

MASB Government Relations



Michigan Association of School Boards

**LEGISLATIVE
HANDBOOK**



LeadStrong

**The mission of the
Michigan Association of School Boards
is to provide quality educational
leadership services for all
Michigan boards of education,
and to advocate for student
achievement and public education.**

Introduction

The purpose of this *Legislative Handbook* is to provide background information to school board members and superintendents on a variety of topics related to lobbying and the legislative process.

The overall purpose of this handbook is to help school board members and superintendents become active and effective in communicating their interests and concerns to the legislature. This can be done only by the active involvement of the many dedicated people who are committed to public education. We commend these people for their willingness to give additional time and effort beyond already generous commitments to their local boards.

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Background for Citizen Lobbying

Politics is everybody's business! Consider the legislative environment for education in Michigan. About 80 percent of our education funding comes through the state via the legislative process. In addition, every year there are numerous bills in the legislature which prescribe, prohibit, encourage or discourage matters which affect schools.

As school board members and superintendents, you know how actions taken in Lansing can influence what goes on in your local communities. Therefore you should also know how important it is that school boards make every effort to affect the legislative process for the benefit of local districts and education in general.

While MASB does have staff and resources devoted to lobbying in Lansing, you, as constituents, are the most important people in a legislator's life. Legislators rely upon you and your willingness to let them know your views. Hearing from constituents amplifies and lends credibility to concerns MASB relates to legislators. It's a critical piece of our overall efforts to serve the needs of local districts.

Contacting your legislators is neither difficult, nor necessarily time consuming. It may take only a few phone calls or letters a year to relate your concerns and express your interests. Your contacts, particularly when considered in the context of communication from some of the 4,000 plus other school board members in the state, really make a difference. Conversely, if a legislator is not hearing from school board members about a particular issue, he or she will either make a decision based on personal judgment or will respond to someone else who does make contact.

We hope the following information will be helpful in making your voice heard in Lansing.

Suggestions for Personal Contacts with Legislators

Making direct, personal contacts with your legislator can be the most effective means of influencing his/her opinion.

Take time to read. Before contacting any legislators, review as much of the available background material on the bill or issue as possible.

Know when and where to contact a legislator. The best times to find a legislator in the office in Lansing are Tuesday, Wednesday and Thursday. Sessions normally begin at 1 p.m. in the House and at 10 a.m. in the Senate. Occasionally, legislators will be able to see you if you simply walk in, but the best approach is to call ahead and make an appointment.

Select one or two persons to speak. If you have more than two members in your group, select one or two spokespersons.

Keep the conversation to the issue. Keep to the issue or business at hand. Don't spend too much time on social conversation.

Be knowledgeable. Be knowledgeable about the particular bill you want to discuss, including its current status in the legislative process.

Be brief and to the point. If you have expert knowledge or specific data about a bill, you can be of great help and very influential to your legislator. Be sure to present the data or information in writing before you leave, or as soon as possible after your visit.

Relate examples. Give your legislator examples of how legislation will affect your district.

Be sure to have a clear proposal to offer. Give substantive reasons for making changes and factual information to justify your positions if you are proposing amendments to a bill or an alternative solution to a problem.

Show appreciation for support. It is usually a waste of time (for both of you) to lobby legislators who are in support of your position, although your legislator may be helpful in making suggestions for your lobbying efforts. It does help, however, to let them know you appreciate their support of your position.

Save time. Save time by making it clear who you are and what organizations you are working with.

Keep your cool. Particularly, if your legislator disagrees with you. Try to avoid prolonged or controversial argument. Allow your legislator to express doubts, questions or opinions without interruption. A calm,

reasonable attitude and well-prepared reasons for your position may change minds.

Contact MASB. Contact the MASB office prior to meeting with your legislator if you need information or assistance.

Suggestions for Communicating with Legislators

A personal letter, e-mail or phone calls are effective ways of communicating with your legislator.

Address them properly. Know your legislator’s full name and the correct spelling of it.

State Senator

The Honorable (full name)
State Senator
State Capitol Building
Lansing, MI 48909

State Representative

The Honorable (full name)
State Representative
State Capitol Building
Lansing, MI 48909

Always include your name and school district when communicating with legislators. If you send a letter make sure to include your address. A letter can’t be answered if there is no return address or the signature is not legible.

Use your own words. One thoughtful, factual, well-reasoned letter carries more weight than 100 form letters or printed postcards.

Know what you are talking about. Identify the bill or issue of concern to you. Thousands of bills and resolutions are introduced in each session. If you write about a bill, try to give the bill number or describe it by popular title, such as the “Open Meetings” bill or the “School Aid” bill.

