisdiction of the Clerk, including the Democrat and Republican caucus rooms and the corridor behind the House rostrum.

(5) Guests on the floor may be introduced only by permission of the Presiding Officer during the attendance roll call. Guests are to use the center aisle only if being escorted by a Member or House staff.

(6) Use of the center aisle should be kept at a minimum.

(7) The Majority Floor Leader must grant approval for the distribution of items on the floor and items must pertain to that day's agenda. All printed material intended for distribution on the floor shall be clearly identified by the Member requesting the distribution.

Bar of the House.

Rule 3. (1) Any Member, having answered attendance roll call at the opening of any session, or who enters after attendance roll call, shall be considered present until leave of absence is obtained from the House. Any Member having entered upon the floor of the House after the House has been called to order, shall be considered present if within the bar of the House.

(2) The words "within the bar of the House," when used in these rules, shall mean the space occupied and used by the House or any legislative room or office under the jurisdiction of the Clerk.

(3) A Member may only use a cell phone on the floor when at his or her desk. Cell phones on the floor shall not ring audibly.

CHAPTER II

OFFICERS
SPEAKER

Definitions.

Rule 4. Speaker is any Member elected as Speaker under Rule 1 of these rules.

Duties as Presiding Officer.

Rule 5. The Speaker, or the designee of the Speaker, shall take the Chair each day at the hour to which the House shall have adjourned or recessed. The Presiding Officer shall call the House to order and lead the Members in reciting the Pledge of Allegiance and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules. In the absence of the Speaker, or the designee of the Speaker, the Clerk or Assistant Clerk may call the House to order.

Rule 6. (1) The Presiding Officer shall preserve order and decorum; may speak to points of order, rising for that purpose; and shall decide questions of order, subject to an appeal to the House. When two or more Members rise at once, the Presiding Officer shall name the Member who is first to speak.

(2) Only the Presiding Officer shall lead the House in observing a moment of silence.

Duties of Speaker as Chief Administrator.

Rule 7. (1) Payment to all persons, authorized under paragraphs (2), (3), and (4) to expend House funds for transportation, lodging, meals, registration fees and related items, shall be made in accordance with expenditure regulations as predetermined and prepublished to Members by the Speaker. The regulations shall set forth the guidelines for amounts, methods of payment and time of payment for such items. The Speaker may revise the regulations upon 15-day notice to all Members.

(2) The Speaker may authorize persons to make expenditures from the general funds of the House for administrative purposes. The Speaker may enter into contracts for the purchase and payment of benefits affecting employees, Members of the House, retirees and their successors in interest.

(3) Regular standing committees of the House shall be allotted such funds as the Speaker may authorize. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members, than the number of Members of the standing committee. The funds may be expended for items specified in paragraph (1) and for contractual services, publications and supplies. All expenditures under this paragraph shall be approved by the committee Chair and the Speaker and for items specified in paragraph (1) shall be in accordance with the regulations and guidelines provided for by paragraph (1).

(4) Additional committees may be authorized by resolution. The resolutions shall set the maximum budget of such committees. Members, alternates and substitute Members of such additional committees shall be appointed by the Speaker unless otherwise specified in the resolution. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members than the number of Members specified in the resolution. Budgeted funds may be expended for items specified in paragraph (1), for contractual services, publications, supplies and any other items specified in the resolution. Payments for contractual services may be authorized by the committee Chair and the Speaker. All expenditures under this paragraph for items specified in paragraph (1) shall be in accordance with the regulations and guidelines provided for by paragraph (1).

Appointments by the Speaker.

Rule 8. The Speaker shall appoint all committees, except where the House shall otherwise order. If the Speaker makes permanent or temporary additions to or removals from any standing or special committee, the names and the appointments or removals shall take effect when the Clerk and Minority Leader are notified by letter and shall appear in the next House Journal.

Appointment of Employees by Speaker.

Rule 9. Except as otherwise provided in these rules, the Speaker, or the Speaker's designee, shall appoint all employees of the House. Unless otherwise provided by law, the compensation for all employees and officers of the House shall be fixed by the Speaker, or the Speaker's designee. All employees of the House shall maintain a status as non-tenured, at-will employees. All employees of the House work at the pleasure of the Speaker, or the Speaker's designee, shall be subject to the Speaker's, or the Speaker's designee's, orders, and may be transferred to a different position, demoted, suspended, or summarily removed by the Speaker, or the Speaker's designee.

Naming of Acting Speaker.

Rule 10. The Speaker, may, by filing a written notice with the Clerk, appoint any Member to perform the duties of the Presiding Officer, but not for a longer time than one day without leave of the House. Such notice shall be spread upon the House Journal.

Voting.

Rule 11. The Speaker and Presiding Officer may vote on all elections and on all questions.

Putting the Question.

Rule 12. (1) The Presiding Officer shall pose all questions to the Members. If in doubt the Presiding Officer may order a division of the House. A division of the House may be had on the demand of ten Members. A vote taken by division is not printed in the House Journal. A roll call of the House may be demanded by one-fifth of the Members present (see Const 1963, Art 4 § 18) on any pending question and in such case the record of the votes and names of the voting Members shall be entered in the House Journal.

(2) When a division of the House is ordered, the voting board shall be used, and the Clerk shall announce the vote and the Presiding Officer shall declare the result. On a tie vote the question shall be deemed as lost. A majority of those voting shall decide any question unless otherwise provided.

