

## Michigan House Rules Survey

PAID FOR BY THE RUN MICHIGAN RIGHT FUND WITH REGULATED FUNDS  
PO BOX 1182 BRIGHTON, MI 48116.

**NOT AUTHORIZED BY ANY CANDIDATE OR CANDIDATE COMMITTEE**

### 1. 72 hours to read

**Problem:** Members of any legislature must, out of necessity, receive bills within a sufficient time to at least have time to digest and understand the bills they are voting on. Far too often, the process in Michigan has led to; “we need to pass it to see what’s in it” process. Members need adequate time to conduct a meaningful review of all final bills, consider amendments, and confer with the leaders and constituents in their districts. In addition, the state legislature and governor's office has been complicit in massive multi billion dollar pet project shenanigans. These pet projects are designed, crafted, approved in a closed process with little transparency and no accountability. Currently, the media and public cannot unearth the names of those legislators requesting pet projects until many months after the bill was signed into law. Also, members are permitted to make requests that potentially benefit themselves or their families without any disclosure of that information. Lastly, they can make these requests secretly on behalf of big financial donors.

**Proposed Rule/ Solution:** A minimum of 72 hours for the final version of a bill to be made publicly available online for Legislators and the people of Michigan prior to a vote and require a record roll call vote of two-thirds of the House to waive this rule. And to require all appropriation requests to have the name of the requester attached to the appropriation and for members to disclose any personal or family financial interest in the appropriation. The member must also produce demonstrable public need for the funding.

- I would like to sponsor this rule.
- I would vote in support of this rule
- I do not support this rule.

Rationale for not supporting (optional)

## 2. No Non-Disclosure Agreements (NDA's)

**Problem:** In the recent past, members of the Michigan legislature have participated in secret negotiations protected by nondisclosure agreements. Often, bills and appropriations result from these secret negotiations that other members, the press, and the public are not privy to. As the nation's least transparent state, we need to prevent these nefarious practices.

**Proposed Rule/ Solution:** No member shall make an oath of secrecy and nondisclosure when discussing tax cuts, tax abatements, loans, grants or any other fiscal incentives for businesses located in or considering locating to Michigan, accepting only in unique cases which would require a 2/3s vote of the chamber.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 3. No new proposals from conference committees

**Problem:** The purpose of a conference committee is to resolve any differences between the separately approved House and Senate budget priorities. Unfortunately, this process has morphed into creating entirely new priorities among a select few leaders. These new priorities are frequently never discussed with the majority of members, but are simply approved by those select few creating a brand new bill of questionable undisclosed motivation.

**Proposed Rule/ Solution:** Conference Committees may only vote and compromise on written points of difference between the House and Senate and cannot add new items which were absent from the House-approved or Senate-passed versions. All votes and all amendments must be by record roll call vote. All amendments must be offered by a named member of the Conference Committee.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

**4. Record all votes Pt. 1**

**Problem:** Currently, votes on amendments, motions, or a ruling of the chair in the Michigan House are simply subject to a perceived majority of an unrecorded voice vote. This process throws wide open the opportunity for abuse as the lone determinant of the yeas and nays is empowered to a single person.

**Proposed Rule/ Solution:** Any amendment, motion, or ruling of the chair is subject to a record roll call vote if requested by a member and subsequently supported by 10% or more of the members of the Michigan House.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

**5. Record all votes Pt. 2**

**Problem:** Currently, for bills on second reading, the majority has the option of simply declaring decisions by voice vote. This again leads to a potentially abusive process whereby a majority voice vote could be declared a minority vote or vice versa. Requiring roll call votes ends this problem and encourages legislators to have and use sufficient time to review legislation and consider appropriate amendments before their vote.

**Proposed Rule/ Solution:** A record roll call vote is required on all second and third readings of bills.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 6. Honest amendments

**Problem:** A current rule allows the majority to take a series of proposed amendments pertaining to a particular bill and mandate that each of the specialized amendments be morphed into a single amendment in order to prevent the consideration and discussion of each individual amendment.

**Proposed Rule/ Solution:** Leadership will be prevented from combining all amendments into one large, combined amendment unless agreed to by the amendment sponsors.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 7. 72 hours for new house rules

**Problem:** These important rules govern the entire legislative process for the entire session, including the interaction between members and the entire legislative process. It is imperative for members to have sufficient time to prepare and to fully grasp the consequences of each proposed rule before they vote.

