

AS ADOPTED BY SENATE, JANUARY 13, 2021

SENATE CONCURRENT RESOLUTION NO. 2

Senators Lauwers and Bayer offered the following concurrent resolution:

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

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

6 **JOINT RULES OF THE**

7 **HOUSE OF REPRESENTATIVES AND SENATE**

8 **Transmission of Messages.**

9 Rule 1. All messages necessary for conducting legislative
10 business between the two houses shall be communicated in writing

1 and electronically by the Secretary of the Senate and the Clerk of
2 the House of Representatives.

3 **Amendments.**

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

6 **Conference Committees.**

7 Rule 3. (a) The house not concurring in the amendments of
8 the other house shall appoint conferees and notify the amending
9 house of its action through written communication. The amending
10 house shall request return of the bill or resolution or appoint
11 conferees. The conference committee shall consist of three members
12 from each house, to be appointed as each house may determine. The
13 first named member of the house in which the bill or resolution
14 originated shall be chairperson of the conference committee. Upon
15 appointment of conferees by both houses, the bill or resolution
16 shall be referred to the conference committee. When one house
17 amends or substitutes a bill that has been returned for concurrence
18 from the other house, but then non-concurs in that bill as amended
19 or substituted, those amendments or that substitute shall not be
20 referred to the conference committee. The conference committee
21 shall serve until the conference report has been adopted by both
22 houses or rejected by a house.

23 (b) The conference committee shall consist of committees
24 of the two houses with those two committees voting separately while
25 in conference. The adoption of a conference report shall require
26 concurring majorities of the members of each house. The conference
27 committees of the two houses shall vote separately while in
28 conference. The majority of each committee shall constitute a
29 quorum of each committee and shall determine the position to be

1 taken toward the propositions of the conference committee. If the
2 conferees agree, a report shall be made which shall be signed by at
3 least a majority of the conferees of each house who were present
4 and voted in the conference committee meeting to adopt the report.
5 The bill or resolution, including the original signed conference
6 report and three copies, shall be filed in the house of origin
7 where the question shall be on the adoption of the conference
8 report. If the conference report is adopted in the house of origin,
9 the bill or resolution, including the original signed conference
10 report, and two copies of the conference report shall be
11 transmitted to the other house where the question shall be on the
12 adoption of the conference report. If the conference report is
13 adopted in the other house, the bill or resolution and the original
14 signed copy of the conference report shall be returned to the house
15 of origin and referred for enrollment printing and presentation to
16 the Governor, filing with the Secretary of State, or filing for
17 record with the Secretary of the Senate or Clerk of the House of
18 Representatives.

19 **Conference Committee Clerk.**

20 Rule 4. The conference committee clerk shall be from the
21 house of origin, who shall notify the Secretary of the Senate and
22 the Clerk of the House of Representatives of all scheduled meetings
23 for public posting and shall deliver written notice to each member
24 of the conference committee and the majority and minority leaders
25 of each house indicating the time and place of all scheduled
26 meetings. Conference committees on appropriation bills may use
27 fiscal agency personnel from the same house as the Chairperson for
28 clerks.

29 **Conference Report: Rejection.**

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

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

12 **Disagreement of Conferees.**

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

24 **Second Conference: Failure.**

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

28 **Power of Conferees.**

29 Rule 8. The conference committee shall not consider any

1 matters other than the matters of difference between the two
2 houses.

3 For all bills making appropriations, adoption of a
4 substitute by either house shall not open identical provisions
5 contained in the other house-passed version of the bill as a matter
6 of difference; nor shall the adoption of a substitute by either
7 house open provisions not contained in either house version of the
8 bill as a matter of difference.

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

19 **Adoption of Conference Report.**

20 Rule 9. Conference reports shall not be subject to
21 amendments or division. The vote on conference reports shall be
22 taken by "yeas" and "nays" and shall require the same number of
23 votes constitutionally required for passage of the bill or adoption
24 of the resolution. Conference reports shall not be considered until
25 printed in the Journal. The Journal printing requirement may be
26 suspended by a house by a majority vote in that house, provided
27 that a copy of the conference report has been made available to
28 each Member.