Recognition During Roll Call.

Rule 13. (1) After a question has been stated by the Presiding Officer, and the calling of the roll has been started by the Clerk, the Presiding Officer shall not recognize a Member for any purpose, until after the announcement of the vote by the Clerk except:

(a) To raise a point of order;

(b) To request an excuse for another Member;

(c) To announce intent not to vote for reason of potential conflict of interest; and

(d) To request that the board be cleared.

(2) The Clerk shall enter upon the House Journal the names of those voting "aye" and the names of those voting "nay". Roll calls shall be consecutively numbered in the House Journal.

SPEAKER PRO TEMPORE

Powers and Duties.

Rule 14. (1) The Speaker, the Speaker Pro Tempore, or an Associate Speaker Pro Tempore shall preside over the House, unless the Speaker has designated another Member to preside.

(2) In the absence of a designated Presiding Officer, the Clerk shall preside and if a quorum is present may designate a temporary Presiding Officer of the same party as the Speaker.

CLERK

Roll Call.

Rule 15. The Clerk shall serve as parliamentarian of the House. The Clerk shall take the roll at the opening of each session of the House and announce whether or not a quorum is present. The Clerk shall enter upon the House Journal the names of the Members present for attendance roll call, the names of the Members specifically excused from session, and the names of the Members absent from session. The term "roll call" as used in these rules shall mean a record roll call.

Conduct of Religious Exercises.

Rule 16. The Clerk shall arrange for a Member to offer an invocation which will not exceed 2 minutes in length at the opening of each session of the House. This invocation shall be general in nature. For special occasions, the Clerk may arrange for religious services as needed.

Publication and Correction of House Journal.

Rule 17. (1) The Clerk shall make up and complete the House Journal, supervise its daily publication, and make corrections. The Clerk is authorized to correct totals that may have been affected by amendments made to appropriations bills.

(2) The House Journal is the only official record of the proceedings of the House.

House Calendar.

Rule 18. The Clerk shall prepare and make available to each Member each session day a list of the business under each order of business.

Printing, Announcement of Printing and Enrollment of Bills.

Rule 19. The Clerk shall ensure the printing or reproduction of all bills, acts or documents ordered printed or reproduced by the House. The Clerk shall announce each day the numbers of all bills and letters of all joint resolutions which have been printed or reproduced and placed upon the files of the Members, and the numbers of House bills which have been enrolled and presented to the Governor.

Responsibility for Care of Bills; Presentation of Enrolled Bills to Governor.

Rule 20. The Clerk shall be responsible for the care and preservation of each bill introduced into the House, and for each bill received from the Senate up to the time of its return to that body. This responsibility shall only be relieved by a receipt from a person when the bill passes from his or her possession. The Clerk shall enroll a House bill while the House is not in session if that bill has passed both houses and no action is pending. The Clerk shall notify the House of such action on the next House legislative day. When a House bill has been finally passed by the two houses, the Clerk shall present to the Governor an enrolled copy thereof, taking a receipt showing the day, hour and minute at which such copy was deposited in the executive office.

Appointment of Assistants.

Rule 21. The Clerk shall, with the consent of the Speaker, appoint an Assistant Clerk and other assistants. All assistants of the Clerk and employees of the House assigned to the Clerk's office shall maintain a status as non-tenured, at-will employees. All assistants and employees of the House assigned to the Clerk's office work at the pleasure of the Clerk and Speaker, shall be subject to the orders of the Clerk and Speaker, and may be transferred to a different position, demoted, suspended, or summarily removed by the Clerk or Speaker.

Accreditation of News Media.

Rule 22. (1) The Clerk shall receive the applications of all members of the news media. Persons desiring to be accredited as official media correspondents at the two-year session shall file a written application with the Clerk. When issuing credentials, the Clerk shall instruct the media person as to conduct on the House floor.

(2) Members of the press corps shall comply with all House rules and guidelines and shall, while on the House floor during session, display credentials at all times.

Responsibility for Care of House and Televising House Session.

Rule 23. (1) The Clerk shall exercise supervisory care and control of the Hall of the House of Representatives and all House rooms and equipment assigned to the office of the Clerk. The Clerk shall, upon prior written authorization by the Speaker, provide for repairs and alterations in the House Chambers and the connected rooms and corridors and their furniture and equipment.

(2) The Clerk shall be responsible for televised coverage of House session and committee meetings.

(3) As directed by the Speaker, the Clerk shall enter into contractual agreements for rental of House facilities.

Incapacity of Clerk.

Rule 24. In case of the inability of the Clerk to perform the duties of that office, the Assistant Clerk shall be charged with the responsibility of the Clerk and shall perform the Clerk's duties. In case a vacancy exists in the office of Clerk, the Assistant Clerk shall assume the Clerkship and perform the duties of Clerk until a successor has been elected.

Notices in Cases of Extra Sessions.

Rule 25. Whenever the Legislature shall be called to meet in extraordinary session or in case of emergency, the Clerk shall notify Members and staff of the date and time of convening.

SERGEANT AT ARMS

Definitions.

Rule 26. The Sergeant at Arms shall be the chief police officer of the House and shall be appointed by the Speaker. Under the direction of the Speaker, the Clerk shall supervise and direct the work of the Sergeant at Arms and Assistant Sergeants at Arms, and may commission the Sergeant at Arms and Assistant Sergeants at Arms, who meet the certification requirements of this state, as law enforcement officers with the powers provided under the Legislative Sergeant at Arms Police Powers Act. (See MCL 4.381 - 4.382)

Powers and Duties.

