SENATE CONCURRENT RESOLUTION NO. 15

Senator Lindsey offered the following concurrent resolution:

A concurrent resolution for the adoption of the Joint Rules of the Senate and House of Representatives.

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

JOINT RULES OF THE

SENATE AND HOUSE OF REPRESENTATIVES

Transmission of Messages.

Rule 1. All messages necessary for conducting legislative business between the two houses shall be communicated in writing and electronically by the Secretary of the Senate and the Clerk of the House of Representatives.

Amendments.

Rule 2. It shall be in the power of either house to amend an amendment made by the other to any bill or resolution.

Conference Committees.

Rule 3. (a) The house not concurring in the amendments of the other house shall appoint conferees and notify the amending house of its action through written communication. The amending house shall request return of the bill or resolution or appoint conferees. The conference committee shall consist of three Members from each house, to be appointed as each house may determine. The first named Member of the house in which the bill or resolution originated shall be chairperson of the conference committee. Upon appointment of conferees by both houses, the bill or resolution shall be referred to the conference committee. When one house amends or substitutes a bill that has been returned for concurrence from the other house, but then non-concurs in that bill as amended or substituted, those amendments or that substitute shall not be referred to the conference committee. The conference committee shall serve until the conference report has been adopted by both houses or rejected by a house.

(b) The conference committee shall consist of committees of the two houses with those two committees voting separately while in conference. The adoption of a conference report shall require concurring majorities of the Members of each house. The conference committees of the two houses shall vote separately while in conference. The majority of each committee shall constitute a quorum of each committee and shall determine the position to be taken toward the propositions of the conference committee. If the conferees agree, a report shall be made which shall be signed by at least a majority of the conferees of each house who were present

and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the house of origin where the question shall be on the adoption of the conference report. If the conference report is adopted in the house of origin, the bill or resolution, including the original signed conference report, and two copies of the conference report shall be transmitted to the other house where the question shall be on the adoption of the conference report. If the conference report is adopted in the other house, the bill or resolution and the original signed copy of the conference report shall be returned to the house of origin and referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Conference Committee Clerk.

Rule 4. The conference committee clerk shall be from the house of origin, who shall notify the Secretary of the Senate and the Clerk of the House of Representatives of all scheduled meetings for public posting and shall deliver written notice to each Member of the conference committee and the Majority and Minority Leaders of each house indicating the time and place of all scheduled meetings. Conference committees on appropriation bills may use fiscal agency personnel from the same house as the Chairperson for clerks.

Conference Report: Rejection.

Rule 5. If the conference report is rejected by the house of origin, it shall appoint second conferees and notify the other house of its action. The procedure shall then be the same as

for an original conference.

If the conference report is rejected by the other house, it shall appoint second conferees, notify the house of origin of its action, and transmit the bill or resolution to the house of origin. Upon receipt of the bill or resolution, the house of origin shall appoint second conferees and refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Disagreement of Conferees.

Rule 6. If the conferees are unable to agree, a report of that fact shall be made to both houses. The report, that the conferees were unable to agree, shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report that the conferees were unable to agree, and three copies shall be filed in the house of origin. Both houses shall appoint second conferees, and the house of origin shall refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Second Conference: Failure.

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either house, no further conference is in order.

Power of Conferees.

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two houses.

For all bills making appropriations, adoption of a

substitute by either house shall not open identical provisions contained in the other house-passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either house open provisions not contained in either house version of the bill as a matter of difference.

When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill or resolution, the conferees may recommend amendments to conform with the agreement. In addition, the conferees may also recommend technical amendments to the other parts of the bill or resolution, such as, necessary date revisions, adjusting totals, cross-references, misspelling and punctuation corrections, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or resolution or the title.

Adoption of Conference Report.

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by "yeas" and "nays" and shall require the same number of votes constitutionally required for passage of the bill or adoption of the resolution. Conference reports shall not be considered until printed in the Journal and until 72 hours after the full text of the conference report is made publicly available on the Michigan Legislature's website. The Journal printing requirement may be suspended by a house by a majority vote in that house, provided that a copy of the conference report has been made available to each Member. The requirement that the full text of the conference report be made publicly available on the Michigan Legislature's website for at least 72 hours before the conference report is

considered may not be suspended.

Conference Reports: Points of Order.

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. When a conference report is ruled out of order, the conference report is returned to the originating conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

Either House May Recede.

Rule 11. At any time while in possession of the bill or resolution, either house may recede from its position in whole or in part, and the bill or resolution upon request may be returned to the other house for that purpose. If this further action is agreed to by both houses, the bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Correction of Errors.

Rule 12. If errors are found in a bill or resolution which has been passed or adopted by both houses, the house in which the bill or resolution originated may make amendments to correct the errors and shall notify the other house of its action. If the corrective amendments are agreed to by the other house, the corrected bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

In addition, the Secretary of the Senate and Clerk of the

House of Representatives, as the case may be, shall correct obvious technical errors in the enrolled bill or resolution, including adjusting totals, misspellings, the omission or redundancy of grammatical articles, cross-references, punctuation, updating bill or resolution titles, capitalization, citation formats, and plural or singular word forms.

