

JOURNAL OF THE SENATE

ORGANIZATION SESSION

Journal of the Senate for the Organization Session of the Forty-second Legislature convened under the Constitution of 1885 and of the First Legislature to be convened under the Constitution, as revised in 1968, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, November 12, 1968, being the day fixed by the Constitution, as amended, for the purpose.

• Tuesday, November 12, 1968

The Senate was called to order by Senator Verle A. Pope, the retiring President, at 10:00 a.m.

The Secretary of the Senate announced that Honorable Tom Adams, Secretary of State, had certified to the election of certain Senators at the General Election on the 5th day of November, A. D., 1968, and that the certificate of the Secretary of State had been received. The Secretary called the roll of the newly elected Senators in numerical order of Senatorial Districts as certified to the Senate by the Secretary of State and the following were recorded present:

Senator John R. Broxson—1st District
Senator Reubin O'D. Askew—2nd District
Senator William Dean Barrow—3rd District
Senator Dempsey J. Barron—4th District
Senator Mallory E. Horne—5th District
Senator W. E. Bishop—6th District
Senator Bob Saunders—7th District
Senator John E. Mathews—8th District
Senator Tom Slade—9th District
Senator Dan Scarborough—10th District
Senator C. W. (Bill) Beaufort—11th District
Senator Verle A. Pope—12th District
Senator J. H. Williams—13th District
Senator Frederick B. Karl—14th District
Senator C. Welborn Daniel—15th District
Senator Kenneth A. Plante—16th District
Senator John L. Ducker—17th District
Senator Bill Gunter—18th District
Senator C. W. Bill Young—19th District
Senator Harold S. Wilson—20th District
Senator Henry Saylor—21st District
Senator Richard J. Deeb—22nd District
Senator Ray C. Knopke—23rd District
Senator Joseph A. McClain, Jr.—24th District
Senator T. Truett Ott—25th District
Senator Louis de la Parte, Jr.—26th District
Senator Alan Trask—27th District
Senator Lawton Chiles—28th District
Senator Beth J. Johnson—29th District
Senator Cliff Reuter—30th District
Senator Wilbur H. Boyd—31st District
Senator Warren S. Henderson—32nd District
Senator L. A. 'Skip' Bafalis—33rd District
Senator Elmer O. Friday, Jr.—34th District

Senator Jerry Thomas—35th District
Senator David C. Lane—36th District
Senator Charles H. Weber—37th District
Senator John W. Bell—38th District
Senator Chester W. (Chet) Stolzenburg—39th District
Senator Edmond J. Gong—40th District
Senator Robert M. Haverfield—41st District
Senator Lee Weissenborn—42nd District
Senator Robert L. Shevin—43rd District
Senator George L. Hollahan, Jr.—44th District
Senator Kenneth M. Myers—45th District
Senator Ralph R. Poston—46th District
Senator Dick Fincher—47th District
Senator Richard B. Stone—48th District

48. A quorum present.

The oath of office was administered by the Honorable Millard F. Caldwell, Chief Justice of the Supreme Court of Florida, to the newly elected Senators.

The roll of the Senate, as then constituted, was called by the Secretary in alphabetical order and the following members of the Senate were recorded present:

Askew	de la Parte	Knopke	Scarborough
Bafalis	Ducker	Lane	Shevin
Barron	Fincher	McClain	Slade
Barrow	Friday	Mathews	Stolzenburg
Beaufort	Gong	Myers	Stone
Bell	Gunter	Ott	Thomas
Bishop	Haverfield	Plante	Trask
Boyd	Henderson	Pope	Weber
Broxson	Hollahan	Poston	Weissenborn
Chiles	Horne	Reuter	Williams
Daniel	Johnson	Saunders	Wilson
Deeb	Karl	Saylor	Young

48. A quorum present.

Prayer by the Senate Chaplain, Reverend Alva H. Brock, Pastor of Ortega Methodist Church, Jacksonville:

O God, our Father, surrounded as we are by memories that remind us of awesome responsibilities that only thou can enable us to measure up to, we would be still and know that thou art God. We thank thee for the Senate of the State of Florida. We are grateful that thou hast placed thy hand upon these and that by your providential care the people of the State of Florida have selected these for this high position of leadership. May your light surround them, your love enfold them. Your power protect them and your presence be ever with them. May their conscience, their feelings, their deeds and thought be ever acceptable in thy sight.

This we pray in the name of Jesus Christ, our Lord. Amen.

Senator Myers led the Senate in The Pledge of Allegiance to the Flag of the United States of America.

The Senate proceeded to the organization of the Body.

Senator Friday placed in nomination the name of Senator John E. Mathews of the 8th Senatorial District to be President of the Senate for the ensuing two years.

Senator Horne seconded the nomination.

Senator Stone further seconded the nomination.

On motion by Senator Stone the nominations were closed.

The question was put on the election of Senator Mathews. The vote was: Yeas—47 Nays—None

Askew	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Slade
Barron	Fincher	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Haverfield	Pope	Weber
Boyd	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Williams
Chiles	Horne	Saunders	Wilson
Daniel	Johnson	Sayler	Young
Deeb	Karl	Scarborough	

Senator Mathews was unanimously elected President of the Senate for the ensuing two years.

On motion by Senator Chiles that a Committee be appointed to escort the newly elected President to the Bar of the Senate, and to the rostrum, the retiring President appointed Senators Chiles, Barron and Hollahan. The newly elected President was escorted to the Bar of the Senate, where Mr. Chief Justice Millard F. Caldwell administered to him the oath of office, and to the rostrum, where he was seated.

On motion by Senator Boyd that a Committee be appointed to escort Mrs. John E. Mathews, wife of the newly elected President, to the rostrum, the retiring President appointed Senators Boyd, Beaufort and Fincher. Mrs. Mathews was escorted to the rostrum where she was seated beside the newly elected President.

On motion by Senator Shevin that a Committee be appointed to escort Mrs. John E. Mathews, Sr., mother of the newly elected President, to the rostrum, the retiring President appointed Senators Shevin, Knopke and Karl. Mrs. Mathews was escorted to the rostrum where she was seated.

The retiring President recognized the following members of the family of the newly elected President, Dr. and Mrs. W. H. Mathews, brother and sister-in-law; Mr. and Mrs. Charles F. Harding, sister and brother-in-law; Joe, John, Kim and Barbara, sons and daughters.

Senator Pope then presented the newly elected and sworn President of the Senate to the Body, surrendered to him the Senate gavel, and resumed his seat as the Senator of the 12th Senatorial District.

Senator Mathews addressed the Senate as follows:

First, let me, with humility and gratitude, thank you for the trust and confidence that you have placed in me by your designation as presiding officer for the next two years.

I pledge to you a full measure of whatever abilities I have to fulfill the task ahead of us in an acceptable manner. The mistakes which will occur will not be borne of ill motivation but will be mistakes of judgment.

I ask for your help in dedication to the job of making the Florida Legislature the number one in the nation. Your forbearance and good will are necessary to accomplish this end, but just as important, I also need your frank and open criticism on any matter affecting the Senate. Only with a free, honest exchange of ideas can we properly begin.

The two years that confront this Legislature should be exciting and challenging ones. Because we have a new state constitution and because the entire legislative branch is undergoing a facelifting we have arrived at an era of discovery of the formation of a new government. It should be a great adventure of discovery. This Legislature will author

Florida's odyssey of the future, and I have every confidence in you that it will be a job well done.

The nature of problems requiring legislation which face us is tremendous. With annual sessions allowed us in the new constitution, with a revitalized Legislative Reference Bureau and a streamlined committee system, we have at least the tools necessary to begin our work. We don't want, nor do we need, "style" in our government. We do, however, need substance; and the State is dependent on you and each legislator to provide it.

And, so, today we begin to write our odyssey. It is my intention that the number of full committees be reduced to twelve, with most committees having permanent standing subcommittees grouped according to subject matter. These permanent standing subcommittees will have the power to kill legislation, subject to withdrawal from the table by the full committees of which they are a part.

Our committee system will be the very heart of our endeavor. The logical grouping of senate personnel into a smaller number of study areas should promote efficiency and allow each senator to become thoroughly knowledgeable in several different areas while at the same time assuming his full share of the work load.

It is difficult, if not impossible, to assign a priority to the problems that are facing this Legislature. Let me say at this time, however, I do not feel that the current situation warrants or calls for a special session of the Legislature since the proper groundwork to each of these problems would require legislative committee work in advance.

Splendid interim work has been accomplished by the legislative council committees and other interim committees. I won't elaborate on the old system. It has been a good one but swan songs are always sad what is important is that their work can be used as the basis for regular standing committee consideration. With this in mind, I recommend for your consideration and that of the committees the following general approaches to legislation:

1. State Financing and Expenditures. We have all heard or read about the so-called paper deficit that is facing us. With the start of annual budgets, the implementation of program budgeting which will require agencies to justify their expenditures before receiving new appropriations, I do not think anyone can predict whether this deficit will materialize. I charge the Committee on Ways and Means and both its important subcommittees to examine each requested expenditure carefully and to make only such adjustments in the tax structure as may be required to balance the budget or to afford a more equitable distribution of the tax load.

