

FINAL
Minutes of Open Session
Legislative Council Meeting
Thursday, February 24, 2011 at 9:45 a.m.
Senate Appropriations Room • State Capitol Building

ATTENDANCE

Members Present:

Senator Randy Richardville, *Chair*
Speaker Jase Bolger, *Alternate Chair*
Senator Tupac Hunter, *Member*
Senator Mark Jansen, *Member*
Representative Mark Meadows, *Member*
Representative Chuck Moss, *Member*
Representative Stacy Erwin Oakes, *Member*
Senator Tory Rocca, *Member*
Senator Tonya Schuitmaker, *Member*
Representative Jim Stamas, *Member*
Representative John Walsh, *Member*
Senator Gretchen Whitmer, *Member*
Senator Steven Bieda, *Alternate Member*
Representative Jeff Farrington, *Alternate Member*
Senator Dave Hildenbrand, *Alternate Member*
Representative Ellen Cogen Lipton, *Alternate Member*
Representative Tom McMillin, *Alternate Member*

Individuals Present:

Keith Barber, Legislative Corrections Ombudsman
Steve Benkovsky, Legislative Council Facilities Agency
John Bollman, Legislative Service Bureau
Phil Browne, House Speaker's Office
Susan Cavanagh, Office of the Legislative Council Administrator
Marcia Cornell, Legislative Service Bureau
Darlene DePeel, Legislative Service Bureau
Karen East, Legislative Service Bureau
Shelly Edgerton, Senate Majority Policy Office
Matt Hanley, Senate Majority Leader's Office
Suzanne Mendel, Legislative Service Bureau
Chris Powers, Legislative Service Bureau
Brian Rennaker, Legislative Service Bureau
John Strand, Legislative Council Administrator
Tom Valli, Legislative Service Bureau
Others were present, but were not identified

Member Absent/Excused:

Senator John Moolenaar, *Alternate Member*

ITEM 1. Convening of the Meeting

Pursuant to Legislative Council Rule, Chapter 1, Rule 2, John Strand called the meeting to order at 9:45 a.m. and asked the clerk to call the roll. A quorum was present and absent members were excused.

ITEM 2. Presiding Officer

Mr. Strand recommended that the Council appoint a member of the Council to serve as presiding officer for today's organizational meeting until officers are elected. **Speaker Bolger moved, supported by Representative Meadows, to nominate Senator Richardville as presiding officer for today's meeting until officers are elected. There was no further discussion. The motion prevailed by unanimous consent.**

ITEM 3. Election of Officers

Senator Richardville called for nominations for Chair of the Legislative Council for 2011. Speaker Bolger nominated, supported by Representative Moss, Senator Richardville for the position of Legislative Council Chair for 2011. Senator Richardville asked if there were any other nominations. There being none, pursuant to Legislative Council Rule, Chapter 1, Rule 4, Senator Richardville declared the nominee elected.

Senator Richardville nominated Speaker Bolger as Alternate Chair of the Legislative Council for 2011. He then asked if there were any other nominations. There being none, pursuant to Legislative Council Rule, Chapter 1, Rule 4, Senator Richardville declared the nominee elected.

ITEM 4. Approval of the Minutes of the February 28, 2008 and September 25, 2008 Legislative Council Meetings

The Chair directed the members attention to the proposed minutes of the February 28, 2008 and September 25, 2008 Legislative Council meetings included in the members' information packet. **Representative Walsh moved, supported by Representative Moss, to adopt the minutes of the February 28, 2008 and September 25, 2008 Legislative Council meetings. There was no further discussion. The motion prevailed by unanimous consent.**

Yeas—12: **Senator Richardville**
 Senator Hunter
 Senator Jansen
 Senator Rocca
 Senator Schuitmaker
 Senator Whitmer

Speaker Bolger
Representative Meadows
Representative Moss
Representative Oakes
Representative Stamas
Representative Walsh

Nays—0

ITEM 5. Reappointments to the Michigan Law Revision Commission

The Chair noted that biographies for Richard McLellan, Anthony Derezinski and Judge William Whitbeck were included in the members' information packet. **Senator Schuitmaker moved, supported by Senator Whitmer, to reappoint the following individuals to the Michigan Law Revision Commission—Richard McLellan for a term ending December 31, 2012, Anthony Derezinski for a term ending December 31, 2013, and Judge William Whitbeck for a term ending December 31, 2014. There was no further discussion. The motion prevailed by unanimous consent.**

Yeas—12: **Senator Richardville**
 Senator Hunter
 Senator Jansen
 Senator Rocca
 Senator Schuitmaker
 Senator Whitmer

Speaker Bolger
Representative Meadows
Representative Moss
Representative Oakes
Representative Stamas
Representative Walsh

Nays—0

ITEM 6. Public Participation

The Chair asked for public participation. There was none.

Senator Whitmer inquired about the practice of requiring a second to a motion made at a Council meeting. The Chair directed Council staff to review the necessity of this practice before the next meeting and asked that a clarification be reflected in the minutes.

NOTE: Legislative Council Rule Chapter 1, Rule 8, specifies that "in the absence of an applicable rule, the proceedings shall be governed by Mason's Manual of Legislative Procedure." Section 61, Rule 2 of Mason's legislative manual states, "A member representing a constituency in a state legislature is entitled to present a matter for consideration of the body without having the support of a second, unless a second is required by rule." Although the custom of requiring a second has been a longstanding practice, since no Legislative Council rule exists, the practice of calling for a second will be discontinued at all future Council meetings, unless the Council wishes to amend its rules.

ITEM 7. Adjournment

Having no further business, Senator Rocca moved, supported by Senator Whitmer, to adjourn the meeting. Without objection, the motion prevailed by unanimous consent. The meeting adjourned at 9:55 a.m.

Respectfully submitted,

John Strand, Secretary

(Minutes approved at the September 22, 2011 Legislative Council meeting.)