Be reasonably brief. Many issues are complex, but a single page (no more) or a short phone call, presenting your opinions, facts, arguments or proposals as clearly as possible, is welcomed by most legislators.

Using bullet points to highlight key issues in a letter is very helpful for legislators and staff who are reading your letters.

Give reasons for your position. Explain how the issue would affect your school district and community. Concrete, expert arguments for or against the bill can be used by the legislator in determining the final outcome of a bill.

Legislators can be influenced to vote for or against proposed legislation. They are reasonable, concerned individuals, who do listen to their constituents. They want to know what you think. It is up to you to make your voice heard.

Suggestions for Local Political Action

Listed below are brief suggestions for school board members on becoming more effective in dealing with legislative affairs. Steps your board may take will depend on many things and be aware that what works best for you will be determined by local circumstances. We hope the following will stimulate your thinking and promote a new level of activism.

1. Becoming Better Informed

- Ask that every board meeting contain a legislative update from one of your board members and/or your superintendent.
- Work through your County Area School Board Association and/or ISD to convene monthly meetings about legislative topics when the legislature is in session. Invite speakers from MASB, MASA, other associations or area legislators.
- Make copies of MASB e-mails, the Legislative Update in *Headlines* or legislative newsletters from MASA or other organizations to disseminate to board members and other key individuals-e.g. PTA leadership, local chamber of commerce president.
- Call MASB if you want information on pending legislation.
- Ask your administrators to determine the specific impact of legislation on your district.

2. Building Relationships with Legislators

- Build an ongoing relationship with your legislator(s), do not just contact them when you have a complaint or wish to ask a favor.
- Establish relationships with staff in your legislator's office that are responsible for education issues. They could be your next legislator.
- At least once a year, invite your legislator to tour your school and discuss issues.
- As individuals – attend/organize fundraisers for your legislator to help in some way with their campaign if they are supportive on education issues.
- Identify a person in your district whom your legislator may/should contact for information regarding education legislation. The information provided should be consistent and factual to assure continued trust.

- Express your appreciation to legislators for their support on specific issues. Also, if you feel your legislator was *not* responsive, communicate your disappointment.
- When asking a legislator to oppose a particular bill, be prepared to offer alternative “solutions.”
- Invite your legislator to key school functions like graduation, sports tournaments or academic events. If you extend such an invitation, make certain that when the legislator arrives, he/she is greeted, introduced and provided with a host or hostess. Make them feel comfortable and welcome. Direct media attention to the legislator in attendance.
- Host a candidate forum during election years so that community members can come to your school and hear from candidates. Host it with a non-school group to give greater balance and to interest more people.

3. Coalition Building

- Find various ways to inform your public about legislative issues and how they will impact your district.
- Create a local grassroots network. Cultivate and provide information to a group of local, concerned citizens – or use existing groups - to act as “key communicators” who will contact legislators on selected issues.
- Make a point to meet with local service organizations (Lions, Kiwanis, Rotary, etc.) to discuss education issues.
- Offer to meet with other local government entities to discuss issues of common concern, e.g. Tax Increment Finance Authorities, Downtown Development Authorities, Local Development Authorities.

4. Pass a Board Policy and Develop a Plan for Becoming Active in Dealing with Legislative Issues

It's hard to get where you want to go without a plan. Develop a specific plan using the ideas above and others which you generate locally and/or by trying a brainstorming exercise asking yourself and others this question: *What can we as a board do to become more effective in addressing legislative issues?* Then act on your own ideas and beliefs.

If MASB can help, or you have ideas you would like to share, call our Government Relations Department at (517) 327-5900. We are happy to help facilitate the creation of grassroots networks, candidate forums, or just give general legislative updates to boards or other community groups when needed.

Sample Board Policy on Legislative Activities

In order to provide direction and a framework for your district's legislative activities, please consider adopting the following policy:

The purpose of this policy is to establish procedures and methods for dealing with legislative matters.

At least once each month, the board meeting agenda shall include a report on educational issues pending on the state and federal levels.

The board will work with the Michigan Association of School Boards, the National School Boards Association and other concerned groups and organizations on matters of mutual interest.

Each year the board will develop a short and long term legislative plan. The plan shall contain at least the following elements:

- A method for maintaining regular contact with state and federal legislators and/or legislative staff to receive updates on education issues in the legislature and to inform them of the potential effect(s) on the district of pending legislation.
- A method for networking with other groups, such as PTA, chambers of commerce, community action groups or service clubs to discuss education and legislative issues.
- A method for having board members meet with legislators at least once per year, either in the district or in Lansing.
- A method for networking with other board members from the districts within a geographic region (e.g. ISD, county or other unit) to share information, discuss legislative issues and plan collective responses.