2. Conservation. The committee that will handle all phases of conservation, including the bulkhead and shoreline dilemma, state parks and recreational areas, salt water and fresh water fisheries, water and air pollution, will set the pattern for many years to come. This committee must use originality and anticipate needs of the future in developing today's legislation.

3. Local Government. The new constitution authorizes a great deal of flexibility in dealing with the problems of our cities and towns. I am recommending to the appropriate committees consideration of the creation of an executive department dealing with the problems of local government and the relationships to the state government on a full-time basis. Action in this area is a priority item.

4. Law and Order. The acknowledged problems in the field of crime and crime prevention and the indicated need for buttressing the units of government who cope with the situation may well lead to serious philosophical differences between people trying to achieve the same end. I charge the committees who will be working in this field to make sure that they do not destroy the form of our individual guarantees and freedoms and the structure of our American form of government in order to create a more efficient police force at a state-wide level.

It is my belief that most of the emphasis here should be toward strengthening local law enforcement agencies rather than the creation of new ones at the state level. I do not deny that there should be sufficient personnel and scientific and communications equipment at the state level to provide important information and coordination, but the actual enforcement of

our laws should be accomplished through local government. Remembering that each department of local government is a legislative creature, then the responsibility for the strengthening process must also rest with the Legislature. I suggest to the committees dealing with this subject a look at some type of a minimum foundation program for law enforcement which provides help at the state level but leaves control locally.

5. Health and Welfare. There will be no question but that we are on the threshold of major breakthroughs in our discharge of responsibilities in this field. The exciting work being done in the field of mental health and retardation and in the tailoring of our state institutions to accomplish a desired result should be one of the major milestones of the next session of the Legislature.

6. Constitutional Revision. We all know that the new constitution approved by the people last week is not complete in giving us a satisfactory revision. Article V has not been touched, and there is no question but that there are other articles which need constant revamping. I charge the committee dealing with constitutional revision and amendments to continue the work which has just begun so that this session of the Legislature shall be productive.

7. Education. Major accomplishments of the past Legislature in meeting crisis after crisis must be solidified, implemented, and polished. This Legislature is probably the most knowledgeable that Florida has ever had with reference to the educational problems in K through 12. The interim committees on higher education and, particularly, the one dealing with capital outlay needs of our universities and colleges have done tremendous in-depth work which should result in providing some of the necessary answers. We are only on the threshold of obtaining a proper level of junior college and vocational-technical schooling procedures. I charge the educational committees to redouble their efforts in seeing that we are on the right track.

8. Agriculture. Sometimes we lose sight of the fact that agriculture remains the number one industry in Florida. Our tremendous citrus orientation requires that top priority be given toward updating legislation dealing with agriculture. Citrus will continue to require legislation and receive very careful attention.

9. Commerce and Financial Institutions. The passage of the Federal Truth in Lending Bill which will take effect on July 1, 1969, unless adequate state legislation is forthcoming makes this a paramount interest to every financial institution in this state as well as to the consumers whose very existence depends on the availability of appropriate credit facilities. The proposed uniform code in this field will receive proper attention from the committees and it is my preliminary belief that the proper course for Florida to take is to try to enact state legislation which will meet the guidelines laid down by congress. We must also see that the various licensed businesses in Florida receive proper and fair attention from the Legislature since by the very fact that we license them, we make them an important part of our economy.

10. Insurance. A continuing review of the rate structure procedure plus the changing vistas and concepts in the field of liability insurance will assure a full legislative work-load for this committee.

11. Transportation and Road Programs. The tremendous expansion of Florida's population and the increase in number of motor vehicles have created the need for an intelligent reorientation of some of the archaic thinking which we have used in the past. With the need being established, I charge the Transportation Committee to not only examine every facet of the organizational structure and financing of road building but to continue the excellent work in the field of safety and urban transportation.

I have touched on just a few of the major types of problems that we will be facing during the 1969 and 1970 sessions of the Legislature. I am sure that many others occur to you based upon your experience and the views that you have had expressed to you by your constituents.

Today I am announcing the membership of only the Committee on Rules and Calendar since it is important for us to adopt rules so that the standing committees will have full power to act and consider legislation between now and the start of the regular session of the Legislature.

I will announce the other committees in a very short period of time, as soon as the mechanics of the procedure can be worked out.

It is necessary and important that we work as an independent branch of the government yet with full cooperation with both the executive and the judicial branches. Partisanship insofar as it affects legislation should be at an absolute minimum during the next two years, and there is no justification for any vote being taken on a partisan basis as distinguished from the merits of a piece of legislation or the individual philosophy of the senator. My personal acquaintance and friendship with both the democrat and the republican leaders in the Senate have convinced me that this will become an accomplished fact during this session of the Legislature.

We offer our full measure of cooperation to the Governor and the Cabinet and will carefully study any proposals received from them. We do not and will not, however, abdicate our responsibility to initiate programs which the 20th century requires.

I recommend to the Senate that legislative salaries be realistic in light of new, additional responsibilities given to the membership as a result of annual sessions now allowed by the Constitution. It is also important that we assure that orderly procedures are implemented in staffing our standing committees and subcommittees as well as the individual senators' offices.

At this time, let me also compliment the permanent staff of the Legislature, the Secretary of the Senate's office, Legislative Reference Bureau, Statutory Revision, the Sergeant at Arms, for the efficient job accomplished in the past and for the good work I know we can expect in the future.

We have talked of many things here today mostly in generalities because time does not allow particulars, but the general outline of what lies ahead for the Senate is now more clear.

Again, thank you for your courtesies, and good luck as you begin your labors in this exciting period of our history.

Senator de la Parte placed in nomination the name of Senator Reubin O'D. Askew of the 2nd Senatorial District to be President Pro Tempore of the Senate for the ensuing two years.

Senator Thomas seconded the nomination.

Senator Gunter further seconded the nomination.

The question was put on the election of Senator Askew. The vote was: Yeas—47 Nays—None

Mr. President	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Slade
Barron	Fincher	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Haverfield	Pope	Weber
Boyd	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Williams
Chiles	Horne	Saunders	Wilson
Daniel	Johnson	Saylor	Young
Deeb	Karl	Scarborough	

Senator Askew was unanimously elected President Pro Tempore of the Senate.

On motion by Senator Broxson that a Committee be appointed to escort the President Pro Tempore to the Bar of the Senate, and to the rostrum, the President appointed Senators Broxson, Haverfield and Trask. The President Pro Tempore was escorted to the Bar of the Senate, where Mr. Chief Justice Millard F. Caldwell administered the oath of office; and to the rostrum, where he was seated.

On motion by Senator Gong that a Committee be appointed to escort Mrs. Reubin O'D. Askew, wife of the President Pro Tempore, to the rostrum, the President appointed Senators Gong, Saunders and Weissenborn. Mrs. Askew was escorted to the rostrum where she was received by the President and seated beside the President Pro Tempore.

On motion by Senator Barrow that a Committee be appointed to escort Mrs. Albert Askew, mother of the President

Pro Tempore to the rostrum, the President appointed Senators Barrow, Poston and Williams. Mrs. Askew was escorted to the rostrum and seated.

The President recognized the following members of the family of the President Pro Tempore, Angela Adair and Kevin O'Donovan, son and daughter; Mrs. Elmer D. Stewart and Mrs. Lester J. Buchanan, sisters.

Senator Barron placed in nomination the name of Edwin G. Fraser to be Secretary of the Senate for the ensuing two years. The question was put and the vote was: Yeas—48 Nays—None

Mr. President	Deeb	Karl	Scarborough
Askew	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Slade
Barron	Fincher	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Haverfield	Pope	Weber
Boyd	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Williams
Chiles	Horne	Saunders	Wilson
Daniel	Johnson	Sayler	Young

Edwin G. Fraser was unanimously elected Secretary of the Senate. Mr. Chief Justice Millard F. Caldwell administered to him the oath of office.

Senator Ott placed in nomination the name of LeRoy Adkison to be Sergeant at Arms of the Senate for the ensuing two years. The question was put and the vote was: Yeas—48 Nays—None

Mr. President	Deeb	Karl	Scarborough
Askew	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Slade
Barron	Fincher	McClain	Stolzenburg
Barrow	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Bishop	Haverfield	Pope	Weber
Boyd	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Williams
Chiles	Horne	Saunders	Wilson
Daniel	Johnson	Sayler	Young

LeRoy Adkison was unanimously elected Sergeant at Arms of the Senate. Mr. Chief Justice Millard F. Caldwell administered to him the oath of office.