Rule 27. The Sergeant at Arms shall have charge, under the direction of the Clerk, of the Assistant Sergeants at Arms and pages, and control of all police, safety and security regulations. The Sergeant at Arms shall have authority to serve subpoenas and warrants issued by the House or any duly authorized officer or committee, or cause the same to be done by one of the Assistant Sergeants at Arms, or a duly authorized agent. The Sergeant at Arms shall see that all visitors are seated and at no time are standing on the floor or balconies of the House. The Sergeant at Arms shall ensure that reasonable decorum is maintained in the lobby immediately in front of the entrance to Representative Hall to ensure access for Representatives and to ensure equal treatment for all citizens.

CHAPTER III
MEMBERS

Conduct in Debate.

Rule 28. Members shall confine remarks to the question under debate and avoid personalities and reference by name.

Members Called to Order.

Rule 29. If any Member in speaking transgresses the rules of the House, the Presiding Officer shall, or any Member may, call the transgressor to order, in which case the Member so called to order shall immediately sit down and shall not rise unless to explain or proceed in order.

VOTING

Voting by the Electronic Roll Call System.

Rule 30. (1) When taking the roll call on any question, the electronic roll call system may be used, and shall have the same force and effect as a roll call taken as otherwise provided in these rules.

(2) When the House is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electronic roll call system, the Presiding Officer shall state the question to the Members. The Presiding Officer shall inform Members that the board is open to record their votes. When sufficient time has been allowed the Members to vote, the Presiding Officer shall direct the Clerk to close the board. Any Member can vote or change his or her vote after the board has been closed by rising and, when recognized by the Presiding Officer, announcing his or her vote before the result of the vote has been announced by the Clerk. After a sufficient time has passed to allow late voting, the Presiding Officer shall direct the Clerk to tally, display and announce the vote. The Clerk shall record the vote in the House Journal.

(3) No Member shall vote for another Member, nor shall any person not a Member cast a vote for a Member. In addition to such penalties as may be prescribed by law, any Member who shall vote or attempt to vote for another Member may be punished in such manner as the House may determine. If a person not a Member votes or attempts to vote, that person shall be barred from the floor of the House for the remainder of the session and may be further punished in such manner as the House may deem proper.

(4) Any vote shall be taken by the ayes and nays and entered upon the House Journal on request of one-fifth of the Members present. (See Const 1963, Art 4 § 18)

Vote Explanations.

Rule 31. (1) A Member may dissent from and protest against any act, proceeding or resolution which the Member deems injurious to any person or the public, and have the reason for dissent, referred to as a "no vote explanation", printed in the House Journal. (See Const 1963, Art 4 § 18)

(2) If a Member desires to abstain from voting because of a potential conflict of interest, the Member may rise, announce his or her intent not to vote, and reserve the right to explain the abstention. The Member shall be granted the right to have the explanatory statement printed in the House Journal. To be printed in the House Journal, the abstention from voting explanation shall be submitted to the Clerk.

(3) No vote explanations or explanations of abstention from voting shall not be substantively edited by the Clerk before publication in the House Journal.

Conduct.

Rule 32. (1) No person shall pass between the Presiding Officer and a Member who has the floor.

(2) The Members shall keep their seats until the Majority Floor Leader announces that no further voting will occur or the Presiding Officer announces that the House is adjourned.

CHAPTER IV
COMMITTEES
STANDING COMMITTEES

Names and Number of Members.

Rule 33. (1) All standing committees shall be appointed by the Speaker, except where the House shall otherwise order.

(2) The standing committees of the House and the number of Members shall be as follows:

(a) Agriculture (11)
(b) Appropriations (31)
(c) Banking and Financial Services (10)
(d) Commerce (19)
(e) Education (23)
(f) Energy and Technology (19)
(g) Ethics and Elections (9)
(h) Families and Children's Services (9)
(i) Government Operations (9)
(j) Great Lakes and Environment (15)
(k) Health Policy (21)
(*l*) Insurance (17)
(m) Intergovernmental and Regional Affairs (11)
(n) Judiciary (15)
(o) Labor (11)
(p) Military and Veterans Affairs and Homeland Security (9)
(q) New Economy and Quality of Life (11)
(r) Oversight and Investigations (6)
(s) Public Employee Health Care Reform (13)
(t) Regulatory Reform (11)
(u) Senior Health, Security, and Retirement (9)
(v) Tax Policy (17)
(w) Tourism, Outdoor Recreation and Natural Resources (11)
(x) Transportation (17)
(y) Urban Policy (11)

(3) Statutory Standing Committees:

(a) Joint Committee on Administrative Rules (5)
(b) House Fiscal Agency Governing Committee (6)
(c) Legislative Council (6)
(d) Michigan Legislative Retirement System (4)
(e) Michigan Capitol Committee (4)

(4) The House Journal shall report the roll call on all motions to report bills, resolutions and reorganization orders. (See Const 1963, Art 4 § 17)

(5) Committees shall adopt a meeting schedule at the commencement of each term which shall be printed in the House Journal. Additional meetings may be called by the Chair or by a majority of the Members in writing to the Clerk. The Chair may cancel any scheduled meeting, except one called by a majority of the Members, by notice to the Members.

Uniform Committee Rules.