School board members shall serve as the board's liaison to MASB, shall attend the MASB annual legislative conference and other state and regional association meetings as approved by the board, and shall advise MASB of the board's views regarding the MASB's legislative positions and activities.

Michigan's Lobbying Act

School board members who contact their state legislators to discuss pending legislation affecting education or school districts or to advocate a position on such bills need not be concerned about Michigan's Lobbyist Registration and Reporting Act, PA 472 of 1978. Elected local public officials generally are exempt from the registration and reporting requirements.

The key provision of PA 472 applicable to members of both local and intermediate boards of education states that school board members are exempt from the lobby law if: (1) they are acting in the course or scope of their office and (2) they do not receive any compensation for the lobbying activity other than the compensation they receive for holding office. For example, a school board member who testifies at a legislative hearing on behalf of MASB or his or her school district need not register so long as these two conditions are satisfied.

Even though individual school board members are exempt, many school districts and employees must file as lobbyists and lobbyist agents under PA 472. A school district which either employs a staff person for lobbying or contracts with an individual or business for lobbying activities may be required to register. In addition, while the Lobby Registration Office has issued a letter indicating superintendents are exempt, other school employees may become lobbyist agents.

For additional information, contact the Lobby Registration Office, P.O. Box 20216, Lansing, Michigan 48909, (517) 373-7655.

How a Bill Becomes Law

Step 1: A bill is introduced in either the House or Senate. Sometimes identical bills are introduced simultaneously. The bill receives a first reading in the House and a first and second reading in the Senate (at which time the title is read). Then either the Speaker of the House or the Majority Leader of the Senate refers the bill to an appropriate standing committee (Education, Public Utilities, Social Services and Youth, etc.). If the bill is a budget bill or has fiscal implications, it will also be referred directly to the Appropriations Committee or to an appropriate standing committee and then to the Appropriations Committee.

Step 2: In committee, the bill is discussed and debated. Public hearings may be held. Not every bill referred to a committee will be considered. The committee may take several different actions:

- Report the bill with favorable recommendations.
- Add amendments and report the bill with favorable recommendation.
- Replace the original bill with a substitute.
- Report the bill with adverse recommendation.
- Report the bill without recommendation.
- Report the bill with amendments but without recommendation.
- Report the bill with the recommendation that the bill be referred to another committee.
- Take no action on the bill.
- Refuse to report the bill out of committee.

Step 3: If a bill is reported out favorably or a substitute is offered, the bill is returned to the House or Senate where it receives a general orders status in the Senate and a second reading status in the House. The Senate resolves itself into the Committee of the Whole and the House assumes the order of second reading. At this time, committee recommendations are considered and amendments may be offered and adopted. The bill then advances to third reading.

Step 4: Upon third reading in the Senate, an entire bill is read unless unanimous consent is given to consider the bill read. In the House, the bill is read in its entirety on third reading unless four-fifths of the members consent to consider the bill read. On third reading the bill is again subject to debate and amendments. At the conclusion of third reading,

the bill is either passed or defeated by a roll call vote of the majority of the members elected and serving or one of the following options may be used to delay final action:

- Refer the bill back to committee for further consideration.
- Postpone bill indefinitely.
- Make the bill a special order of business on third reading for a specific date.
- Table the bill.

Following either passage or defeat of the bill, a legislator may move to have the bill reconsidered. In the Senate the motion must be made within the next two session days; in the House within the next succeeding day.

Step 5: If the bill passes, it goes to the other house where the same procedure is followed. If the bill is passed in the same form by both houses, it is ordered “enrolled” in the house in which it originated. It then goes to the governor for his/her signature.

Step 6: If the bill is passed in a different form by the second house, the bill is returned to its house of origin. If this house accepts the changes, the bill is enrolled and sent to the governor. If the changes are rejected, the bill is sent to a conference committee which tries to resolve the differences. If they are unsuccessful, a second conference committee may be appointed.