On motion by Senator Bafalis that a Committee be appointed to wait upon the Governor and inform his Excellency that the Senate was convened for the purpose of organization, the President appointed Senators Bafalis, Johnson and Wilson.

On motion by Senator Daniel that a Committee be appointed to notify the House of Representatives that the Senate was convened, the President appointed Senators Daniel, Scarborough and Bishop.

A Committee from the House of Representatives, composed of Representatives Reeves, Grizzle and Wolfson, appeared at the Bar of the Senate and notified the Senate that the House of Representatives was duly convened. The President expressed the appreciation of the Senate for the report and the Committee withdrew.

The Committee appointed to wait upon the Governor appeared at the Bar of the Senate and reported to the President that its duty had been performed. The Committee was thanked for its service and discharged.

The Committee appointed to wait upon the House of Representatives appeared at the Bar of the Senate and reported to the President that its duty had been performed. The Committee was thanked for its service and discharged.

The President announced the appointment of the following Committee on Rules and Calendar:

Senator Friday, Chairman; Senator Horne, Vice Chairman; Senators Askew, Barron, Boyd, Chiles, de la Parte, Gunter, Haverfield, Henderson, Hollahan, Lane, McClain, Pope, Stone, Thomas and Young.

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate SR 1-Org was admitted for introduction and consideration.

By Senators Thomas, Askew, Bafalis, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Broxson, Chiles, Daniel, Deeb, de la Parte, Ducker, Fincher, Friday, Gong, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson, Karl, Knopke, Lane, McClain, Mathews, Myers, Ott, Plante, Pope, Poston, Reuter, Saunders, Sayler, Scarborough, Shevin, Slade, Stolzenburg, Stone, Trask, Weber, Weissenborn, Williams, Wilson and Young—

SR 1-Org—A resolution expressing deep sympathy and regret of the Senate of the State of Florida over the passing of Mrs. Georgia Bell Dickinson.

WHEREAS, the late Mrs. Georgia Bell Dickinson was a lifelong resident of the State of Florida and Palm Beach County, and

WHEREAS, she dedicated most of her thoughts and actions to the betterment of the area in which she lived and her service to mankind, and

WHEREAS, Mrs. Dickinson was the mother of the Honorable Fred O. Dickinson, Jr., a former member of the Florida Legislature and now a member of the Florida Cabinet, serving as Comptroller of Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That on behalf of the people of the State, the Senate of the State of Florida does in session, this twelfth day of November, 1968, express its heartfelt sympathy and condolence to Comptroller Dickinson and other members of the family for the loss of this treasured Floridian.

Was read the first time by title. On motion by Senator Thomas, SR 1-Org was read the second time in full and unanimously adopted.

On motion by Senator Friday, the Senate stood in recess at 11:58 a.m. The Senate was called to order by the President at 12:25 p.m. A quorum present.

REPORT OF COMMITTEE

On motion by Senator Friday, subject to grammatical change, the Report of the Committee on Rules and Calendar was adopted:

Report of The Committee on Rules and Calendar

The Honorable John E. Mathews, Jr. Tallahassee, Florida
President of the Senate November 12, 1968

Sir:

Your Committee on Rules and Calendar begs leave to report and recommends the rules hereto attached as the Rules of the Senate.

The Committee further recommends the printing for distribution of a sufficient number of copies, suitably bound, of the Rules and Manual of the Senate to satisfy the requirements of the Senators, together with a sufficient number of copies in excess thereof to supply additional distribution as the President may determine. Each of said copies shall include a list of the Senators, the Rules, the Precedents of the Florida Senate, lists of membership of the standing committees, the State Constitution, such other useful matter as the President may desire, the appropriate title pages, and an index to the Rules.

In meeting of the Committee duly called and assembled for the purpose of formulating and recommending the Rules of the Senate, upon motion to adopt the Rules, the vote of the Committee was as follows:

Yeas: Senators Askew, Barron, Boyd, Chiles, de la Parte, Friday, Gunter, Haverfield, Henderson, Hollahan, Horne, Lane, McClain, Pope, Stone, Thomas and Young.

Nays: None

Respectfully submitted,
Elmer O. Friday, Jr.,
Chairman, Committee on
Rules and Calendar

On motion by Senator Horne, the copy of the Rules circularized to the members of the Senate was changed so as to correspond to the one proofed and grammaticized version in the custody of the Committee on Rules and Calendar which are not of substance but are grammatical in nature only.

RULES OF THE FLORIDA SENATE

Rule One

OFFICERS, MEMBERS, EMPLOYEES, AND ETHICS

Part One—Officers of the Senate

1.1—A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organizational session preceding the regular session of each odd-numbered year. They are to continue in office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur. They shall take an oath to support the Constitution of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office. At said organizational session, the minority party shall elect a leader, the name of whom shall be certified to the Secretary of the Senate.

1.2—The President shall call the Senate to order at the hour provided by these Rules or at the hour to which the Senate adjourned at the next preceding session. Upon the appearance of a quorum, he shall cause the Senate to proceed with the daily order of business.

1.3—The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. In case of disturbance or disorderly conduct in the galleries or in the lobby, he may cause the same to be cleared.

1.4—The President shall sign all acts, joint resolutions, resolutions, memorials, writs, warrants, subpoenas, and authorizations for payment or other papers issued by the Senate. The President shall approve vouchers. He shall decide all questions of order, subject to an appeal by any Senator. The President is authorized to incur such travel and per diem expenses as are necessary in the preparation for the next session of the legislature. For the purposes of carrying on the financial business of the Senate, the President of the Senate and the chairman of the Rules Committee shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred as authorized.

1.5—The President shall appoint all standing committees and standing subcommittees as well as all conference and select committees which, from time to time, may be ordered by the Senate.

1.6—The President shall not be required to vote in ordinary legislative proceedings other than on final passage of a bill or resolution, except where his vote would be decisive. In all yea and nay votes, the President's name shall be called last.

1.7—The President may name any Senator to perform the duties of the Chair, but such substitution shall not extend beyond one (1) legislative day. In his absence and omission to make such appointment, the President Pro Tempore shall act during his absence.

1.8—Upon the death of the President, the President Pro Tempore shall perform the duties of the office until and unless the Senate shall elect a successor. Upon and during disability, absence, or incapacity of the President beyond one (1) legislative day, the President Pro Tempore shall perform his duties.

1.9—There shall be a Secretary of the Senate who shall be elected for a period of two (2) years, pursuant to the provisions of section 11.15, Florida Statutes. A staff of assistants shall be employed to regularly transact such business as required by law, by Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the Constitution of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

The Secretary shall be under the supervision of the President of the Senate, who may assign additional duties to the Secretary from time to time. The Secretary shall be the enrolling and engrossing clerk of the Senate but shall designate an assistant enrolling and engrossing clerk. The Secretary shall generally supervise all matters pertaining to Senate business.

All secretaries, stenographers, typists, verifiers, and other clerical assistants not specifically assigned to a Senator, to a committee, or to a permanent office of the Senate shall be under the supervision of the Secretary.

The Secretary and employees, upon authorization by the President or the Chairman of the Rules Committee, may attend meetings of interest to the legislature.

1.10—In the absence of the President and the President Pro Tempore of the preceding session, the Secretary of the Senate shall, at the organizational session of the legislature, call the Senators to order and, pending the election of a President or a President Pro Tempore, preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.11—The Secretary shall cause to be kept a correct Journal of the proceedings of the Senate, and this daily Journal shall be numbered serially from the first day of each session of the legislature. He shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. He shall not permit any records

Election of the President, President Pro Tempore, and minority leader

Calling the Senate to order

The President's control of Chamber, corridors, and rooms

The President's signature to acts, warrants, subpoenas, etc.; decisions of questions of order; travel

Appointment of committees

The President's vote

Vacating chair

President Pro Tempore

Secretary of the Senate

Secretary's duties at organization

Duties generally; Keeps Journal

or papers belonging to the Senate to be removed from his custody other than in the regular course of business and upon proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

1.12—The Secretary shall prepare a daily calendar which shall set forth: (1) the order of business; (2) the committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitutes; (3) the status of each bill, i.e., whether on second or third reading; and (4) notices of committee meetings.

Prepares
daily
calendar

1.13—The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and note the answers of Senators when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any vote of the Senate is taken by a show of hands or otherwise.

Reads papers,
calls roll

1.14—The Secretary shall attest to all writs, warrants, subpoenas, and authorizations for payment issued by order of the Senate and to the passage of all bills, resolutions, and memorials.

Attests warrants
and subpoenas;
Certifies passage

1.15—The Secretary shall prepare the copy for all printed forms used by the Senate.

Prepares
printed forms

1.16—The Secretary shall examine bills upon their tender for introduction to determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

Responsibility
for legal form
of bills, etc.

1.17—The Secretary shall maintain, in addition to a numerical index of bills and resolutions, a cumulative index of measures by their introducers.