Rule 34. (1) The Clerk of the House shall assign committee clerks with the approval of the respective committee Chairs. Duties of committee clerks shall be prescribed by the Clerk.

(2) Special committees shall operate under the same rules as standing committees insofar as practical. Conference committees on House bills shall meet at a place assigned by the Clerk.

(3) All committees will operate under the following rules:

(a) A quorum of a committee shall consist of a majority of the Members appointed and serving;

(b) Members of standing committees may not check in for a committee meeting and leave their vote. Members of committees may only cast a vote if they are present at the meeting during the vote;

(c) It shall require an affirmative vote of a majority of the Members appointed to and serving on a committee in order to:

(*i*) Report a bill or resolution out of committee

(*ii*) Recommend an amendment to a bill or resolution

(*iii*) Reconsider a vote to report a bill or resolution from committee

(d) Provided a quorum of a committee is present, it shall require an affirmative vote of a majority of the Members voting in order to:

(*i*) Table a bill or resolution

(*ii*) Take a bill or resolution from the table

(*iii*) Reconsider a vote, other than in subdivision (c)(*iii*)

(e) It shall require an affirmative vote of a majority of the Members voting in order to:

(*i*) Postpone action on a bill or resolution

(*ii*) Recess

(*iii*) Adjourn a meeting

(f) The Chair of a standing committee shall determine the agenda for a committee meeting; and

(g) The Chair of a standing committee may create subcommittees and shall designate what is to be considered by each subcommittee. The Chair of the standing committee shall designate a Chair of the subcommittee and shall appoint Members to each subcommittee.

(4) The Speaker may designate additional Members to serve on any subcommittee of a standing committee as voting members who do not serve on the full committee.

(5) Subcommittees shall follow the same rules as standing committees.

(6) Meetings or public hearings of committees may be scheduled outside of Lansing with prior written approval of the Speaker. Subcommittees must have the prior written approval of the Chair of the standing committee and the Speaker in order to conduct a public hearing or meeting outside of Lansing.

(7) All meetings or public hearings of committees or subcommittees shall comply with the following procedures in order to assure public access (See Const 1963, Art 4 §§ 16 and 17):

(a) All meetings or public hearings shall be open to the public and accessible;

(b) The right of any person to attend a meeting or public hearing includes the right to tape-record, videotape, and/or broadcast live;

(c) The right of any person to attend a meeting or public hearing may not be conditioned on prior approval of, or notice to, the committee or subcommittee;

(d) All decisions of a committee or subcommittee shall be made at a public meeting;

(e) The right of a person to attend a meeting or public hearing shall not be limited by a requirement that she or he register or otherwise provide her or his name or other identifying information;

(f) A person shall not be excluded from a meeting or public hearing of a committee or subcommittee except for a breach of the peace or in order to protect the health and safety of persons in attendance at the meeting;

(g) A rescheduled or a special meeting of a committee or subcommittee shall be posted at least 18 hours before the scheduled meeting time. No committee or subcommittee shall remain in session or stand in recess beyond the hour of 12:00 midnight; and

(h) Notice of committee or subcommittee meetings or public hearings shall include notice that individuals needing special services to fully participate in the meeting or public hearing may contact the committee or subcommittee chair to request the necessary assistance.

(8) Each committee shall have written minutes prepared of each meeting. The minutes shall include the date, time, place, Members present, Members absent, Members excused, and any decisions which were made. The minutes shall also include all roll call votes taken at the meeting. The proposed minutes of a meeting shall be available for inspection by the public within 8 working days of the meeting. Minutes shall be approved by the committee at the next meeting. Approved minutes shall be available for public inspection no later than 5 working days after approval.

(9) Committees may excuse a Member from attending a committee meeting.

(10) Committees shall not meet during a session of the House without the consent of the House.

(11) There shall be no smoking during a meeting of a standing committee or a subcommittee.

(12) To the extent practical, special committees shall follow the same rules as standing committees of the House.

(13) With approval of a majority of the Members appointed and serving on the committee, a committee may adopt additional rules provided they do not conflict with the Uniform Standing Committee Rules or with the Standing Rules of the House.

(14) A motion for previous question is not in order.

Chair of Committee.

Rule 35. The first named Member of any committee shall be the Chair, and the second named Member shall be Vice-Chair. In the absence of both the Chair and Vice-Chair the next named Member of the Majority party in attendance shall act as Chair. The Chair or any Member of the committee may place under oath or affirmation any person who appears to testify before the committee.

Government Operations Committee and Auditor General Reports.

Rule 36. The Government Operations Committee shall receive and may review all reports presented by the Legislative Auditor General. Regardless of the actions of the Government Operations Committee, any committee may review any report.

Subpoena Power.

Rule 37. The right of a special or standing committee to subpoena shall be granted by resolution of the House in accordance with Mason's Manual of Legislative Procedure - current edition. The vote on adoption of a subpoena power resolution shall be by record roll call vote. The votes of a majority of the Members elected and serving shall be required for adoption. The right to subpoena shall not be granted to subcommittees.

Reports of Committees.

Rule 38. (1) A committee may recommend amendments, a substitute, or referral to another committee, with or without recommendation as to passage or adoption. A substitute is an amendment that replaces all of the language in a bill or resolution.