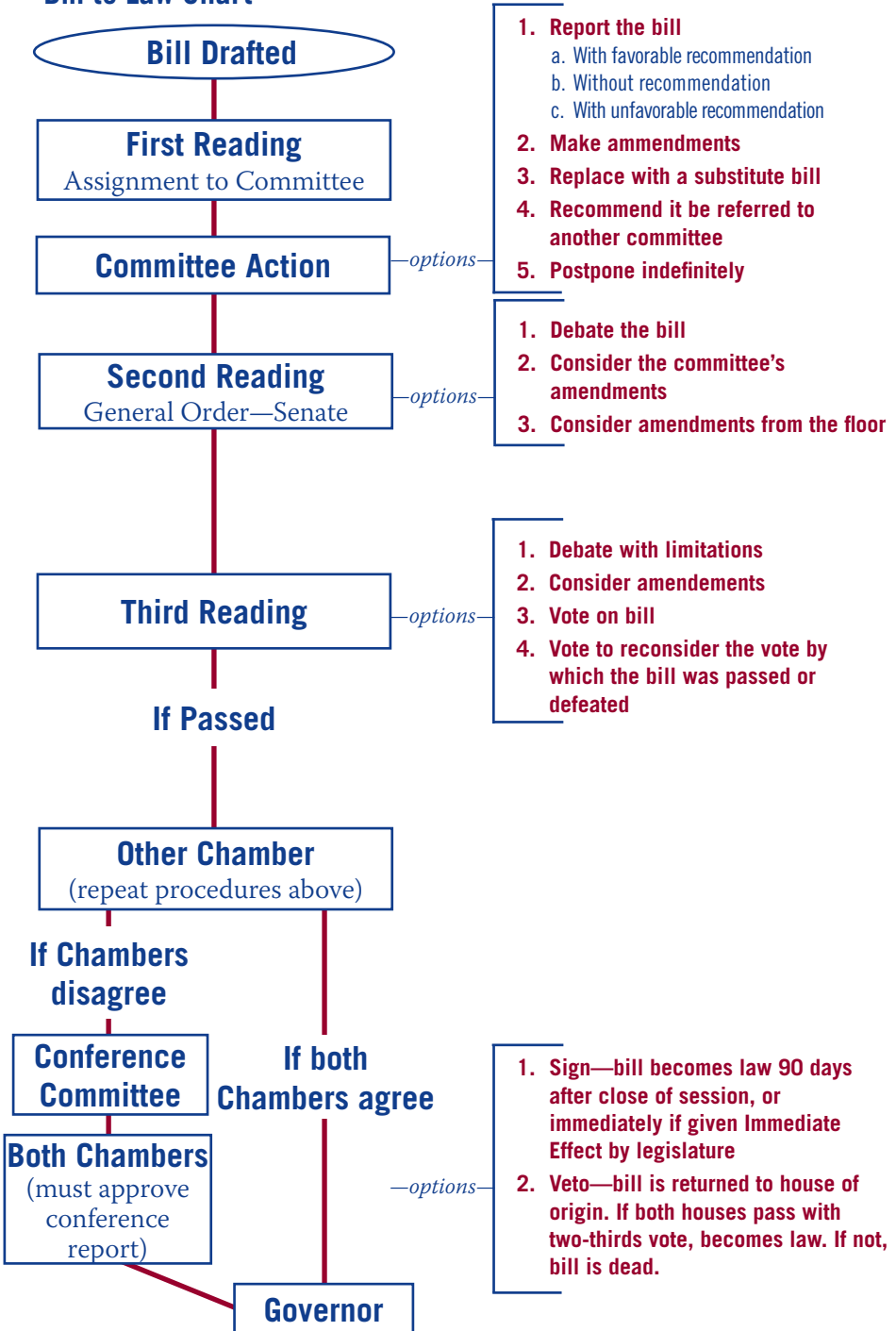
Step 7: The governor has 14 days after receiving a bill to consider it. He/she may:

- Sign the bill. The bill becomes law either 90 days after the Legislature adjourns at the end of the year (sine die) or at a later date specified in the bill. If the bill has been given immediate effect by a two-thirds vote of the members elected and serving, it becomes law upon the governor’s signature and takes effect when filed with the secretary of state or as specified in the bill.
- Veto the bill (which would then require a two-thirds vote to override). See Step 8.
- Neither sign nor veto, in which case the bill becomes law 14 days after reaching the governor’s desk unless the Legislature adjourns sine die within the 14 days. In that case the bill does not become law.

Step 8: If the governor vetoes a bill while the Legislature is in session or recess, one of the following actions may occur:

- Legislature may override the veto by a two-thirds vote of the members elected and serving in both houses.
- Bill may not receive the necessary two-thirds vote and thus the attempt to override the veto will fail.
- Bill may be tabled pending an attempt to override veto.
- Bill may be referred to a committee.

Bill to Law Chart



How Local Schools are Funded in Michigan

As school board members it's your responsibility to know how schools are funded in Michigan. This section of the handbook has been developed to help you with that accomplishment.

