

SOURCES OF MICHIGAN LEGISLATIVE INFORMATION

Introduction

In recent years, technological advances have greatly expanded the tools available for people wishing to follow the legislative process. Even with expanded online access to documents, the basic task of gathering information can require consulting a variety of sources. The information available through the Michigan Legislature's website (www.legislature.mi.gov) represents only a portion of the legislative materials a researcher may wish to study.

Generally, the materials available online represent a continuation of sources of information long ago established in paper form. The key current components of the legislative process — the journals of the House and Senate, the bills considered, and bills enacted into public acts — are available online. Some of these documents are eventually provided in traditional book form, the same way older information is maintained.

A person may obtain some very useful background information on a law in Michigan. A review of proposed and adopted amendments, arguments for and against, and individual viewpoints on legislation may lend some insight into the reasons behind the passage of a bill.

www.legislature.mi.gov

This website is maintained by the Michigan Legislative Council, the Michigan House of Representatives, and the Michigan Senate and administered by the Legislative Internet Technology Team. The home page has fields to search for current session bills and to search the Michigan Compiled Laws (MCL), the state's body of permanent laws. The site allows a researcher to examine currently pending legislation and what was considered in prior legislatures (back to 1995) and to examine the state's compiled laws and its constitution.

The first section, under the heading "Legislature," includes links to search for bills, journals, bill analyses, and other information. Bills may be searched by number, sponsor, or text. The second major section, under the heading "Laws," lets a person browse statutes that have already been enacted, as well as the state's constitution. Searches can be conducted using numerical citations (statute, chapter, or MCL section), text, or listings of popular acts. Throughout this website, there are online help tools.

Under the heading "Publications," many additional materials are found, including the House Rules, Senate Rules, and Joint Rules; several informational booklets, and several volumes of the *Michigan Manual*; and yearly volumes of the Public Acts and Journals.

The legislature's website also has links to the home pages of the House and Senate, which open a wealth of information pertinent to the current session, including individual legislator web sites.

House and Senate Journals

In Michigan, the House and Senate Journals are the first sources of background material that should be examined by persons seeking information on the history of legislation. The journals are the official record of action taken on legislation by the House and the Senate, but are not a verbatim record of the proceedings. They contain essential research information such as citations, sponsors' names, the committees that considered the bill, dates when action was taken, and roll call votes. In addition, the journals contain floor amendments that were offered but defeated, "no vote" explanations by members, and titles of reports filed by committees. The House and Senate Journals are available online back to 1997. Bound copies of the journals are maintained by the Library of Michigan (517/373-1300), law libraries across Michigan, numerous local libraries (especially Michigan documents depository libraries), and county libraries throughout the state.

To locate and trace a bill through the various steps of the legislative process, the researcher can use the indices of the House and Senate Journals for the year a law was enacted. It may also be necessary to check either the preceding or subsequent year's journals, since a bill can take up to two years to progress through each legislature. Using the Bill and Joint Resolution Index and/or the General Index for each house's journals, one can find the bill number. The final journals for each year also contain a table of acts and corresponding bill numbers. With the bill number, one can use the bill histories to track the actions taken during the enactment process. This bill history section of the index will reference the House or Senate Journal for the day on which the action took place and the page number of the journal where the action is recorded.

Bills

Online versions of many of these documents are available from the Michigan Legislature's home page, from 1995 to the present, in either PDF or text format. Bills, substitute bills, and public acts from prior sessions may be obtained in hard copy from a law library, including the Library of Michigan's Law Library.

Text of Laws

The first avenue followed by most researchers examining the permanent body of state law, the Michigan Compiled Laws, is the database of the state's compiled laws found at the legislature's website. With few exceptions (such as may occur at the end of session, when the number of bills signed into law may cause a delay) the Michigan Compiled Laws are updated within days or even hours of any amendatory act or new statute added to the state's laws. The website offers both a basic search capability and advanced search tools. Searches can be conducted in a number of different ways, including statute citation, popular name, chapter number, or by words or phrases.

It is helpful for a person to understand that a bill enacted into law, which becomes a public act of that specific year, is either a new act or an act to amend an existing act. Most enacted bills amend already existing law.

The Public Act Tables for 1998 and subsequent years are available online on the Michigan Legislature's website. These tables provide not only public act numbers for each year, but the corresponding bill numbers, effective dates, and general description.

Several private entities provide information on the state's laws. These include **Michigan Legislative Service**, a compilation published by the West Group and issued periodically during the legislative year and containing most of the same information found in the *Public and Local Acts of the Legislature of the State of Michigan*. Since 2000, West Group has also published **Michigan Session Laws** on an annual basis. The **Advance Legislative Service for Michigan Compiled Laws Service** is published by LexisNexis. These sets are indexed and contain tables that indicate the public acts of that year that amend any section of the **Michigan Compiled Laws**. A major advantage of the commercial publications is that changes in the text of a law made by an amendatory act are indicated by the insertion of an underline under the new language, and deletions of existing law are noted by the insertion of deletion marks to indicate deleted language.