(2) Substitutes reported by the committee shall include all adopted amendments and shall be prepared by the Legislative Service Bureau. A majority of the Members serving on a committee shall be necessary to report a bill or resolution out of the committee. A majority of the Members appointed to a committee and serving shall constitute a quorum. Minority reports shall not be permitted or received by the House. Bills or resolutions reported without recommendation as to passage or adoption shall lie on the table.

(3) All bills favorably reported back to the House shall be referred to second reading together with amendments recommended by the standing committee. All resolutions reported back to the House shall be referred to reports of standing committees together with amendments recommended by the standing committee. If more than one standing committee has considered a bill, the amendments recommended by each committee shall be considered in the chronological order of committee consideration and the report of the last committee to consider the bill shall contain the amendments recommended by the previous committees.

Public Hearings.

Rule 39. A committee may provide for a public hearing on any bill referred to that committee. Notice of such hearing, its subject, time and place, shall be given in writing to the Clerk of the House who shall announce the hearing to the House, publish it in the House Journal and in the House calendar and post it on the bulletin board designated by the Clerk for the posting of such notices.

CHAPTER V

TRANSACTION OF BUSINESS

Order of Business.

Rule 40. (1) The order of business of the House shall be as follows, unless otherwise ordered by the House:

(a) Motions and Resolutions;
(b) Announcement by the Clerk of Printing and Enrollment;
(c) Reports of Select Committees;
(d) Reports of Standing Committees;
(e) Messages from the Senate;
(f) Third Reading;
(g) Second Reading;
(h) Notices;
(i) Messages from the Governor;
(j) Comments and Recommendations;
(k) Explanation of "No" Votes;
(*l*) Communications from State Officers;
(m) Introduction of Bills;
(n) Announcements by the Clerk; and
(o) Presentation of Petitions.

(2) Routine business on which no vote of the House is required may be disposed of on any day, with or without a quorum present. If a quorum is not present, any item of business becoming the subject of a floor motion shall be postponed to the next legislative day.

(3) The business of the House shall not be delayed or interrupted by speeches by nonmembers, presentations, awards, ceremonies or musical programs.

BILLS

Introduction.

Rule 41. (1) All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau and be signed by the Member introducing them. Ten copies of each shall be delivered to the office of the Clerk not later than 3 hours prior to calling the House to order. The Clerk shall number bills in the order of receiving, and present the same to the House at the next session of the House. All bills shall be introduced in typewritten or printed form.

(2) Once a bill has been turned in to the Clerk's office for introduction, up to 3 hours prior to calling the House to order, a Member may add his or her signature as a co-sponsor only with the permission of the sponsor.

(3) No person may add or remove any signature, other than his or her own, from a bill being introduced.

(4) The Speaker shall refer all bills and joint resolutions to a standing committee no later than one House legislative day after being submitted to the Clerk.

(5) The Speaker may change the original referral of a bill or resolution by written communication submitted to the Clerk before the end of session on the third House legislative day following the day of the original referral. Notices of the written communication shall be announced by the Clerk during session and shall be printed in the Journal.

Order of Consideration.

Rule 42. (1) The order to be taken by bills introduced in the House shall be as follows:

(a) Notice of introduction;

(b) Introduction, first reading of title, order printed or reproduced and reference to a standing committee designated by the Speaker;

(c) Report by the committee and placing on Second Reading;

(d) Consideration of Second Reading;

(e) Third Reading and vote on passage;

(f) Transmission to Senate if passed;

(g) Returned by the Senate, and, if not amended by the Senate, reference to the Clerk for enrollment printing; if amended by the Senate, laying over one day, and consideration under the same order of business (Messages from the Senate); and (if amendments are concurred in) reference to the Clerk for enrollment printing; and

(h) Report by Clerk of enrollment printing and presentation to the Governor. Senate bills shall, as far as possible, take the same course as House bills.

(2) All joint resolutions shall take the same course as bills and shall be identified by letter, i.e., “A”, “B”, “C”, etc.

(3) Nothing in these rules shall prevent a majority of the Members elected to and serving in the House from discharging a committee from further consideration of any measure. (See Const 1963, Art 4 § 16) A notice of one session day shall be given of a motion to discharge any such committee, the notice to be in writing and entered upon the House Journal. If a committee of the House is discharged from further consideration of a bill, the bill shall be placed on the order of Second Reading.

Reading.

Rule 43. (1) Every bill shall be read three times in the House before its final passage. (See Const 1963, Art 4 § 26) The first and second readings may be by its title only; the third reading may be by its title unless there is a motion to read the bill in full supported by 1/3 of Members voting.

(2) No bill shall be passed or become a law at any regular session until it has been printed or reproduced and in the possession of the House for at least five days. (See Const 1963, Art 4 § 26)

(3) The Speaker or his or her designee may direct that a bill be printed or reproduced out of order.

Commitment and Amendment.

Rule 44. No bill shall be referred to a committee until it has been read a first time. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24)

Referral to Second Reading.

Rule 45. All bills reported favorably by any committee of the House shall be referred to the order of Second Reading. Such bills shall be kept on file in the order of referral for consideration, and the file shall be called "Second Reading".

Second Reading.

Rule 46. When the House is under the order of "Second Reading" it shall consider the bills in such order as may be determined by a majority of those voting. Appropriation bills shall be placed at the head of the calendar for that order each day and shall be given preference in printing and reproduction over other bills.

Second Reading Amendment.

