

## HOUSE RESOLUTION NO. 41

Rep. Smit offered the following resolution:

1       A resolution to direct the Clerk of the House of  
2 Representatives to only present to the Governor enrolled House  
3 bills finally passed by both houses of the One Hundred Third  
4 Legislature.

5       Whereas, Article IV, Section 13 of the Michigan Constitution  
6 states, in part, that "The legislature shall meet at the seat of  
7 government on the second Wednesday in January of each year at  
8 twelve o'clock noon. Each regular session shall adjourn without  
9 day, on a day determined by concurrent resolution, at twelve  
10 o'clock noon"; and

11       Whereas, The second regular session of the One Hundred Second  
12 Legislature adjourned for the last time on January 1, 2025; and

13       Whereas, Pursuant to the requirements of Article IV, Section  
14 13 of the Michigan Constitution, the Representatives-elect to the

1 House of Representatives for the One Hundred Third Legislature  
2 assembled in Representative Hall in the Capitol at Lansing on  
3 Wednesday, January 8, 2025, at 12 o'clock noon for the purpose of  
4 taking and subscribing to the constitutional oath of office and  
5 organizing and proceeding with the business of the first regular  
6 session of the One Hundred Third Legislature; and

7 Whereas, Article IV, Section 13 of the Michigan Constitution  
8 also states that "Any business, bill or joint resolution pending at  
9 the final adjournment of a regular session held in an odd numbered  
10 year shall carry over with the same status to the next regular  
11 session"; and

12 Whereas, The implication of this final sentence of Article IV,  
13 Section 13 of the Michigan Constitution is that any business  
14 pending at the final adjournment of a regular session held in an  
15 even-numbered year does not carry over to the next regular session  
16 of a new Legislature; and

17 Whereas, The business of a Legislature includes the  
18 presentation to the Governor of enrolled bills that have passed  
19 both houses of that Legislature; and

20 Whereas, The business of the One Hundred Second Legislature  
21 pending at the final adjournment of that Legislature on January 1,  
22 2025, did not carry over to the first regular session of the One  
23 Hundred Third Legislature; and

24 Whereas, Until the House of Representatives for the One  
25 Hundred Third Legislature was organized, under Section 4 of 1877 PA  
26 67, MCL 4.44, it was the duty of the Clerk of the House of  
27 Representatives for the preceding House of Representatives, being  
28 the House of Representatives of the One Hundred Second Legislature,  
29 to "call to order and preside over the house until a speaker, or

1 speaker pro tempore, is elected," and to "act as clerk of the house  
2 until his successor is elected"; and

3       Whereas, By unanimously adopting House Resolution 3 of 2025 on  
4 January 8, 2025, the House of Representatives elected Scott E.  
5 Starr to the office of Clerk of the House of Representatives for  
6 the One Hundred Third Legislature, ending the duties of the Clerk  
7 of the House of Representatives for the One Hundred Second  
8 Legislature; and

9       Whereas, Article IV, Section 16 of the Michigan Constitution  
10 provides, in part, that "Each house . . . shall choose its own  
11 officers and determine the rules of its proceedings"; and

12       Whereas, By adopting House Resolution 1 of 2025 on January 8,  
13 2025, the House of Representatives prescribed the Standing Rules of  
14 the House of Representatives for the One Hundred Third Legislature,  
15 in accordance with Article IV, Section 16 of the Michigan  
16 Constitution; and

17       Whereas, In the One Hundred Third Legislature, the House of  
18 Representatives and the Senate have not adopted any joint rules;  
19 and

20       Whereas, Rule 19 of the Standing Rules of the House of  
21 Representatives for the One Hundred Third Legislature provides, in  
22 part, that "When a House bill has been finally passed by the two  
23 houses, the Clerk shall present to the Governor an enrolled copy  
24 thereof." Because these rules were adopted for the One Hundred  
25 Third Legislature, this provision of Rule 19 only applies to House  
26 bills finally passed by both houses of the One Hundred Third  
27 Legislature; and

28       Whereas, Nothing in the Standing Rules of the House of  
29 Representatives for the One Hundred Third Legislature permits the

1 Clerk of the House of Representatives for the One Hundred Third  
2 Legislature or any other officer of the House of Representatives  
3 for the One Hundred Third Legislature to conduct the business of  
4 the One Hundred Second Legislature or any other prior Legislature  
5 by presenting to the Governor a bill that passed both houses of a  
6 prior Legislature but that has not passed both houses of the One  
7 Hundred Third Legislature; and

8       Whereas, After the convening of the One Hundred Third  
9 Legislature, presentation to the Governor of any bills passed by  
10 both houses of the One Hundred Second Legislature, or the conduct  
11 of any other business relating to the One Hundred Second  
12 Legislature or its bills, would not be in compliance with the  
13 Standing Rules of the House of Representatives for the One Hundred  
14 Third Legislature; and

15       Whereas, Given the accountability of this House of  
16 Representatives to the voters who elected its members, it is  
17 imperative that its rules of procedure be adopted by a majority of  
18 its members and that those rules be administered in a manner that  
19 reflects the will of a majority of the members of this House of  
20 Representatives; now, therefore, be it

21       Resolved by the House of Representatives, That the Clerk of  
22 the House of Representatives is hereby directed to only present to  
23 the Governor enrolled House bills finally passed by both houses of  
24 the One Hundred Third Legislature; and be it further

25       Resolved, That copies of this resolution be transmitted to the  
26 Clerk of the House of Representatives, the Governor, and the  
27 President of the Senate.