29 **Conference Reports: Points of Order.**

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

8 **Either House May Recede.**

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

17 **Correction of Errors.**

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

27 In addition, the Secretary of the Senate and Clerk of the
28 House of Representatives, as the case may be, shall correct obvious
29 technical errors in the enrolled bill or resolution, including

1 adjusting totals, misspellings, the omission or redundancy of
2 grammatical articles, cross-references, punctuation, updating bill
3 or resolution titles, capitalization, citation formats, and plural
4 or singular word forms.

5 **Bills and Joint Resolutions.**

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

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

17 **Yeas and Nays.**

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

22 **No Members Present.**

23 Rule 15. In the event the presiding officer and all
24 members are absent on a day scheduled for meeting, the Secretary of
25 the Senate or the Clerk of the House of Representatives, as the
26 case may be, shall call that house to order at the designated time
27 and announce the absence of a quorum. That house shall be declared
28 adjourned until the succeeding legislative day and hour previously
29 designated.

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

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

18 **Passage, Adoption, and Enrollment Printing.**

19 Rule 16. Every bill passed or joint resolution adopted by
20 both houses and returned to the house of origin shall forthwith be
21 enrolled and signed by the Secretary of the Senate and the Clerk of
22 the House of Representatives. Enrolled bills shall be presented to
23 the Governor, and enrolled joint resolutions that propose an
24 amendment to the Constitution shall be filed with the Secretary of
25 State with a certificate attached to the effect that the joint
26 resolution has been adopted by the Senate and House of
27 Representatives, respectively, in accordance with the provisions of
28 the Constitution. If the house having last passed the bill or
29 adopted the joint resolution requests its return and such request

1 is granted or a motion is made in the house of origin to amend
2 errors in the bill or joint resolution or to give the bill
3 immediate effect, the enrollment printing shall not occur.

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

7 **Immediate Effect.**

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

12 **Joint Resolutions.**

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

- 15 1. Amendments to the Constitution of Michigan.
16 2. Ratification of amendments to the Constitution of the
17 United States submitted by the Congress.
18 3. Matters upon which power is solely vested in the
19 Legislatures of the several states by the Constitution of the
20 United States.

21 Joint resolutions proposing amendments to the
22 Constitution of Michigan shall require a 2/3 vote of the members
23 elected and serving in each house for adoption. Other joint
24 resolutions shall require a majority of the members elected and
25 serving in each house for adoption. All joint resolutions shall
26 require a record roll call vote.

27 **Veto Override: Filing with Secretary of State.**

28 Rule 19. When a bill is passed by both houses over the
29 objections of the Governor or a bill is not filed by the Governor

1 with the Secretary of State within the constitutionally mandated
2 14-day period, and the Legislature continues in session, an
3 official enrolled bill with a letter from the house of origin
4 signed by the Secretary of the Senate or the Clerk of the House of
5 Representatives, as appropriate, shall be filed with the Secretary
6 of State for a public act number to be assigned. The letter shall
7 certify that the Governor's veto has been overridden by both houses
8 of the Legislature or that the bill has not been returned within
9 the specified time, as the case may be, in accordance with the
10 provisions of the Constitution.

11 **Section Numbers of Compiled Laws - Amendments.**

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

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

25 Following the passage of a bill with a short title, the
26 house other than the house of origin shall replace the short title
27 with the last full title of the act it is proposed to amend or
28 repeal. Other corrective amendments to the title shall be made as
29 may be necessary. The full title and amended title shall be agreed

1 to by both houses.

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

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

12 **Tie-bars.**

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

19 **Elections in Joint Convention.**

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

27 **Legislative Handbook.**

28 Rule 23. The initial appointment of the standing
29 committee members of the two houses shall be printed in their

1 respective Journals as soon as possible after the announcement. The
2 Secretary of the Senate and the Clerk of the House of
3 Representatives shall prepare and have printed a legislative
4 handbook containing these appointments and other information they
5 deem appropriate.

6 **Compensation.**

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

11 If the office of a member of the Legislature becomes
12 vacant, the compensation for the elected successor shall begin on
13 the date of his or her oath of office.

14 **Committee Expenses.**

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

18 **Final Adjournment of Regular Sessions.**

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

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

25 **Daily Adjournment.**

26 Rule 27. Neither house shall remain in session on any
27 legislative day beyond 12:00 midnight. If either house is in
28 session at 12:00 midnight, the presiding officer shall declare that
29 house adjourned until a fixed hour for meeting on the next

1 legislative day. That house shall stand adjourned until the next
2 fixed meeting time.

3 **Pending Business.**

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

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