Rule 47. (1) Under the order of Second Reading, bills shall be read a second time by their title. Committee recommendations, including amendments and substitutes, shall be considered first. Amendments to committee substitutes or committee amendments shall not be considered until such committee substitutes or amendments have been adopted by the House. Amendments offered from the floor shall be submitted to the Clerk and shall be approved as to form by the Clerk before consideration.

(2) When a substitute is offered, amendments to the proposed substitute shall not be considered before the proposed substitute is adopted.

(3) A bill may be advanced to the order of Third Reading by a vote of a majority of the Members voting. Such motion shall take precedence following the motion to amend.

Amendment; Vote.

Rule 48. No bill shall be amended prior to its Second Reading. Bills which have been considered on Second Reading shall be advanced to the order of Third Reading, either by motion and concurrence of a majority of the Members voting or in the absence of objection. Bills shall be subject to all subsidiary motions on Third Reading. Amendments offered on Third Reading shall not be considered, nor printed in the House Journal, unless seconded by a majority of the Members voting. Amendments on Second or Third Reading shall require a majority of the Members elected and serving for adoption. This requirement shall apply to amendments in the first and second degree and no further degree shall be permitted.

Third Reading.

Rule 49. (1) Bills may not be considered for final passage without having been considered on Second Reading. Bills considered on Second Reading may be placed on Third Reading for immediate passage by motion and concurrence of a majority of the Members elected and serving.

(2) Bills failing of passage are subject to reconsideration and if reconsidered are subject to consideration on the order of Third Reading.

Amendment; Co-sponsors.

Rule 50. After an amendment has been turned into the Clerk, a Member may not add his or her name as a co-sponsor without the approval of the sponsor.

Majority Vote on Bills.

Rule 51. (1) No bill shall become a law without the concurrence of a majority of the Members elected to and serving in the House. On the final passage of bills, the votes and names of the Members voting thereon shall be entered in the House Journal. (See Const 1963, Art 4 § 26)

(2) After a House bill has been passed, or upon final action on a House bill returned from the Senate, a Member may add his or her name as a co-sponsor to a bill with the approval of the sponsor.

Extraordinary Vote Requirements.

Rule 52. (1) Action by the House on any of the following matters shall require the vote of two-thirds of the Members elected and serving:

(a) Expulsion of Member (See Const 1963, Art 4 § 16);
(b) Immediate Effect (See Const 1963, Art 4 § 27);
(c) Local or Special Act (See Const 1963, Art 4 § 29);
(d) Private or Local Purpose Appropriation (See Const 1963, Art 4 § 30);
(e) Overriding Veto or Line Item Veto (See Const 1963, Art 4 § 33);
(f) Bank and Trust Company Laws (See Const 1963, Art 4 § 43);
(g) Create Courts of Limited Jurisdiction (See Const 1963, Art 6 § 1);
(h) Removal of Judges (See Const 1963, Art 6 §25);
(i) Long Term State Borrowing (See Const 1963, Art 9 § 15);
(j) State Land Reserve Designation (See Const 1963, Art 10 § 5);
(k) Rejection or Reduction of Civil Service Pay Increases (See Const 1963, Art 11 § 5);
(*l*) Constitutional Amendment (See Const 1963, Art 12 § 1);
(m) Exceed Revenue Limits (See Const 1963, Art 9 §27); and
(n) Mackinac Bridge Bonds Refunding (See Const 1963, Schedule § 14).

(2) Action by the House on any of the following matters shall require the vote of three-fourths of the Members elected and serving:

(a) Any law which increases the February 1, 1994, statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes (See Const 1963, Art 9 § 3); and
(b) Amendment or Repeal of Initiated Law (See Const 1963, Art 2 § 9).

Title; Object; Reference to Compiler's Sections.

Rule 53. No bill shall embrace more than one object, which shall be expressed in its title. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24) If the bill proposes any amendment to existing laws, the sections of which have been assigned compiler's section numbers in the last general compilation of public acts, the title shall contain also a reference to the compiler's sections.

MOTIONS AND RESOLUTIONS
IN GENERAL

Stating Motions.

Rule 54. When a motion is made, and when necessary under the rules, seconded, it shall be stated by the Presiding Officer; or, if in writing, it shall be read aloud by the Clerk before being debated.

Reduced to Writing.

Rule 55. The Presiding Officer may require that a motion be submitted in writing. The motion shall be entered upon the House Journal, together with the name of the Member making it, unless withdrawn upon request of the Member making it and by a majority vote of those voting, or ruled out of order by the Presiding Officer.

When in Possession; Withdrawal.

Rule 56. After a motion has been stated by the Presiding Officer, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before decision or amendment upon request of the Member making it and by a majority vote of those voting.

Precedence of Motions.

Rule 57. (1) When a question is under debate, no motion shall be received except:

(a) To adjourn;
(b) To take a recess;
(c) To reconsider;
(d) To lay on the table;
(e) For the previous question;
(f) To postpone to a day certain;
(g) To commit;
(h) To amend; and
(i) To postpone indefinitely.

(2) Such motions shall take precedence in that order, and shall be decided by a majority vote of those Members voting, except the motion to postpone indefinitely and the motion to amend shall be decided by a majority vote of the Members elected and serving. When a recess is taken with a question pending, the consideration of the question shall be resumed upon reassembling unless otherwise determined. No motion to postpone to a day certain, or to commit, being decided shall be again allowed on the same day and at the same stage of the question. A motion to postpone indefinitely having been decided shall not be subject to reconsideration. When a bill is up for consideration at any stage of procedure, and a motion is made to postpone indefinitely, or to strike out all after the style clause, amendments shall be in order before taking a vote on any such motion.