Keeps
indices

1.18—The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay; and each shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

Transmits bills,
etc., to House
of Representatives

1.19—There shall be a Sergeant at Arms of the Senate who shall be elected for a period of two (2) years, pursuant to the provisions of section 11.15, Florida Statutes. The Sergeant at Arms shall be under the supervision of the President and the Secretary of the Senate. He shall take an oath to support the Constitution of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

Sergeant
at Arms

The doorkeepers, janitors, pages, messengers, and other attaches, except where otherwise specifically

provided in these Rules or by the President, shall be under the supervision of the Sergeant at Arms.

The Sergeant at Arms shall attend the Senate during its sessions and maintain order under the direction of the President or other presiding officer; he shall execute the commands of the President of the Senate and of the Senate, and all processes issued by authority thereof. The Sergeant shall have charge of all property of the Senate and will disburse the expendable materials to Senators for their official use; he shall distribute the number of Journals and Calendars certified to him by the Secretary of the Senate. The Sergeant shall have general charge of the gallery of the Senate and shall maintain order therein and shall police the Chamber and committee rooms of the Senate and shall be responsible therefor.

Part Two—Senators

1.20—Every Senator shall be within the Senate Chamber during its sessions unless excused or necessarily prevented and shall vote on each question, except that no Senator shall be required or permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

Attendance
and voting

1.21—The President may excuse any Senator from attendance on the Senate and its committees for any stated period, and such excused absence shall be noted on the Journal.

Excused
absence

1.22—Any Senator necessarily absent from a session of the Senate or its committees and having in his possession any papers relating to the business of the Senate shall leave such papers with the Secretary before departing from the Capitol Building.

Papers shall
be left

1.23—Any Senator who answers roll call at the opening of any session or who enters after roll call and announces his presence to the Senate shall thereafter be considered present unless leave of absence is obtained from the President.

Members deemed
present unless
excused

1.24—In cases of contest concerning a seat in the Senate, notice setting forth the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organizational session of the legislature; and in such case, the contest shall be determined by majority vote as speedily as is reasonably possible.

Contested seat

1.25—Each Senator shall be entitled to such facilities and expense as may be necessary and expedient to the fulfilment of the duties of the office, the location and sufficiency of which shall be determined by the Committee on Rules and Calendar.

Facilities for
members

Part Three—Employees of the Senate

1.26—Disputes or complaints involving the competency or decorum of a legislative employee or attache of the Senate, except those officers elected by it, shall

Dismissal of
employees

be referred to the Senate Rules Committee. The Committee, in its discretion and with the approval of the President, shall have the right to discharge or suspend the employee or attache of the Senate, and the pay of such employee or attache shall stop upon the day of discharge.

Employees forbidden to lobby
 1.27—No employee or attache of the Senate shall directly or indirectly interest or concern himself or herself with passage or consideration of any measure whatsoever. Violation of this rule by an employee or attache shall be grounds for summary dismissal. This rule shall not preclude the performance of such duties as may be delegated to a Senator's aide.

Hours of employment and duties of employees
 1.28—Employees and attaches shall perform the duties assigned to them by the President and required of them by rule and custom of the Senate. When the Senate is in session, attaches and employees will remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the same hours of employment as regular capitol employees.

Penalty for absence of employees without permission
 1.29—If employees are absent without prior permission, save for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

Senate employees' political activity
 1.30—Senate employees shall be regulated concerning their political activity pursuant to Florida Statutes, Section 110.092.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

Legislative conduct
 1.31—Every Senator shall so conduct himself to justify the confidence placed in him by the people and by personal example and admonition to colleagues shall maintain the integrity and responsibility of his office.

Improper influence
 1.32—A Senator shall not accept anything which will improperly influence his official act, decision, or vote.

Conflicting employment
 1.33—A member of the Senate shall not allow his personal employment to impair his independence of judgment in the exercise of his official duties.

Undue influence
 1.34—A member of the Senate shall not use his influence as a Senator within a state board, commission, or public agency in any matter which involves substantial conflict between his personal interest and his duties in the public interest.

Disclosure
 1.35—A member of the Senate prior to taking any action or voting upon a measure in which he has a personal, private, or professional interest which would inure to his special private gain or the special gain of any principal to which he is obligated, shall disclose the nature of his interest as a public record in a memorandum filed with the Secretary of the Senate.

Disqualification
 1.36—Upon disclosure, a member may disqualify himself from voting on a measure in which he has a conflict of interest.

Senate employees
 1.37—Senate employees shall be accountable to the intent of this rule.

Advisory opinions
 1.38—All questions relating to the interpretation and enforcement of these Rules touching upon legislative conduct and ethics shall be referred to the Committee on Rules and Calendar or shall emanate therefrom. A member of the Senate may submit a factual situation to the Committee on Rules and Calendar with a request for an advisory opinion establishing the standard of public duty. The Committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without his consent.

Penalties for violations
 1.39—Separately from any prosecutions or penalties otherwise provided by law, any member of the Senate determined to have violated the requirements of the rule may be censured, reprimanded, placed on probation, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, upon recommendation of the Committee on Rules and Calendar. The Committee, before making said recommendation, shall conduct a hearing after giving reasonable notice to the Senator alleged to have violated this rule and granting said Senator an opportunity to appear at the hearing.

Rule Two

COMMITTEES

Standing committees, standing subcommittees
 2.1—Permanent standing committees and standing subcommittees, when created and designated by rule of the Senate, shall exist and function both during and between sessions. Prior to the commencement of the regular session of each odd-numbered year, the President shall appoint the membership of these standing committees and standing subcommittees:

AGRICULTURE
 Subcommittee on Citrus

COMMERCE AND LICENSED BUSINESSES
 Subcommittee on Financial Institutions and Consumer Protection
 Subcommittee on Licensed Businesses

CONSTITUTIONAL AMENDMENTS AND REVISION

EDUCATION
 Subcommittee on Public Schools
 Subcommittee on Universities and Colleges
 Subcommittee on Junior Colleges and Vocational-Technical

GOVERNMENTAL ORGANIZATION
 Subcommittee on State Government
 Subcommittee on Local Government

HEALTH, WELFARE, AND INSTITUTIONS

Subcommittee on Mental Health, Retardation,
and Institutions
Subcommittee on Health and Welfare

INSURANCE**JUDICIARY**

Subcommittee on Law and Order
Subcommittee on Jurisprudence
Subcommittee on Labor and Industrial Relations

NATURAL RESOURCES AND CONSERVATION**RULES AND CALENDAR****TRANSPORTATION**

Subcommittee on Roads and Highways
Subcommittee on Safety

WAYS AND MEANS

Subcommittee on Appropriations
Subcommittee on Taxation

There shall be standing subcommittees of each of the standing committees only as indicated above. The President shall appoint the membership of these standing subcommittees and shall designate one (1) member as chairman and may designate a vice-chairman.

Each standing committee shall consist of not less than five (5) nor more than twenty-one (21) members, one (1) of whom shall be designated by the President as chairman and another as vice-chairman.

Each standing committee or the chairman thereof may appoint, from time to time, a select subcommittee to study or investigate a matter falling within the jurisdiction of the standing committee or to consider a bill or resolution referred to it. Select subcommittees shall be regulated by the Senate Rules of Procedure regulating standing subcommittees, except that select subcommittees shall be in existence for only that time necessary to complete their assignments and report to their standing committees. Their reports, whether favorable or unfavorable, shall be considered by the standing committee.

2.2—Permanent standing committees and standing subcommittees are authorized:

Standing committees, standing subcommittees, powers and responsibilities

(a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each such subject area, and for this purpose to request reports from

time to time, in such form as the standing committee or subcommittee shall designate, concerning the operation of any state agency and presenting any proposal or recommendation such agency may have with regard to existing laws or proposed legislation in its subject area. The standing committee or subcommittee is authorized to invite public officials and employees and private individuals to appear before the standing committee or subcommittee for the purpose of submitting information to it.

(b) In order to carry out its duties, each standing committee or subcommittee is empowered with the

right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(c) In order to carry out its duties, each standing committee or subcommittee may request of the President the issuance of subpoenas and subpoenas duces tecum and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence desired by such committee. The President may issue said process on behalf of the committee; and the chairman, or any other member of such standing committee or subcommittee, may administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear before such committee for the purpose of testifying in any matter about which such committee may desire evidence.

2.3—Prior to the convening of each regular session of the legislature, each standing committee shall prepare a report or reports of its findings, recommendations, and proposed legislation and file same with the Secretary of the Senate.

Committee reports prior to session

Prior to the convening of each regular session of the legislature, each standing subcommittee shall prepare a report or reports of its findings, recommendations, and proposed legislation and submit same to the chairman of the standing committee for consideration by such committee.