**Proposed Rule/ Solution:** In the interest of transparency, proposed House Rules shall be made publicly available online for at least 72 hours before the House vote. Members shall also have access to all previous rules upon request for review in order to make informed decisions before the House takes a vote on the proposed rules.

“It’s important for Representatives and their constituents to have an opportunity to read and understand these rules before final votes are cast.”

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 8. Honesty in punishment

**Problem:** Rules that governed past House procedures permitted a single member, upon their own discretion, to strip another member, duly voted in by their district, from engaging in virtually every legislative activity within their job description, exempting only the final floor votes. Traditionally, the Speaker of the House was empowered with this arbitrary authority over all members of the chamber and the minority leader had the same authority over their caucus. This arbitrary stripping of a sitting legislator of all of their necessary functions to represent their constituents, should never be left to the arbitrary discretion of a lone member of the house.

**Proposed Rule/ Solution:** A member of the House cannot be denied their proportional office budget, postage and printing privileges, the ability for office-based budgeting, staff compensation decisions, staff hiring, office expenditures, office space, parking space, and access to Central Caucus Services unless approved by two-thirds of the full chamber or caucus.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 9. No more lame duck session

**Problem:** The public at large has become acquainted with the pejorative “lame duck” session. The purpose of the “lame duck” is to squeeze in and martial through priorities of every kind for members, stakeholder, donors, lobbyists, all those with influence and pull. Virtually nothing in the “lame duck” agenda has an even remote consideration of the needs or desires of the people in Michigan or their tax dollars. These sessions are rife with corruption, arm twisting, and all the worst elements that people despise about their government.

**Proposed Rule/ Solution:** No lame duck sessions for the Michigan House. Mandate that the House recess for the remainder of the calendar year before the November elections.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 10. Maintain the committee process

**Problem:** One of the nefarious techniques of those who want to game the system and avoid transparency is the process of bringing bills to the floor that have not gone through the committee process. The beauty of this move is that you can avoid all transparency, potential due diligence, and all of the mechanisms to unearth self-serving motivations. Both members and the public deserve an ethical and transparent process.

**Proposed Rule/ Solution:** Prohibit bringing bills or substitute language of a bill to the floor which have not gone through committee.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 11. Compliance with FOIA

**Problem:** Currently, members of the House and their staff do not have to comply with Michigan's Freedom of Information Act. One of the reasons that Michigan is considered one of the least transparent states is because of this legislative deficit. In order to create the necessary confidence that we are conducting ourselves in a transparent and open manner, we should add this FOIA requirement to our House rules with the exception of personal information of a member's constituents requesting assistance with State Agencies.

**Proposed Rule/ Solution:** State Representatives must comply with the Freedom of Information Act.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 12. Effectuation of the Budget

**Problem:** The most important constitutional duty of the Legislature is to approve the state's budget. Although the new fiscal year begins October 1st, Michigan's schools, local governments and many other entities need to consider any potential changes in their state funding as early as June in order to put their budgets together for the coming year. Thus it is incumbent upon the appropriation committee to get down to their constitutional obligation, in a timely fashion, to produce budget bills for the whole chamber's consideration and then a final vote. Any less than this timeline is an abrogation of duty to the taxpayers and the state of Michigan.

**Proposed Rule/ Solution:** Bring all appropriation bills to the full House for adoption by June 15th of each year or all members of the Appropriations committee will be required to document that they are convening in Lansing 5 days a week until they produce the finalized budget.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 13. Anti-censorship

**Problem:** Currently, and in the past, there were cases of members, particularly in the minority, who had their communications pertaining to their thoughts, opinions, and analyses of the issues of concern, even drilling down to censoring individual words, with their constituents regulated by the majority. The freedom to communicate accurately with constituents as a member of the legislature is one of the most important duties and obligations a legislator has. Censoring that free expression and barn-door sized potential for political corruption.