Always in Order; Not Debatable.

Rule 58. (1) The following motions are not debatable:

(a) Adjourn;
(b) Call of the House;
(c) Recess;
(d) Previous Question;
(e) Table or take from the table; and
(f) Decision of Presiding Officer unless an appeal is taken.

(2) The following motions are debatable but do not open the main question to debate:

(a) Commit;
(b) Discharge a committee;
(c) Postpone to a time certain; and
(d) Suspension of the Rules.

Order of Putting Questions.

Rule 59. All questions shall be put in the order they were moved, except in the case of privileged questions which take precedence as follows:

(a) Call of the House when quorum is not present;
(b) Make or give notice of a motion to reconsider;
(c) Adjourn;
(d) Recess;
(e) Raise a question of privilege.

Amendments to be Germane.

Rule 60. No independent or new proposition or new question shall be introduced under color of an amendment. All amendments must be germane to the main question. When the question of germaneness is raised, the Presiding Officer shall rule on the question.

Division of Question.

Rule 61. Any Member may call for a division of the question, and if supported by a majority vote of the Members voting, the question shall be divided if its components are so distinct that if one is taken away a substantive proposition shall remain. A motion to strike out and insert shall be deemed indivisible.

MOTIONS FOR THE PREVIOUS QUESTION

Method of Ordering.

Rule 62. (1) The method of ordering the previous question shall be as follows: Any Member may move the previous question, and the motion shall apply to the pending question only. If the motion is seconded by at least ten Members, the Presiding Officer shall put the question of whether the main question shall be put. After the seconding of the motion for the previous question and prior to ordering the same, a Call of the House may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question, except:

(a) Demands for the ayes and nays;

(b) Points of order;

(c) Appeals from the decision of the Presiding Officer; and

(d) A motion to adjourn or to take a recess, which shall be decided without debate.

(2) The effect of the previous question shall be to put an end to all debate and bring the House to a direct vote upon the pending question. If the House shall refuse to order the pending question, the consideration on the subject shall be resumed.

MOTION TO RECONSIDER

Motions for Reconsideration.

Rule 63. Any Member may move for a reconsideration of any question on the same or next succeeding legislative session day, if the bill or resolution is still in the possession of the House. Reconsideration of the vote by which a bill passed the House, or any proposition requiring a vote in excess of a majority of Members elected and serving for adoption, shall require a majority of the Members elected and serving. The motion to reconsider shall not be renewed the same day. A motion to reconsider any question shall not be subject to any subsidiary motion except to postpone for the day. The question of passing a bill the objections of the Governor notwithstanding shall not be reconsidered more than twice.

Notice of Reconsideration.

Rule 64. A notice of intention to move for a reconsideration of any bill that is still in the possession of the House may be given by any Member from the floor or in writing to the Clerk, with the support of 1/3 of the Members elected and serving, which shall be immediately announced by the Clerk, spread upon the House Journal, and the bill shall be retained by the Clerk of the House until after the time expires during which under Rule 63 the motion can be made, either by the Member serving such notice or by any other Member. Notice of intention shall not be in order on the day preceding a recess of one week or more, unless supported by two-fifths of the Members shown to be present by the House Journal entries, or at a time which would prevent passage of the bill. No other Members may move for reconsideration on the same day that notice of intention to move for a reconsideration is given.

MOTIONS FOR CALLS OF THE HOUSE

Ordering Calls of the House.

Rule 65. Calls of the House may be ordered upon motion by a majority of the Members present but the total vote in favor of such Call shall not be less than fifteen in number. A motion for a Call of the House shall not be entertained after the previous question is ordered.

Procedure.

Rule 66. After a Call of the House is ordered, the doors shall be closed and the Members shall not be allowed to leave the floor of the House without permission of the Speaker or the Speaker's designees. The roll of the House shall be called by the Clerk. The Sergeant at Arms may be dispatched after the absentees. In such case a list of the absentees shall be furnished by the Clerk to the Sergeant at Arms, who shall deliver such absentees at the bar of the House with all possible speed. In case the Sergeant at Arms shall require assistance in addition to the regularly appointed Assistant Sergeants at Arms of the House, during an authorized Call of the House, the Speaker or Presiding Officer may, upon motion, deputize any person properly qualified, including any member of the Michigan State Police, as a special assistant Sergeant at Arms. The House may proceed to business under a Call of the House pending the arrival of any absentees.

APPEALS

Form of Question.

Rule 67. On all appeals from the decisions of the Presiding Officer, the question shall be decided by a majority vote of those voting, by a roll call vote. A tie vote sustains the judgment of the Presiding Officer.

Tabling Appeals.

Rule 68. An appeal may be laid on the table but shall not carry with it the subject matter before the House at the time such appeal is taken.

Amendment or Suspension of Rules.

Rule 69. (1) Any rule of the House may be amended by a majority vote of the Members elected and serving. No rule shall be amended unless the amendment is in writing and in possession of the House five days prior to its consideration. A rule may be suspended by a vote of three-fifths of the Members shown to be present by the House Journal entries.

(2) Suspension of the rules as applied to matters pertaining to order of business, schedule of legislative sessions and adjournment may be by a majority vote of the Members elected and serving.