2.4—Guidelines and criteria for the staffing of committees with clerical and administrative staff, which should prescribe the need, number and classifications of these positions allotted, shall be provided by the Rules Committee. A committee shall be authorized the services of such personnel as may be necessary to carry out its duties and functions, including, when needed, professional staff to be provided by the legislative reference bureau under the direction of the joint legislative management committee. Clerical and administrative staff may be hired by the chairman of the standing committees, subject to the guidelines and criteria for the staffing of committees which should prescribe the need, number, and classifications of these positions allotted as provided by the Rules Committee.

Staffing of committees

2.5—Notice of meetings of standing committees or standing subcommittees shall be published in the daily calendar. No standing committee or standing subcommittee shall consider any bill unless proper notice thereof shall have been published in the calendar for the legislative day preceding and the day of such committee meeting. The chairman of a committee or subcommittee or, in his absence, the vice chairman, shall provide the Secretary's office with written information concerning meetings, to include the time, place and date, bill number, and introducer of the bill or resolution to be considered.

Notice of hearings during a session

2.6—Any bill or resolution reported by any standing committee without proper notice having been published in the daily calendar shall be recommitted to the committee reporting the same upon the point of order

Bills recommitted

being made within two (2) days after such report is printed in the Journal. The committee to which the bill or resolution is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

Any bill or resolution reported by any standing subcommittee to its standing committee without proper notice having been published in the daily calendar shall be recommitted to the subcommittee reporting same upon the point of order made during the standing committee meeting at which the bill or resolution was reported by the subcommittee. The subcommittee to which the bill or resolution is thus committed, shall proceed to reconsider it and shall report on it as if originally referred.

2.7—For publication in the daily calendar (see 2.3), lists of standing committee or standing subcommittee meetings, including special meetings, shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication unless such day should be on a Friday, in which event, such delivery shall be by 2:30 p.m. Hearing notices shall appear in the daily calendar.

2.8—Each standing committee and standing subcommittee shall consider, as expeditiously as is reasonably possible and proper, the public business assigned it. For the purpose of facilitating this, the President shall group the standing committees and subcommittees in such manner as to provide each with an opportunity to meet without conflicting with the meetings of other committees to which members have been appointed. During the first thirty (30) calendar days of the regular legislative session, the committees shall have reserved to them the following days and hours of meeting:

GROUP ONE: 7:30-9:30 a.m.

Education—Mondays through Fridays
Governmental Organization—Mondays, Wednesdays and Fridays
Transportation—Tuesdays and Thursdays

GROUP TWO: 12:00-2:00 p.m.

Rules and Calendar—Mondays through Fridays

GROUP THREE: 2:00-4:00 p.m.

Judiciary—Mondays through Fridays
Health, Welfare, and Institutions—Mondays, Wednesdays and Fridays
Agriculture—Tuesdays and Thursdays

GROUP FOUR: 4:00-6:00 p.m.

Ways and Means—Mondays through Fridays
Insurance—Mondays, Wednesdays and Fridays
Natural Resources and Conservation—Tuesdays and Thursdays

GROUP FIVE: 6:00-7:30 p.m.

Commerce and Licensed Businesses—Mondays, Wednesdays and Fridays
Constitutional Amendments and Revision—Tuesdays and Thursdays

The Committee on Rules and Calendar shall provide a schedule of days, hours, and places for the meeting

of committees after completion of the initial thirty (30) days of the session.

2.9—Standing committees and standing subcommittees shall meet on the call of the chairman of each or, in his absence, the vice chairman. Each committee shall regularly meet in the room assigned for its use by the Committee on Rules and Calendar, and notice of such assignment shall be posted on a bulletin board provided for this purpose in the public corridor leading into the Senate Chamber. The committee chairman may arrange with the Sergeant at Arms for evening or other special meetings. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without consent of the Senate. No standing or select subcommittee shall conduct a meeting without prior written approval of the chairman of the standing committee.

2.10—Before any standing committee or standing subcommittee of the Senate holds a meeting while the legislature is not in session, a notice of said meeting, stating date, time and place, shall be filed with the Secretary of the Senate at least seven (7) days prior thereto.

2.11—All committee meetings shall be open to the public subject always to the power and authority of the chairman to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matters shall be re-referred to such committee upon a point of order made prior to final passage thereof.

2.12—Every bill, joint resolution, resolution, and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the fifteenth (15th) calendar day from the day of reference (the day of reference being counted as the first day) unless otherwise ordered by the Senate. Should the fifteenth (15th) day fall on a Friday during the first thirty (30) days of the session, the measure shall be reported by 2:30 p.m. Any bill upon which no committee report is filed as herein provided may be withdrawn from such committee and appropriately calendared upon point of order, provided that no bill may be thus withdrawn from the Committee on Ways and Means or the Committee on Constitutional Amendments during the first thirty (30) days of a regular session. Every bill, joint resolution, resolution, and memorial referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chairman of the standing committee. (See also Rule 4.4.)

2.13—It shall be the duty of standing committees to report all measures referred to them either (a) favorably, (b) favorably with committee amendment, (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably.

Such reports shall also reflect (a) the time and place of the meeting at which the action was taken, (b) the name and address of each person addressing the committee relative to each measure, the interest repre-

When, where
committees
meet

Hearing
publication
requirements

Committee
meetings

Committee
meetings
between
sessions

Open meetings

Time of
reporting by
standing
committees

Standing
committee
reports

sented (proponent or opponent), and (c) the vote of each member of the committee on the motion to report each bill or resolution. The Secretary shall enter upon the Journal the action of the committee, which shall not include that portion of the report required by items (a), (b), and (c) hereof. Reports of committees shall be preserved for the convenient inspection by the public.

All matters referred to standing committees shall be reported from said committees by bill, resolution, or otherwise with their recommendations thereon; and after such report has been received by the Secretary, no bill, resolution, or other matter shall be recommitted to a designated committee except by two-thirds (2/3) vote of the Senators present and voting.

A standing committee, in reporting a bill, joint resolution, resolution, or memorial, may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). The substitute measure must be accompanied by the original measure referred to the committee and returned to the Secretary in the same manner as the favorable reporting of any other measure. No other standing committee of reference shall consider the original measure but shall direct its attention to the substitute measure. When the original measure is reached upon the calendar, the substitute shall be read a first time by title, the original proposition shall be automatically tabled and the substitute considered in lieu thereof without motion. The substitute shall carry the identifying number (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure [an original (1) and five (5) exact copies for bills].

All standing committee reports shall be signed by the chairman or, in his absence, the vice chairman and shall be made on forms prescribed by the Secretary of the Senate and furnished by the Sergeant at Arms (supply room) and shall be filed with the Secretary's office at the desk designated therefor by 7:30 p.m. of each legislative day, except that during the first thirty (30) days of the session, reports shall be filed by 5:00 p.m. on Friday. These reports must be accompanied by the original bill, joint resolution, resolution, or memorial; and the titles and numbers thereof shall be entered on the calendar (at the appropriate reading). The bill numbers shall be entered on the Journal, together with the statement that the same was reported favorably by the committee of reference. Each report by a committee must set forth the identifying number of the measure; and, if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be typewritten in full on amendment forms, numbered serially and attached to the measure. All unfavorable reports (signed by the chairman or, in his absence, the vice chairman) of committees on bills, joint resolutions, resolutions, and memorials shall be returned to the Secretary in the same manner set forth for making favorable reports. All bills, joint resolutions, resolutions and memorials reported unfavorably shall be laid on the table; but upon motion by any Senator, adopted by a two-thirds

(2/3) vote of the Senators present, the same may be taken from the table.

2.14—It shall be the duty of standing subcommittees to report all measures referred to them directly to the parent standing committee. The standing subcommittee shall report all measures either (a) favorably, (b) favorably with committee amendments, (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably.

Such reports shall also reflect (a) the time and place of the meeting at which the action was taken, (b) the name and address of each person addressing the committee relative to each measure and the interest represented (proponent or opponent), and (c) the vote of each member of the subcommittee on the motion to report each bill or resolution.

All matters referred to standing subcommittees shall be reported from said subcommittee by bill, resolution, or otherwise with their recommendations thereon, directly to the parent standing committee.

A standing subcommittee may, in reporting a bill to the parent standing committee, draft a new measure, embracing the same general subject matter, to be returned to the parent standing committee with the recommendation that the substitute be considered in lieu of the original measure (or measures). The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the parent standing committee in the same manner as the favorable reporting of any other measure. The parent standing committee shall not consider the original measure but shall direct its attention to the substitute measure, the original measure being automatically tabled; but upon motion by any Senator, adopted by a two-thirds (2/3) vote of the standing committee members present, the same may be taken from the table.

All subcommittee reports shall be signed by the chairman, or, in his absence, the vice chairman and shall be made on forms prescribed by the Secretary of the Senate and furnished by the Sergeant at Arms. Each report by a standing subcommittee must set forth the identifying number of the measure; and if amendments are proposed by the subcommittee, the words "with amendments" shall follow the identifying number. Subcommittee amendments shall be typewritten in full on amendment forms, numbered serially and attached to the measure.