Prior to 1994, public schools in Michigan were largely funded through a local property tax millage. Both the operations and infrastructure of a school district were funded when districts went to local voters and asked them for an increase or renewal of a millage. Proposal A, approved by the voters of Michigan, went into effect for the 1994-95 school year and drastically changed the way schools are funded. While many voters still believe Proposal A was largely property tax relief, for schools it was a new funding mechanism that distributes state funds on a per pupil basis to each district – also commonly called the school's foundation allowance.

Under Proposal A, schools still must raise local millage for building projects, but that's one of the few local options available for schools to raise money since Proposal A. Public schools are now largely funded through a statewide six-mil tax called the State Education Tax (SET), an 18-mil local tax on non-homestead property, and a combination of other taxes comprised of mostly the state income tax and the sales tax.

The six-mils are collected directly by the state, while the 18-mil tax is kept locally, but must be levied or districts face a reduction in their foundation allowance. The rough breakdown for school revenues on a statewide basis is 45 percent from sales tax, 20 percent from income tax, 20 percent from SET, and an additional 15 percent made up of other revenue sources including the lottery. These numbers fluctuate each year based on overall tax collections at the state level.

The foundation allowance for each school comprises approximately 90 percent of school district's general fund revenue. The remainder is from other state and federal programs and some local revenue related to interest earned, tuition and fund transfers. The money from state and federal programs is often called categoricals, meaning they are designated for a certain category of expenditure, such as at-risk students or for districts with declining enrollment.

As mentioned above, schools are funded based on their individual pupil populations. There's a specific formula that is a pupil enrollment blend of 25 percent of the previous year's February student count and 75 percent of the current year's September count. This blend has

changed over the years from 50/50 to as high as 20/80. This formula is kept in place to help school districts who are experiencing declining enrollment from one year to the next.

One last provision that should be mentioned is the Headlee Amendment to the Constitution. This is not a specific school issue, but can have an impact on school funding. What Headlee does is limit the increase in the amount of money a unit of government (school district) can raise annually to whatever the rate of inflation is for that year. What this means is when a district is levying the 18-mils on non-homestead property, and property values go up faster than the rate of inflation, there will actually be a millage reduction so that your revenue doesn't grow at the higher rate. This actually causes a reduction in a district's foundation allowance because the state expects you to levy the full 18-mils. This situation forces local districts to go to their local voters after a millage rollback to ensure the millage remains at 18-mils. This may seem problematic, but it's a millage that regularly passes and is usually not a problem for districts.

Leadership Positions in the Michigan Legislature

President of the Senate. The president of the Senate is the presiding officer of that body. The State Constitution provides that the lieutenant governor shall be president of the Senate. The lieutenant governor can cast a vote only in the case of a tie.

President Pro Tempore. The president pro tempore of the Senate is the senator elected by the Senate to have the same powers as the president in the president's absence. In Michigan, the president pro tempore is referred to as the president pro tem.

Senate Majority Leader. The majority leader is a member of the majority party in the Senate having been designated by the majority party in caucus to be its leader. In the Senate, the majority leader appoints the members of all committees, and designates the chairperson and vice-chairperson of each. He or she refers bills and other legislation to committees. Also, they schedule full Senate votes on legislation.

Senate Minority Leader. The minority leader is a member of the minority party in the Senate having been designated by the minority party in caucus to be its leader.

Secretary of the Senate. The secretary of the Senate is an officer elected by the Senate as its chief administrative officer and parliamentarian. The secretary isn't a member of the Senate.

Speaker of the House. The speaker of the House is the presiding officer of the House of Representatives. He or she is designated by the majority party in caucus and then elected by the body for a term of two years and may be re-elected. The speaker appoints the members of all committees, and designates the chairperson and vice-chairperson of each. He or she refers bills and other legislation to committees and presides over the meetings of the House. They schedule full House votes on legislation.

Speaker Pro Tempore. The speaker pro tempore is designated by the majority party in caucus and then elected by the House of Representatives. At the call of the speaker, the speaker pro tempore presides over the House. In Michigan, this officer is referred to as speaker pro tem.

House Minority Leader. The minority leader is a member of the minority party in the House having been designated by the minority party in caucus to be its leader.

Clerk of the House. The clerk of the House of Representatives is an officer elected by that chamber as its chief administrative officer and parliamentarian. The clerk isn't a member of the House of Representatives.

Glossary

Act: An act is a bill which has been passed by both houses of the Legislature and signed by the governor. It is possible for a bill to become an act without the governor's signature. (*See also: Veto.*)

Administrative Rule: A rule is a state agency regulation which implements or applies statutes enforced or administered by the agency. Proposed administrative rules are reviewed by the Joint Committee on Administrative Rules (JCAR) which has the authority to approve or disapprove a rule (a committee made up of House and Senate members).