Two other versions of the state's statutes, **Michigan Compiled Laws Annotated (MCLA)**, prepared by the West Group, and **Michigan Compiled Laws Service (MCLS)**, prepared by LexisNexis, contain a number of additional editorial features which can be of particular value to the researcher. Both are kept current through the preceding calendar year by the use of annual pocket parts and pamphlet supplements which reflect any changes in the text of the law made during the years succeeding the printing of each volume of these sets. Catchlines (which are not part of the law) at the beginning of each statute help identify the subject of a section. History notes follow each section, indicating the origination of each statute and a list of subsequent amendatory acts.

Committee Records

Legislative committee records may provide another source of background material. For the House, some materials for certain committees are available for the period 1965 to 1998 in the State Archives (517/373-1408). At the beginning of each odd-numbered year, the previous biennial session's House committee records are boxed and handed over to the office of Clerk of the House, which sends them to the State Archives after being microfilmed by the State Record Center. These microfilmed records are available to the public immediately after the microfilming process is completed. Current House committee records are available by calling the House committee rooms (517/373-0135).

In the Senate, materials for certain committees are available at the State Archives for the period 1965 to 1994. More recent committee records are available for all Senate committees, upon application to the Secretary of the Senate. Current Senate committee records are available directly from each Senate committee clerk (517/373-2400). At the beginning of each odd-numbered year, the previous biennial session's Senate committee records are boxed and handed over to the Secretary of the Senate for storage and retrieval at the State Records Center of the Michigan Department of Technology, Management, and Budget. These records are kept at the State Records Center for a period of two years, during which time access is available only through the Secretary of the Senate's office, and are then transferred to and maintained, for public use, at the State Archives.

These committee records may include minutes (date, time, place of meeting, decisions made, and roll call votes), bill analyses, and letters and written position statements that may have been

submitted to the committee by interested parties. Tape recordings of meetings and public hearings conducted by committees may also be available. Video recordings of certain House and Senate committee meetings, dating from 1997 to the present, are available for a nominal fee from Michigan Government Television, a nonprofit, nonpartisan organization.

A variety of current committee record information is available through the “committee bill records” link at www.legislature.mi.gov.

Recordings of Session

For the period 1968 to 1998, audio tape recordings of most House sessions are available at the State Archives. Additionally, audio recordings of Senate sessions are available for the current session, through the office of the Secretary of the Senate. It should be noted, however, that the journals of the Senate and the House of Representatives are the only official record of each session.

Michigan Government Television, which has been in operation since July 1996, was established, in part, to provide live and/or videotaped coverage of important events in all three branches of Michigan government. This service has recorded all Senate sessions since October 14, 1997, and all House sessions since October 23, 1997. Copies are available for a nominal fee.

Appropriations Acts

Because they are not part of the permanent body of state law (because they pertain to a given fiscal year), appropriations acts are not included in the Michigan Compiled Laws.

Legislative Studies and Reports

Legislative studies or reports are another source of information. Depending upon the subject, a researcher may want to contact special or interim committees, caucus and standing committee staffs, individual legislators, the House and Senate fiscal agencies, the Auditor General, the Law Revision Commission, the Michigan Commission on Uniform State Laws, as well as other legislative agencies for specific documents. The Library of Michigan, which maintains collections of such materials, may be able to locate a particular document. The Library of Michigan maintains ***Michigan Documents***, an index for legislative documents which may identify useful materials. The Library of Michigan may also know of executive agency reports such as those prepared by a governor's task force or commission. One note of caution: generally, legislative reports or studies examine a particular issue rather than a specific bill and thus are indexed by subject rather than by bill or act number. The Library of Michigan's online catalog can be a useful source for background material and reports.

Both the House Fiscal Agency and the Senate Fiscal Agency have prepared various reports and publications over the years providing background information on appropriations bills and topics of legislative interest. They can also be accessed through the legislature's website, under the links for the House and the Senate (under “Related Sites”).

Bill Analyses

Bill analyses, which typically include a description of the problem being addressed, arguments for and against, and other background information on legislation, can be informative. The explanations presented often clarify complex legalities that may be difficult to understand from the bill itself. Both the House and the Senate have legislative analysis units that prepare these documents.

The Library of Michigan (517/373-1300) and its Law Library (517/373-0630) maintain an analysis collection dating from 1969, with some analyses available for 1968. These include some analyses prepared by various state departments and agencies as well as by the analysis units of the House (1973 to present) and the Senate (1980 to present). House and Senate summaries and analyses for bills of the current and previous legislatures back to 1997 can be found online at the legislature's website through the bill search section.

Other Sources of Information

Nongovernmental information may be valuable to a research effort. Newspaper accounts, Gongwer News Service's ***Michigan Report***, Michigan Information & Research Service's ***Capitol Capsule***, the ***Michigan Bar Journal***, and law journal articles are examples of such materials. Some of these are also available through online subscription. Libraries maintaining ***Michigan Report*** may also have a paper index covering articles from 1993 to present. If an issue has been in the news recently, this may quickly provide background or explanatory material. Newspapers can also

be useful in providing coverage of the lawmaking process on specific issues. A researcher may also find it useful to contact lobbying groups that may have been involved in the passage of legislation, as these groups may have compiled and retained information on a particular issue or bill.

Another source of information may be found in **Attorney General Opinions**. Cumulative indices are available at various libraries throughout the state. Attorney General opinions from 1963 to the present are available at the Attorney General's webpage. The State Archives maintains a file containing the donated records of various state officials.