All bills, joint resolutions, resolutions, and memorials reported unfavorably shall be laid on the table when the standing committee considers the subcommittee's reports; but upon motion by any Senator, adopted by a two-thirds (2/3) vote of the committee members present, the same may be taken from the table.

When a bill with a favorable report by a subcommittee is considered by the standing committee, no additional testimony of witnesses shall be permitted except upon vote of two-thirds (2/3) of the standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed.

2.15—No member of a standing committee or subcommittee shall be allowed to vote by proxy. A majority of all the committee or subcommittee members present shall agree by their votes upon the disposition of any bill or other matter considered by the committee or subcommittee. A member shall attend all meetings of a committee or subcommittee to which he has been appointed. Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chairman of the committee or subcommittee, shall constitute automatic withdrawal from the committee or subcommittee. Upon notification by the chairman of the committee or subcommittee, the President shall make appointments to such vacancies.

A committee or subcommittee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. Any bill or resolution reported in violation of this Rule shall be forthwith recommitted by the President when it is called to his attention by a Senator.

2.16—The Senate may, by a majority vote of all Senators present, resolve itself into a Committee of the Whole, which, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The rules of the Senate shall govern when applicable to standing committees. The Committee of the Whole may consider and report, by majority vote of the members present, upon any bill, resolution, or question not formally introduced in the Senate and any bill upon which all standing committees of reference have rendered a favorable report. No bill or resolution upon which no committee action has been taken by the committee or committees of reference or upon which an unfavorable committee report has been filed may be taken up and considered except upon a two-thirds (2/3) vote of the Senators present, which vote shall also be required to favorably report any such bill or resolution to the Senate. A favorable report by a Committee of the Whole upon a bill or resolution having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill or resolution from the table. Consideration by the Senate of such a bill or resolution shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted upon as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on separate paper by the Secretary, who shall be Secretary of the Committee of the Whole, and the same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be

again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

2.17—The receiving of reports of committees of conference shall always be in order, except when the Senate is voting on any proposition. After Senate conferees on any bill or resolution in conference between the Senate and House shall have been appointed for seven (7) calendar days and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees; and, further during this last six (6) calendar days allowed under the Constitution for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after Senate conferees shall have been appointed thirty-six (36) hours without having made a report. There shall accompany every conference report a statement sufficiently explicit to inform the Senate what effect such amendments or propositions will have upon the measures to which they relate. Upon presentation of the report of a conference committee, the vote first shall be whether the report shall be considered at that moment and second upon the acceptance or rejection thereof as an entirety. The report or reports of a conference committee must be acted upon as a whole, being agreed to or disagreed to as an entirety. When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine. Conference committees shall consider and report only on the differences existing between the Senate and the House.

Rule Three

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Except where specifically provided otherwise, where "bill" is used in these Rules, it shall be understood that bill, joint resolution, concurrent resolution, resolution, or memorial may be meant.

3.2—To be acceptable for introduction, all bills, resolutions, and memorials shall be typewritten, mimeographed, or printed all in a type size of pica or larger and all of the color black, without erasure or interlineation, on a sheet of paper of the common legal size. The lines shall be double spaced, the original (or first copy) shall be on stout bond paper, and the remaining copies of typewritten matter shall be on paper of good grade. The copies must be exact duplicates of the original. The top and bottom margins shall be at least one and one-half (1½) inches. The top margin of the first page shall be at least two (2) inches, with the words "A bill to be entitled" appearing on the third numbered line when line-numbered paper (see 3rd paragraph) is used and aligned on the page substantially according to the following form:

Quorum and attendance upon committee meetings

Conference committees

Committee of Whole

"Bill" stands for all legislation

General form

(Center)
A bill to be entitled
(2 spaces)

(Indent 7 spaces from outside margin)

An act
.....
(title double spaced)

Be It Enacted by the Legislature of the State of Florida:
Section 1.
Section 2.

The original (1) and five (5) copies of each measure must be backed with a yellow jacket of the type furnished by the Sergeant at Arms. On these jackets shall be inscribed the full name of the introducer and any coinroducers, and enough of the title for identification.

Bills or joint resolutions which propose to amend existing provisions of the Florida Statutes (as described in section 11.242, Florida Statutes) or the Florida Constitution shall contain the full text of the section, subsection, paragraph, or subparagraph to be amended. New words shall be inserted in the text underlined. The words to be deleted shall be lined through with hyphens. Printed bills shall show the words to be added in italics, and the words to be deleted enclosed in brackets. Bills of this nature shall be prepared on paper with thirty-one (31) numbered lines beginning eight spaces from the top of the page. The text shall be written completely within vertical guide lines drawn five and one-half (5½) inches apart.

However, the change in language may occasionally be so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment. In that event, it shall not be necessary to use the coded indicators of words added or deleted; but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "substantial rewording of section. See section, F.S., for present text."

The words to be deleted and the above-described indicators of such words and of new material are for the convenience of the members only and shall not be considered to constitute a part of the bill under consideration. The words to be deleted and the indicators of new and deleted material shall be removed upon the enrolling of the act.

Section catch lines shall not be typed with underlining, nor shall any other portion of a bill covered by this Rule other than new material.

3.3—All bills shall be introduced in an original (1) and five (5) exact copies. They shall contain a proper title, as defined in section 6 of Article III of the Constitution, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida:". The title of each bill shall be prefaced by the words, "A bill to be entitled An act" wherever the title appears on the text of the bill.

Bills,
forms of bills

A bill shall be typewritten in pica type or larger, using a black typewriter ribbon, or mimeographed or printed in black, according to prescribed form without erasures or interlineations on plain white paper of legal size.

Six (6) title sheets are required to be attached by paper clip to the top of the original copy of each bill. Title sheets are furnished by the Sergeant at Arms of the Senate with carbons already inserted. Do not remove the carbons from the title sheets.

On each title sheet there must be typed, glued, or taped in the space provided a brief summary of the title including the subject content of the bill and sections amended. If the title is short, the entire title may be used on the title sheet. Capitalize only the first letter of a sentence, name of person, city, state, or county. Lower case all other words in the title. The title sheets with carbons unseparated must be attached by paper clips to the top of the original copy of the bill before bill can be introduced or filed.

The original (1) and five (5) copies must have clearly stamped on the jacket of each, above the space provided for the number, "Original, Duplicate, Third Copy, Fourth Copy, Fifth Copy, House Copy."

3.4—As required by section 10 of Article III of the Constitution, all local bills must either embody provisions for a ratifying referendum (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit shall be obtained from the Sergeant at Arms. All local bills which require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill as the first or front page thereof and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

Local bills, form
of local bills

3.5—All joint resolutions shall be introduced in an original (1) and seven (7) exact copies. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:". Each joint resolution shall be prefaced by the words: "A Joint Resolution proposing an Amendment to the Constitution of the State of Florida". No title sheet shall be required for joint resolutions. Jackets shall be attached to the original (1) and five (5) copies of each resolution. The two (2) remaining unbacked copies shall be attached to the inside of the original copy of the resolution by paper clip for introduction.

Joint resolutions,
form of joint
resolutions

3.6—All memorials—these express the opinion of the Legislature to the Congress of the United States—shall be introduced in an original (1) and seven (7) exact copies. They shall contain the resolving clause "Be It Resolved by the Legislature of the State of Florida:". No title sheet shall be required for memorials. Jackets shall be attached to the original (1) and five (5) copies of each memorial. The two (2) remaining unbacked copies shall be attached to the inside of the original copy of the memorial by paper clip for introduction.

Memorials, forms
of memorials

3.7—All Senate resolutions and all concurrent resolutions shall be introduced in an original (1) and seven (7) exact copies. They shall contain a proper title, and a resolving clause. In the case of Senate resolutions, this shall be "Be It Resolved by the Senate of the State of Florida:". Concurrent resolutions embody this clause, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:". Jackets shall be attached to the original (1) and five (5) copies of each resolution. The two (2) remaining unbacked copies shall be attached to the inside of the original resolution by paper clip for introduction. Where copies of Senate resolutions are directed in the resolution to be furnished any person after adoption, these shall be prepared only by the Secretary of the Senate.

3.8—To facilitate the process of committee reference, all bills and other measures for introduction shall be delivered to the Secretary no later than 12:00 Noon of the day preceding introduction. This rule may be waived only upon unanimous consent, the motion for which shall not be entertained unless the movant thereof shall have first notified the Senate orally, not less than thirty (30) minutes preceding the motion, of his intention to move for the waiver of this rule so as to have introduced a specific bill or bills sponsored by him. The adoption of such motion shall be construed as reverting the Senate to the Order of Introduction and Reference of Bills solely for the reception of said bill or bills for formal introduction and reference. During the last seven (7) days of the legislative session, this rule may be suspended or altered by resolution originating in the Committee on Rules and Calendar.