Amendment: An amendment is any alteration made or proposed to be made in a bill by adding, changing, substituting or deleting language. An amendment may be offered either in committee or by an individual legislator at the time the bill is being considered on the floor. (*See also: Substitute Bill.*)

Appropriation Bill: An appropriation bill is any bill authorizing the spending of money. Each year the Legislature must pass general appropriation bills which distribute the money for financing the agencies of state government. The general appropriation bills must be passed or rejected in either house before that house passes any appropriation bill for items not in the budget except bills supplementing appropriations for the current fiscal year's operation.

Bill: A bill is a proposed law. Any legislator may introduce a bill. Bills are designated by number, assigned to correspond to the order of introduction. (*Example: HB 4001 and SB 1.*)

Calendar: The calendar is a listing of bills and resolutions reported from committees and ready for floor consideration. The calendar is printed every day for both the House and the Senate when they are in session. Both the House and the Senate calendars also list public hearings, as well as standing committee and special committee meetings.

Caucus: A caucus is a private meeting of legislators. Under the Michigan Open Meetings Act, a partisan caucus may be held in closed session. As it is most generally used, a caucus refers to a private meeting of members of a political party. However, a caucus may also be members from a geographical area or members allied for a specific purpose. Legislative officers are designated and nominated within the political parties at caucuses. Party positions on pending legislation may be determined in caucus.

Committee: A committee is composed of legislators chosen to perform specific functions. Standing committees of the House and Senate are those with a continuing responsibility in a general field of legislative activity: for

example, appropriations, education, taxation, civil rights, agriculture, public health, etc. Sometimes the chairperson of a standing committee will appoint a subcommittee to study a bill and then report to the full committee. In the House and Senate appropriations committees, bills are generally considered by a subcommittee before being taken up by the full committee. Joint committees are committees composed of both House and Senate members. (*See also: Conference Committee.*)

Committee of the Whole: (*See: Readings.*)

Companion Bills: The State Constitution provides that a bill may not embrace more than one object. Thus, it is often necessary to introduce a series of bills, each bill amending a separate Public Act, to accomplish a given legislative objective. The bills in such a series commonly are called companion bills.

Concurrent Resolution: A concurrent resolution expresses the opinion of both houses of the Legislature. Concurrent resolutions frequently offer felicitations on an honor which has come to an individual or mourn the passing of a distinguished citizen. Concurrent resolutions are designated by number, assigned to correspond to the order of introduction. (*Example: HCR 1 and SCR 1.*)

Conference Committee: A conference committee is appointed by the speaker of the House of Representatives and the senate majority leader to reach a compromise when both houses do not pass a bill in identical form. A conference committee consists of three members from each house. A conference committee can consider only issues in a bill upon which there is disagreement between the two houses.

Conference Committee Report: A conference committee report is a report of the compromise reached by the conference committee. The conference report must be signed by at least a majority of the conferees of each house. It is then submitted to both houses of the Legislature for approval. If approved, the bill is enrolled and sent to the governor. If the conference committee does not reach a compromise or if the Legislature does not accept the conference report, a second conference committee may be appointed.

Discharge: To “discharge” a committee from consideration of a bill means to force the bill out of the committee. A motion to discharge must be approved by a vote of a majority of the members elected to and serving in the respective house. After a committee is discharged, the bill is placed on the calendar for floor action.

Effective Date: A law generally becomes effective, or binding, either upon a date specified in the act itself or, in the absence of such date, on the 91st day after adjournment “without day” of the session of the Legislature at which it was

enacted. There are three exceptions to this general rule: (1) a delay brought about by the filing of a referendum petition; (2) a delay resulting from the inclusion of a referendum provision by the Legislature itself; and (3) a delay resulting from the inclusion of a specific date following the 90-day period. *(See also: Immediate Effective; Enactment Date.)*

Enactment Date: The enactment of a bill occurs at the time a bill which has passed the Legislature is signed by the governor or becomes law following the failure of the governor to veto a bill or as a result of a veto override. *(See also: Effective Date; Immediate Effect; Veto.)*

Enrolled Bill: After both houses have agreed upon a bill, the bill is ordered enrolled by the house in which the bill originated. Upon enrollment the bill is presented to the governor who has 14 days to sign it or veto it and return it to the house of origin. *(See also: Veto.)*

Executive Order: An executive order is a rule or decision issued by the governor. An executive order sometimes is used as a means of reducing expenditures authorized by an appropriations act and, in such a case, must be approved by the Appropriations Committee of both the Senate and House of Representatives.