**Proposed Rule/ Solution:** Leadership cannot censor the content on a member's mailings, emails, video productions, social media postings nor website. If a member's materials contain inappropriate or disparaging content, then a 2/3s vote of the House is required to censor.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

#### 14. **Delayed House leadership elections**

**Problem:** Those interested in cajoling newly elected members into an immediate vote the day after the November elections are not interested in a thorough and deliberative process of selecting leadership. Unfortunately, this has been the common practice going back for many years. Members are just coming off, often brutal elections, and are frequently uninformed regarding the merits of the individual candidates for leadership and the consequences of an impetuous vote.

**Proposed Rule/ Solution:** House Leadership elections cannot take place earlier than one week after the November election.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

#### 15. **No more omnibus**

**Problem:** The public has become very accustomed to the pejorative, “omnibus budget.” The benefits of the “omnibus budget” to those desiring to operate under the cover of darkness, and to obfuscate their hidden motives, desire to put all budget items into one big incomprehensive package in order to push a single vote that would otherwise be deliberately dissected in individuals votes on each budget item the appropriate public process.

**Proposed Rule/ Solution:** Legislation must be single issue items, including supplemental appropriations.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)



## 16. Freedom of speech

**Problem:** As sitting legislators can attest, there is an almost unlimited number of concerns, issues, policies, etc. that confront a legislator on a weekly basis. In order to fully express to the body and the public these wide ranging subjects, the Michigan Senate gives every member 5 minutes to make a statement on any matter subject to Senate rules on decorum. The Michigan Senate also permits an unlimited time frame to explain why a member chose to vote no on any particular bill. This right of a member is of extraordinary importance for the public to understand the decision, thoughts and merits, or lack thereof, of that particular bill.

**Proposed Rule/ Solution:** All members of the House shall be guaranteed a 5 minute statement on any issue subject to the House rules on decorum. They shall also be given the opportunity to address a “no vote explanation” of unlimited duration as has been the rule in the Michigan Senate.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 17. Votes for immediate effect

**Problem:** The concept of Immediate Effect (IE) on a bill is to permit that bill to be implemented immediately upon the IE vote. If a bill is not given immediate effect, the bill would not be effective until 90 days after the end of the year. The process of waiting until the end of the year gives more deliberative time to consider if any changes or trailer bills may be needed to address unintended consequences. Thus, to end that 90 days, after year end provision, requires a 2/3s vote in the senate. This recorded vote holds members accountable for taking this deliberative vote to override that wait period. The 2/3s vote requirement also empowers minority members to have a minority right which grants them negotiating room to make improvements on proposed bills. In the current House rules, all bills simply take immediate effect upon majority passage.

**Proposed Rule/ Solution:** Require a 2/3s vote for immediate effect on any bill.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 18. Freedom to question

**Problem:** Committee Chairs restrict and sometimes prohibit committee members from asking questions and follow up questions during committee meetings. As most of the public has observed in the US congress, the process by which committee members are given up to 5 minutes to question, or make comments, to individuals testifying before their committee. The purpose of this requirement is to counteract the countless examples of chairs who abuse their authority to silence or censor committee members whose comments or questions are not properly adhering to the chairs' songbook. Some chairs feel no compunction for producing thoughtful and well considered legislation, but are more interested in shoving through their own personal priorities.

**Proposed Rule/ Solution:** Every member of a House Committee is to be granted 5 minutes to question those individuals testifying before their committee.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

## 19. No legislator- lobbying

**Problem:** In past sessions, members were exposed in the media as hired lobbyists working on paid projects in other states. Despite assertions to the contrary, there are too many potential overlaps within issues transcending state lines to not be of concern to the public regarding the Houses ethics on this matter.

**Proposed Rule/ Solution:** Representatives are prohibited from lobbying in Michigan and must disclose any lobbying conducted in other states or another country while serving as a member of the Michigan Senate.

- I would like to sponsor this rule.
- I would vote to support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)

**20. Election of committee chairs**

**Problem:** One of the greatest powers that the majority leader has over their members is the power to appoint members as chair of a committee and subsequently remove them without cause. This authority leads to the majority leader having undue influence over the behavior of committee chairs and the legislation they do or do not vote out of their committee.

**Proposed Rule/ Solution:** Committee chairs shall be elected by a majority of the majority caucus and may only be removed by a 2/3s vote of the majority caucus.

- I would like to sponsor this rule.
- I would vote in support of this rule.
- I do not support this rule.

Rationale for not supporting (optional)