Between regular sessions of the legislature, bills, joint resolutions, resolutions, and memorials may be prefiled by delivery to the Secretary of the Senate. The Committee on Rules and Calendar shall develop rules and procedures concerning the interim referral, consideration, disposition, and reporting of bills thus prefiled.

3.9—Upon introduction, all bills not local in application and all joint resolutions (including committee bills and committee substitute bills) shall be printed for the information of the Senate and the public. Unless otherwise ordered by the Senate or the President, there shall be printed five hundred (500) copies of each such measure. The Secretary shall furnish the copy for all such printing. This printing of bills shall be independent of the legislative process, and the absence of a printed copy shall not delay the progress of any measure at any stage of the legislative process.

3.10—Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered as introduced, without differentiation in number as to type. The Secretary shall so mark the original copy of each measure as to insure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions therefor. This identification may be by the use of machines as used in banks for validating or cancelling

checks or other documents, or by the use of any other device to accomplish the purpose of this rule. Any such device so used shall be used by and at all times shall be in the custody of the Secretary, and its use by any person not authorized by this rule shall be prohibited.

3.11—Whenever any bill, memorial, concurrent resolution, or joint resolution of the Senate shall be reached on the calendar of the Senate for consideration, either on second or third reading, and there shall be also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate bill, memorial, concurrent resolution, or joint resolution. Such motion may be adopted by a majority vote, provided the House measure is on the same reading; otherwise, the motion shall be to waive the rules by two-thirds (2/3) vote and take up and read such House measure. A companion measure shall be in the identical words as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, then the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion bill then on the Calendar.

3.12—Bills, joint resolutions, concurrent resolutions, memorials, or resolutions shall be introduced by only a Senator or group of Senators whose signature or signatures are affixed to the original thereof. The general appropriations bill shall, however, be introduced by the Committee on Ways and Means. Reports and resolutions dealing with these Rules or the Order of Business may, however, originate in the Committee on Rules and Calendar. This rule shall not be construed to prohibit the offering of a committee substitute for any bill, joint resolution, concurrent resolution, memorial, or resolution referred to such committee if the committee substitute is germane to the original bill referred to such committee.

Rule Four

ORDER OF BUSINESS AND CALENDAR

4.1—The Senate shall meet each legislative day at 11:00 a.m. and adjourn at 1:00 p.m. When the Senate shall determine to hold afternoon sessions, the hour of convening for the afternoon session shall be 3:00 p.m., and the hour for adjournment shall be 5:00 p.m.

4.2—A majority of the Senate shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. Any Senator at any time may question the existence of a quorum.

4.3—The daily order of business shall be as follows:

1. Roll Call

Daily order
of business

2. Prayer by Chaplain
3. Correction and approval of Journal
4. Reports of Committees
5. Introduction and reference of Resolutions, Memorials, Bills, and Joint Resolutions
6. Motions relating to committee reference
7. Messages from the Governor
8. Messages from the House of Representatives
9. Consideration of Senate and other Resolutions
10. Matters on reconsideration
11. Unfinished business
12. Special Order as determined by the Committee on Rules and Calendar or by the Senate
13. Consideration of Bills and Joint Resolutions on Third Reading
14. Consideration of Bills and Joint Resolutions on Second Reading
15. Miscellaneous Business
16. Petitions and Memorials

On the first legislative day of each week the Daily Order of Business shall include, after prayer, The Pledge of Allegiance to the Flag of the United States of America.

A vote of two-thirds (2/3) of the Senators present shall be required to establish a Special Order. The Secretary of the Senate shall prepare and cause to be distributed, on each legislative day, a calendar corresponding to the Order of the Day; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

4.4—All bills and joint resolutions, including those which are strictly local in nature and those prefiled in accordance with these Rules, shall be referred to an appropriate standing committee or committees whose jurisdiction embraces the subject of the bill. When the President refers a bill to a standing committee having a standing subcommittee, the chairman of the standing committee shall determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by such chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for such consideration. If such subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report such reference and the time allowed for such consideration to the Secretary of the Senate on forms provided for such purpose. The reference of a bill which is strictly local in nature shall be to the Committee on Rules and Calendar for the sole purpose of determining whether such measure is in fact and function local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the

Reference
generally

state and affects only one county. Upon the determination by the Committee on Rules and Calendar that a bill is in fact and law a local bill, it shall forthwith be reported and referred to the calendar on local bills.

4.5—In case of multiple reference of a bill, resolution, or memorial to two or more committees, said bill, resolution, or memorial shall be considered by each committee separately in the order in which the multiple reference is made; but if any committee to which the bill, resolution, or memorial is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except on two-thirds (2/3) vote of the membership of the Senate. If a committee reports a committee substitute favorably, other committee consideration shall be directed to the substitute and not to the original.

Reference to
more than one
committee

4.6—All bills carrying or affecting appropriations, including claim bills, shall be referred to the Ways and Means Committee. All bills affecting tax matters, so as to increase, decrease, alter, impose, or remove a tax, shall be referred to the Ways and Means Committee. Such bills may be referred to other standing committees in the discretion of the President. If a bill is reported favorably by a committee other than the Ways and Means Committee which did not call for or affect an appropriation or affect a tax matter, and an amendment, offered either from the floor or by the reporting committee and adopted, does call for or affect an appropriation or affect a tax matter, then the bill with amendment shall be referred to the Committee on Ways and Means. The bill, if then reported favorably, shall be returned at the same reading as when referred.

Reference to
Ways and Means
Committee

4.7—All resolutions shall be referred by the President to a standing committee, except that resolutions on Senate organization and of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office, may be taken up upon motion and adopted at time of introduction without reference.

Reference of
resolutions,
concurrent
resolutions;
Exception

4.8—When the President has referred a bill or joint resolution, any Senator may, during that day at any time, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the succeeding legislative day, move for reference to a different committee or for removal from any committee which motion may be adopted by a two-thirds (2/3) vote.

Reference to
different
committee
or removal

4.9—Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When the reading of a paper other than one upon which the Senate is called to give a final vote is demanded, and the same is objected to by any Senator, it shall be determined by a majority vote of the Senate.

Reference of
papers of
miscellaneous
nature

4.10—Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote upon final passage unless two-thirds (2/3) of the Senators present decide otherwise.

Reading of bills and joint resolutions

(Constitution: Article III, section 7—“Any bill may originate in either

house and after passage in one may be amended in the other. It shall be read in each house on three separate days, unless this rule is waived by two-thirds vote. On each reading, it shall be read by title only, unless one-third of the members present desire it read in full. On final passage, the vote of each member voting shall be entered on the journal. Passage of a bill shall require a majority vote in each house. Each bill and joint resolution passed in both houses shall be signed by the presiding officers of the respective houses and by the secretary of the senate and the clerk of the house of representatives during the session or as soon as practicable after its adjournment sine die.”)

4.11—Each concurrent resolution or memorial shall receive two (2) readings on two (2) separate days previous to a voice vote upon adoption, unless two-thirds (2/3) of the Senators present decide otherwise. If the reading on the second day be dispensed with by this waiver, then

Reading of concurrent resolutions and memorials

the concurrent resolution or memorial may be read the second time by title only.

4.12—Each Senate resolution shall be read by title only upon introduction. Each Senate resolution then shall be read an additional time in full before the question is put on adoption by voice vote.

Reading of Senate resolutions

4.13—Upon the third reading of any bill or joint resolution, it shall not be committed (save to the Ways and Means Committee) or amended, except as to title, without consent of two-thirds (2/3) of the Senators voting, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those voting.

Referral or postponement on third reading

4.14—A general bill or joint resolution may be considered out of its regular order on the calendar upon unanimous consent obtained in the following manner: The Senator moving the Senate for such unanimous consent shall have, prior to the entertainment of such motion, orally given the membership not less than fifteen (15) minutes' notice of his intention to so move which said notice shall specify the number of the bill or joint resolution and its position on the calendar. The moving Senator shall be allowed one (1) minute upon the entertainment of such motion to explain his purpose, and unanimous consent shall then be given or refused without further debate.

Consideration of bills out of regular order

4.15—During the last thirty (30) calendar days of a regular session of the legislature permitted under the Constitution and during any extension thereof by virtue of the membership of the legislature as permitted under the Constitution and during any special session convened by the Governor as permitted under the Constitution, the Committee on Rules and Calen-

Special order calendar

dar may from day to day submit a Special Order Calendar determining the priority for consideration of bills and joint resolutions. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills or joint resolutions shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate except that any bill or joint resolution appearing on this calendar may be stricken therefrom by a two-thirds (2/3) vote of the Senators present. All bills or joint resolutions set as special orders for consideration at the same hour shall take precedence in the order in which they were given preference.