Immediate Effect: As a general rule, a legislative enactment becomes effective on the 91st day after adjournment “without day” of the Legislature. A bill given immediate effect by a two-thirds affirmative vote of both houses of the Legislature becomes effective when, after being signed by the governor, it is filed with the secretary of state, unless a later date is specified in the bill.

Initiative: Initiative is a method of initiating legislation by the people. In Michigan the people can invoke initiative for two reasons: (1) to propose, enact or repeal laws; and (2) to propose the revision or amendment of any part of the State Constitution. The initiative may be invoked by filing with the secretary of state a petition signed by a specific number of registered voters. If the initiative is invoked to propose a law, the number of signatures on the petition must equal at least eight percent of the total vote cast for all candidates for governor at the last general election. Any law proposed by initiative petition must be enacted or rejected without change by the Legislature within 40 days of its receipt. Whether enacted or rejected, the proposed law is submitted to a vote of the people at the next general election. Any law enacted by initiative cannot be vetoed by the governor nor amended by the Legislature without a three-fourths vote of the members elected and serving. If an initiative petition seeks to amend the Constitution, the number of signatures must equal at least 10 percent of the total vote cast for all candidates for governor at the last general election. A constitutional amendment proposed

by initiative petition is subject to approval or rejection by a vote of the people at the next general election.

Introduction: “Introduction” is the process of bringing a proposed law before the Legislature. Senate bills are filed with the secretary of the senate and House bills with the clerk of the House.

Joint Resolutions: Joint Resolutions are used to propose amendments to the State Constitution of 1963, to ratify a proposed amendment to the United States Constitution, or to petition Congress to call a constitutional convention. Joint resolutions proposing to amend the State Constitution require a two-thirds vote of the members serving in each house for adoption. They do not require action by the governor, and instead go on the ballot for approval or rejection. Other joint resolutions may be adopted by a majority vote of the members serving in each house. Joint resolutions are designated by letter rather than number. (*Example: HJR A and SJR A.*)

Journal: The journal is the official record of the actions taken and the proceedings of the House of Representatives and the Senate. Each legislative house issues its own journal for each day of a session. The journals contain records of daily attendance, proposed amendments, roll call votes, procedural motions made during debate, motions and resolutions, messages from the governor, committee reports, etc. The journals do not include debate.

Lobbyist: A lobbyist is a person engaged in influencing legislation. In Michigan, all lobbyists must register with the secretary of state and periodically report lobbying activities and expenses.

Michigan Compiled Laws: The Michigan Compiled Laws are the official laws of the State of Michigan. All the general and permanent laws of Michigan are classified and represented in the Michigan Compiled Laws. The Michigan Compiled Laws are supplemented biannually or annually by the *Public and Local Acts* volumes.

Public and Local Acts: The *Public and Local Acts* are annual volumes containing all public acts, local acts and joint resolutions enacted by the Legislature during the year.

Public Hearing: House or Senate committees may hold hearings or meetings at which testimony about bills or issues is heard. Hearings often are held at the Capitol, but sometimes are scheduled in different cities throughout the state. Anyone may testify at a hearing.

Quorum: A quorum is a majority. The State Constitution requires a majority of the members of a house to be present for the transaction of legislative business.

Readings: Each bill or proposed constitutional amendment must receive three legislative readings in each house before passage. In the House of Representatives, the bill is read by title only a first time and is then referred to the proper committee. If the bill is reported out of committee favorably, the bill and committee amendments (if any) are referred to the order of “second reading.” After the bill is read by title a second time and placed on the calendar, amendments may be adopted by a majority of House members serving. Amendments which are offered on second reading are approved or rejected by voice vote unless an individual member requests that a record roll call vote be taken. Record roll calls require 56 votes for passage. A majority vote may advance the bill to third reading. Upon third reading, an entire bill is read unless four-fifths of the members consent to consider the bill read. In practice, few bills are read in full. On third reading, amendments must be approved by a majority vote of members serving. At the conclusion of third reading, a bill is either passed or defeated by a majority vote of members elected and serving. In the House, 56 votes are necessary for final passage of a bill.

In the Senate, all bills must be read three times before final passage and may not be amended until read a second time. However, in the Senate, bills considered on second reading are placed on the General Orders Calendar and the Senate resolves itself into the Committee of the Whole. All bills, unless rules are suspended, must be considered during the Committee of the Whole. After a bill has been placed on General Orders, amendments may be adopted by a simple majority of members present and voting. A major difference between the General Orders process in the Senate and the second reading process in the House is that there are no record roll call votes taken in the Senate while a bill is being debated on General Orders. A majority of members present and voting may advance a bill to third reading. Upon third reading, an entire bill is read unless the Senate unanimously consents to consider the bill read. As in the House, amendments must be approved by a majority vote of members serving while the bill is on third reading. In the Senate, 20 votes are necessary for final passage of a bill.

