

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL 4.101, MCL 4.541, AND
RULE 37 OF THE STANDING RULES OF THE HOUSE OF REPRESENTATIVES.

HOUSE RESOLUTION NO.342

Rep. Cole offered the following resolution:

1 A resolution to grant the House Standing Committee on
2 Oversight the full scope of power as authorized by MCL 4.101 and
3 MCL 4.541 to administer oaths, issue subpoenas, and examine books
4 and records related to the 2020 primary and general elections.

5 Whereas, Full access to accurate information is essential for
6 sound decision making by any public or private body; and

7 Whereas, The Legislature is responsible for establishing laws
8 governing the conduct of elections. Article I, Section 4 and
9 Article II, Section 1 of the *Constitution of the United States*
10 vests state legislatures with the authority to prescribe election
11 procedures for congressional and presidential elections. Article
12 II, Section 4 of the *Constitution of the State of Michigan of 1963*
13 charges the Legislature with enacting laws on elections, stating,

1 in part:

2 Except as otherwise provided in this constitution or in
3 the constitution or laws of the United States the
4 legislature shall enact laws to regulate the time, place
5 and manner of all nominations and elections, to preserve
6 the purity of elections, to preserve the secrecy of the
7 ballot, to guard against abuses of the elective franchise,
8 and to provide for a system of voter registration and
9 absentee voting.

10 ; and

11 Whereas, According to the Standing Rules of the House of
12 Representatives and Michigan law, standing committees of the House
13 of Representatives, including the House Standing Committee on
14 Oversight, may be granted the power to administer oaths, issue
15 subpoenas, and examine books and records; and

16 Whereas, Section 1 of 1952 PA 46, MCL 4.541, provides, in
17 part, that:

18 ...any standing or select committee of the senate or the
19 house of representatives, and any joint select committee
20 of the senate and house of representatives, shall be
21 authorized to subpoena and have produced before any such
22 committee, or inspect the records and files of any state
23 department, board, institution or agency; and it shall be
24 the duty of any state department, board, institution or
25 agency to produce before the committee as required by the
26 subpoena, or permit the members of any such committee to
27 inspect its records and files.

28 ; and

29 Whereas, Section 1 of 1931 PA 118, MCL 4.101, provides:

1 Committees and commissions of or appointed by the
2 legislature may by resolution of the legislature be
3 authorized to administer oaths, subpoena witnesses and/or
4 to examine the books and records of any persons,
5 partnerships or corporations involved in a matter properly
6 before any of such committees or commissions. Any witness
7 who neglects or refuses to obey a subpoena of any of such
8 committees or commissions, or who refuses to be sworn or
9 testify, or who fails on demand to produce any papers,
10 books or documents touching any matter under investigation,
11 or any witness or attorney who is guilty of any contempt
12 while in attendance at any hearing before any of such
13 committees or commissions, may be punished as for contempt
14 of the legislature.

15 ; and

16 Whereas, Pursuant to Rule 37 of the Standing Rules of the
17 House of Representatives, the authority for a committee to
18 administer oaths, issue subpoenas, and examine books and records
19 shall be granted by resolution; now, therefore, be it

20 Resolved by the House of Representatives, That, pursuant to
21 the Standing Rules of the House of Representatives and Michigan
22 law, we hereby grant the House Standing Committee on Oversight the
23 full scope of power as authorized by MCL 4.101 and MCL 4.541 to
24 administer oaths, issue subpoenas, and examine books and records of
25 any persons, partnerships, corporations, state departments, state
26 boards, state institutions, or state agencies related to the 2020
27 primary and general elections.