Practice.

Rule 70. In all cases not provided by the Constitution, the House Rules, or the Joint Rules of the Senate and House of Representatives, the authority shall be Mason's Manual of Legislative Procedure - most current edition.

House and Concurrent Resolutions.

Rule 71. Every resolution, both House and Concurrent, shall be read to the House, if not otherwise provided for, and shall be referred by the Speaker to a committee, or by the Presiding Officer to a committee designated by the Speaker unless the Speaker and Minority Leader agree to immediate consideration. Resolutions of sorrow may be considered immediately upon presentation. The adoption of any concurrent resolution approving any intertransfer or transfer of any appropriation shall be by record roll call vote.

CHAPTER VI
PUBLIC ACCESS
FINANCIAL RECORDS

Access to Financial Records.

Rule 72. (1) The financial records of the House of Representatives shall be open for public inspection. Upon a written request which describes the financial record sufficiently to enable the House of Representatives to find the financial record, a person has a right to inspect, copy, or receive copies of that financial record of the House of Representatives. Documents shall be available for inspection during normal business hours.

(2) A copy of the House financial records shall be on file with the House Business Office, which shall have overall authority to administer the House financial records under the direction of the Speaker of the House.

(3) As used in this section, "financial record" means a budget, contract, purchase order, an expenditure authorization, voucher, check, warrant, lease, audit report, balance sheet, travel voucher, or allotment account.

(4) The following information contained in legislative financial records is exempt from disclosure under this rule:

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

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

(*ii)* An employee's health care benefit selection.

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

(*iv)* Unemployment Compensation and Workers' Disability Compensation records.

(b) Records and information specifically described and exempted from disclosure under statute or subject to attorney-client privilege;

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

(d) Commercial or financial information or trade secrets voluntarily provided to the House of Representatives;

(e) Communications, notes, and electronic data within the House of Representatives or between the Legislature and other public bodies of an advisory nature;

(f) Internet - use records; and

(g) Any other document or record protected from public disclosure by agreement, contract, House rule, or law.

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

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

Televising of House Session.

Rule 73. (1) Nothing in these rules shall prohibit the televising of sessions or committee meetings of the Michigan House of Representatives.

(2) The televised coverage of sessions and committee meetings of the Michigan House of Representatives by House television shall be made available for dissemination, pursuant to subsection (4).

(3) All televised coverage of House session and committee meetings shall be unedited.

(4) No portion of the coverage (either live or taped) authorized pursuant to subsection (2) may be utilized in any fashion for campaign or political purposes or to promote or oppose a ballot issue or the candidacy of any person for any elective office. Only accredited news organizations, educational institutions, and non-profit public affairs documentary programs may utilize any portion of the House television feed. No part of the House television feed may be used in any paid commercial advertisements.

CHAPTER VII

Personal Privilege and Conduct.

Rule 74. (1) Matters involving personal privilege are limited and include only the following:

(a) Anything tending to subject a Member to ridicule or contempt;

(b) Charges in news media accounts relating to a Member in his or her representative capacity only;

(c) News media accounts attributing to a Member remarks he or she has not made;

(d) Accusation by another Member in debate of intentional misrepresentation;

(e) Assault on a Member for words spoken in debate; and

(f) Arrest of a Member except for treason, felony or breach of the peace.

(2) A Member shall not use his or her position in any manner to solicit or obtain anything of value for himself or herself, House employees or any other Member which tends to influence the manner in which the Member performs his or her official duties.

(3) Sexual harassment of Members or House employees is prohibited and will not be tolerated by the House.

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

(5) A Member shall not solicit or accept any type of campaign contribution in any House facility or building.

Expungement of Records and Petitions.

Rule 75. (1) Any Member may dissent from and protest against any act, proceeding or resolution which he or she deems injurious to any person or the public and have the reason for such dissent entered in the House Journal. Any matter may be expunged from the record as not being privileged by order of the House by a majority of the Members elected and serving. When any matter is ordered expunged from the record, as above provided, no mention shall be made of the same, nor of the action of the House in ordering such expungement.

(2) No memorial, remonstrance or petition, except recount petitions, shall be printed in the House Journal without having been read to the House and ordered printed in the House Journal by a majority vote.

(3) Written or verbal remarks made under the order of business of Comments and Recommendations shall not be printed in the House Journal except for remarks regarding departing Members.

QUALIFICATIONS OF MEMBERS

Oath of Office.

Rule 76. Upon objection by any Representative or Representative-elect, no Representative-elect shall be given the oath of office or be permitted to be seated as a Member if he or she has previously been convicted of any election law violation which contributed to his or her election to the House of Representatives, subversion or has within the preceding 20 years been convicted of a felony involving a breach of public trust. (See Const 1963, Art 4 § 7) Upon a finding by a majority vote of the Members elected and serving in the House that the offense committed by such Representative-elect is within the provisions of this rule, that person shall be declared to be not qualified for membership in the House, and the office shall be declared vacant. The question of a Member's qualifications shall be presented only by a Member.

CHAPTER VIII

Equally Divided House.

Rule 77. If at any time during the Ninety-fifth legislative session, there are 55 Members duly elected and serving as Democrats as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the Ninety-fifth legislative session, and 55 Members duly elected and serving as Republicans as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the Ninety-fifth legislative session, then the House of Representatives shall proceed with the election of a Speaker and other officers provided for in Rule 1 by at least 56 votes.