Recall: Recall is a motion which enables either house of the Legislature to request the return of a bill previously passed. When a legislative house seeks return of a bill from the other house or from the office of the governor, its “recall” is asked.

Recess: Recess is a period of time during a legislative day that a body is not in session after once having been convened.

Reconsideration: Following either passage or defeat of an amendment to a bill, or the bill itself, a legislator may move for reconsideration of the amendment or the bill.

Referendum: Referendum is the power of the people to approve or reject laws enacted by the Legislature. The people may invoke referendum by filing with the secretary of state a petition signed by five percent of the total vote cast for all candidates for governor at the last general election. The power of referendum does not extend to acts making appropriations for state institutions or to meet deficiencies in state funds. The power of referendum must be invoked within 90 days following the final adjournment of the legislative session at which the law was enacted.

Repeal: Repeal is the method by which a law is revoked. When a public act repeals certain sections of the laws, those sections are no longer valid.

Resolutions: *(See: Concurrent, Joint or House and Senate Resolutions.)*

Roll Call Vote: A roll call vote is the calling of the names of members of a legislative body, for example a committee, either to determine the presence of a quorum or to act upon a matter before it for disposition. In the House and Senate, a roll call vote is taken by an electronic voting machine.

Rules: Each house is responsible for determining the rules of its proceedings. In addition to the standing rules of the House and the Senate, there are joint rules of the Senate and House of Representatives which govern the proceedings of conference committees, conference reports, joint resolutions, enrollment and printing of bills, etc.

Senate and House Resolutions: A Senate or House resolution is similar to a concurrent resolution, except that it is the expression of only one body. These resolutions are designated by number, assigned to correspond to the order of introduction. *(Example: SR1 and HR 1.)*

Sessions: The Legislature operates in two-year sessions, beginning in odd-numbered years and ending in even-numbered years. All bills introduced during a session can be considered any time during the two-year period, but die at the end of that period.

Sine Die: *(See “Without Day.”)*

Sponsor: A sponsor is the primary author or proponent of a bill or resolution. A bill generally has more than one sponsor. The first-named on a bill is the principal sponsor, and the others named are co-sponsors.

Status: The “Status” is a publication of the Legislature giving the status of business pending or acted upon by the Legislature. It is published daily while the Legislature is in session.

Substitute Bill: A substitute bill is an amendment which replaces an entire bill. A committee may report a substitute bill in place of the original bill or a substitute may be offered by a legislator on the floor.

Table: To “table” a bill or an amendment is to postpone consideration. It generally means to dispose of the matter for the legislative session. A bill reported to the floor unfavorably or without recommendation by a committee is “laid on the table.” It is possible to take a bill from the table by a majority vote.

Tie Bar: A tie bar is a device used to condition the effectiveness of a bill upon the enactment of another bill into the law. A tie bar typically provides that the bill in which it is contained will not become effective unless another bill is enacted into law. (*See also: Companion Bills.*)

Veto: After both houses have passed a bill and it is enrolled, the bill is presented to the governor who may veto it. When the governor vetoes a bill, it is returned to the house of origin without the governor’s signature and with a message stating the governor’s objections. The Legislature may override the governor’s veto by a two-thirds vote of members elected to and serving in each house. In Michigan, the term “pocket veto” is also used which means that the bill is neither signed nor vetoed. The unsigned bill becomes law 14 calendar days after having reached the governor’s desk if the Legislature is in session or recess. If the Legislature adjourns before the end of 14 days, the unsigned bill does not become law. The governor of Michigan has line-item veto authority which gives him or her the power to selectively veto items in appropriation bills. The parts of the appropriation bill approved become law and the item or items disapproved are void.

Whips: Whips are legislators elected by their respective party caucuses in each house whose duty it is to keep the other members of their party informed as to the decisions of the leadership. They also inform the leadership about the attitudes and intentions of the party’s rank and file.

Without Day: “Without Day” is the action which concludes a session of the Legislature. In Michigan, each regular session adjourns without day, or “sine die,” on a day determined by concurrent resolution, at Noon. Any business, bill, or joint resolution pending at the final adjournment of a regular session held in an odd numbered year carries over with the same status to the next regular session. Any business bill or joint resolution pending at the final adjournment of a regular session held in any even numbered year dies and will have to be reintroduced in the new session to be considered again.



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