Bills and Joint Resolutions.

Rule 13. Upon introduction, no bill shall include catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause. The Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter. However, more than one section of the Constitution may be included in the same joint resolution if the subject matter of each section is germane to the proposed amendment.

Yeas and Nays.

Rule 14. The yeas and nays shall be taken and printed in the Journal of the house taking action upon the passage or adoption of any bill, joint resolution, conference report, and amendments made by the other house to a bill or joint resolution.

No Members Present.

Rule 15. In the event the presiding officer and all Members are absent on a day scheduled for meeting, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that house to order at the designated time and announce the absence of a quorum. That house shall be declared

adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both houses of the Legislature adjourns to a date certain for more than two days, the Majority Leader of the Senate and the Speaker of the House of Representatives may, by a unanimous agreement, convene either or both houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the Members of the Senate of the scheduled session.

Passage, Adoption, and Enrollment Printing.

Rule 16. Every bill passed or joint resolution adopted by both houses and returned to the house of origin shall forthwith be enrolled and signed by the Secretary of the Senate and the Clerk of the House of Representatives. Enrolled bills shall be presented to the Governor, and enrolled joint resolutions that propose an amendment to the Constitution shall be filed with the Secretary of State with a certificate attached to the effect that the joint resolution has been adopted by the Senate and House of Representatives, respectively, in accordance with the provisions of

the Constitution. If the house having last passed the bill or adopted the joint resolution requests its return and such request is granted or a motion is made in the house of origin to amend errors in the bill or joint resolution or to give the bill immediate effect, the enrollment printing shall not occur.

Every bill, joint resolution, and concurrent resolution passed or adopted by either house shall be transmitted to the other house unless a motion for reconsideration is pending.

Immediate Effect.

Rule 17. Whenever both houses, by the constitutional vote, order that a bill take immediate effect, a statement shall be added at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Joint Resolutions.

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.

2. Ratification of amendments to the Constitution of the United States submitted by the Congress.

3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a two-thirds vote of the Members elected to and serving in each house for adoption. Other joint resolutions shall require a majority of the Members elected to and serving in each house for adoption. All joint resolutions shall require a record roll call vote.

Veto Override: Filing with Secretary of State.

Rule 19. When a bill is passed by both houses over the objections of the Governor or a bill is not filed by the Governor with the Secretary of State within the constitutionally mandated 14-day period, and the Legislature continues in session, an official enrolled bill with a letter from the house of origin signed by the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, shall be filed with the Secretary of State for a public act number to be assigned. The letter shall certify that the Governor's veto has been overridden by both houses of the Legislature or that the bill has not been returned within the specified time, as the case may be, in accordance with the provisions of the Constitution.

Section Numbers of Compiled Laws - Amendments.

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number and the year in which it was passed. If the bill was passed at an extra session of the Legislature, the title shall designate which extra session.

Such title shall contain the last title of the act it is proposed to amend. However, the short title (e.g., This act shall be known and may be cited as the "revised judicature act of 1961") shall be used in acts where it has been defined by legislative enactment. The title shall also contain the chapter, part numbers and compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title, the house other than the house of origin shall replace the short title with the last full title of the act it is proposed to amend or

repeal. Other corrective amendments to the title shall be made as may be necessary. The full title and amended title shall be agreed to by both houses.

When an amendment to a bill or a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in bold type, and the words to be omitted shall be printed in stricken-through type. This style requirement also applies to joint resolutions that amend the Constitution of Michigan.

All bills and joint resolutions introduced, amendments to joint resolutions, substitute bills and joint resolutions, and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

Tie-bars.

Rule 21. A bill or resolution that is tie-barred to a request number shall not be considered for passage or adoption unless that tie-barred request item has been introduced. No bill or resolution shall be passed or adopted by either house until the tie-barred item has been designated in the appropriate blank space provided.

Elections in Joint Convention.

Rule 22. Whenever there is an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives. The results shall be announced by the presiding officers to their respective houses, printed in the Journal of each house, and communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

Legislative Handbook.

Rule 23. The initial appointment of the standing committee members of the two houses shall be printed in their respective Journals as soon as possible after the announcement. The Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing these appointments and other information they deem appropriate.

Compensation.

Rule 24. Compensation for Members, officers, and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives, as the case may be, and transmitted directly to the payee.

If the office of a Member of the Legislature becomes vacant, the compensation for the elected successor shall begin on the date of the successor's oath of office.

Committee Expenses.

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of $2,500.00 unless authorized in the resolution creating that committee.

Final Adjournment of Regular Sessions.

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

Daily Adjournment.

Rule 27. Neither house shall remain in session on any legislative day beyond 12:00 midnight. If either house is in

session at 12:00 midnight, the presiding officer shall declare that house adjourned until a fixed hour for meeting on the next legislative day. That house shall stand adjourned until the next fixed meeting time.

Pending Business.

Rule 28. Any business, bill, or joint resolution which has not been defeated by either house shall be considered pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either house, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution, or veto override was defeated in a previous year unless there is a pending motion to reconsider offered in the odd-numbered year.