4.16—Local bills shall be disposed of according to the calendar of bills of a local nature and shall be taken up and considered only at such time as shall be determined by the President.

Calendar of local bills

4.17—The order of disposition of any bill or joint resolution which has been read the second time shall be its reference to the Engrossing Clerk to be engrossed after all questions relative to it while on a second reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third reading to be taken up on some separate succeeding legislative day, unless otherwise ordered by a two-thirds (2/3) vote of those present. No bill shall be committed to the Engrossing Clerk or placed on the calendar of bills on third reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which has not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill or joint resolution shall be on its third reading when it has been read a second time on a previous day and no motion left pending. Bills calendared for second or third reading shall not be considered as properly before the Senate for consideration on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

Order after second reading

4.18—The Enrolling Clerk shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary, and the fact of such signing shall be noted in the Journal.

Enrolling

4.19—Whenever the Senator who introduced any bill or resolution is absent from the Chamber when such bill or resolution is reached in its regular order on any of its readings, such bill or resolution shall be passed and placed at the foot of the calendar, and shall not be taken up out of order or its place on the calendar changed against the order of progress, except by unanimous consent; and if such bill or resolution shall not be finally voted upon when for the third time it is reached in regular order, it shall be automatically tabled.

Absence of introducer

Rule Five

VOTING

5.1—The President shall declare all votes; but, if any Senator rises to question a vote, then,

Taking the yeas and nays upon a showing of hands by five (5) Senators, the President shall take the sense of the Senate by yeas and nays or electrical roll call. When taking the yeas and nays on any question, the electrical roll call system may be used, and when so used shall have the force and effect of a roll call taken as provided in these Rules. This system likewise may be used to determine the presence of a quorum. When the Senate is ready to vote upon a question requiring roll call, and the vote is by electrical roll call, the President shall state: "The Secretary will unlock the machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter upon the Journal the result in the manner provided by these Rules. In all cases where the Senate shall be equally divided, the question shall be lost.

Change of vote 5.2—After the voting machine has been locked but prior to announcement of the result of a roll call, notice shall be taken in the Journal of the request of any Senator to (1) change his vote or (2) vote. After the vote has been announced, a Senator with unanimous consent may change his vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final passage of the measure until the measure shall first have been recalled to the Senate for further consideration. Upon request of a Senator prior to consideration of other business, the President shall order a verification of a vote.

No Senator to vote for another 5.3—No Senator shall vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished in such a manner as the Senate may deem proper. Any person not a Senator who shall vote wrongfully in the place of a Senator shall be excluded from the Chamber for the remainder of the session, in addition to such punishment as may be prescribed by law.

Pairing 5.4—Pairing shall be permitted only upon the absence of a Senator excused from attendance and shall, in writing, specifically state the bill or bills to which the pair applies.

Explanation of vote 5.5—No Senator shall be permitted to explain his vote during a roll call but may reduce his explanation to writing; and upon filing with the Secretary, this explanation shall be spread upon the Journal.

Election by ballot 5.6—In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one be elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

Rule Six

MOTIONS AND THEIR PRECEDENCE

6.1—Every motion may be made orally. Upon request of the President, a Senator shall reduce his motion to writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate, without a second, and shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before a vote thereon shall have been commenced.

Motions:
How made;
Withdrawn

6.2—When a question is under debate, the President shall receive no motion except:

Motions:
Precedence

1. To adjourn at a time certain
2. To adjourn instanter
3. To take a recess
4. To proceed to the consideration of executive business
5. To reconsider
6. To limit debate
7. To postpone to a day certain
8. To commit to the Committee of the Whole
9. To commit to a standing committee
10. To commit to a select committee
11. To amend
12. To postpone indefinitely, which several motions shall have precedence in the descending order given.

The President shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

6.3—Motions to adjourn, to recess or to proceed to the consideration of executive business shall be decided without debate by a majority vote of those present and voting. Only one substitute for a motion to adjourn shall be entertained. The substitute motion shall fix a different time for adjournment, and the same shall be put without debate, except that one (1) minute shall be allowed the mover of the substitute within which to explain his reasons therefor. The substitute motion having been lost, the question shall be put on the original motion which if lost shall preclude any further motion to adjourn until other business shall have intervened.

Motions which
can be made
but once

6.4—Any Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

Division of
question

6.5—When a question has been decided by the Senate, any Senator voting with the prevailing side, or when a question has been decided by voice vote, any Senator, on the same or the next legislative day, may move the reconsideration thereof. Such motion may be made pending a motion to adjourn or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of

Reconsideration;
generally

business for the legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to consider or, upon consideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent. During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day. When a majority of Senators present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority is necessary for adoption or passage, any Senator may move for reconsideration.

6.6—The motion to reconsider shall require for its adoption the affirmative votes of a majority of the Senate present and voting.

Reconsideration:
Vote required

6.7—Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon a motion to reconsider is in order, no Senator shall speak thereon more than once nor for a period longer than five (5) minutes.

Reconsideration:
When debate allowed

6.8—A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business.

Reconsideration:
Collateral matters

6.9—The Secretary shall retain possession of all general bills and joint resolutions for the period after passage during which reconsideration may be moved, except that during the last five (5) calendar days allowed under the Constitution for a regular session and during any extensions thereof, these shall be transmitted to the House forthwith. The adoption of any motion to waive the rules by a two-thirds (2/3) vote of the Senators present and immediately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration.

Reconsideration:
Secretary to hold for period

6.10—Motions to indefinitely postpone shall not be applicable to collateral matters. The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. Any motion to postpone consideration to a time beyond the last day allowed under the Constitution for the current legislative session shall be construed as a motion to indefinitely postpone.

Motion to indefinitely postpone

Rule Seven

AMENDMENTS

7.1—Amendments shall be filed with the Secretary on forms prescribed by him and supplied by the Sergeant at Arms but shall be considered only as sponsors gain recognition from the President to move

General form:
Manner of consideration

their adoption, except that the chairman of the committee (or, in his absence, the vice chairman or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments which have been filed with the Secretary of the Senate, the adoption of which has not been formally moved, shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

7.2—Amendments may be adopted, on second reading of a measure, by a majority vote and on third reading by a two-thirds (2/3) vote. Corrective amendments to the title, after perfection of the body, may be decided, without debate, by a majority vote on third reading.

Adoption

7.3—An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute.

Sequence of amendments to amendments

Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted upon before the substitute is taken up. Only one amendment to the amendment is in order. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment of the bill itself.

7.4—A proposal to strike out all after the enacting clause or the resolving clause of a bill or joint resolution and insert new matter of the same general subject as stated in the original title, shall be deemed proper and germane and shall be treated as an amendment.

Striking all after enacting clause

7.5—The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill or joint resolution is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President shall, in recognizing Senators for the purpose of moving the adoption of amendments, endeavor to cause all amendments to Section 1 to be considered first, then all those to Section 2, and so on. After all sections have been considered separately, the whole bill or joint resolution shall be open for amendment.

Amendment by section

7.6—All amendments adopted by the Senate shall be printed in the Journal except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

General

7.7—Any House bill or resolution may be amended in the same manner as a Senate bill or

Senate amendments to House bills

resolution. If a House bill or joint resolution is amended, the same shall be noted by the Secretary on the jacket containing same before it is reported to the House.

House amendment to Senate bill

7.8—After the reading of a House amendment to a Senate bill or joint resolution, the Senate may: (1) amend the House amendment by a concurrence of the majority required for the final passage of the measure, or (2) concur in the House amendment by a concurrence of the same majority required for the final passage of the measure, or (3) refuse by the majority required to concur and ask the House to recede.

House refusal to concur in Senate amendment

7.9—If the House shall refuse to concur in a Senate amendment to a House bill or joint resolution, the following motions shall be in order and shall be privileged in the order named: (1) that the Senate recede, or (2) that the Senate insist and ask for a conference committee, or (3) that the Senate insist.

Rule Eight

DECORUM AND DEBATE

Decorum and debate

8.1—When any Senator desires to speak or deliver any matter to the Senate, he shall rise at his seat and respectfully address himself to "Mr. President," and, on being recognized, may address the Senate from his desk or from the Well of the Senate, and shall confine himself to the question under debate, avoiding personality. During a debate a Senator shall not address or refer to another Senator by his or her first name. In all such cases, a Senator shall appropriately use the appellation of Senator.

Presiding officer's power of recognition

8.2—When two (2) or more Senators rise at once, the presiding officer shall name the Senator who is first to be recognized.

Interruptions, when allowed

8.3—No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by rising to a question of privilege; a point of order requiring an immediate ruling; an appeal from the decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision); a parliamentary inquiry requiring an immediate reply or a question of no quorum. The presiding officer shall strictly enforce this rule.

Senator speaking, rights

8.4—When a member is speaking and another member interrupts to request recognition, it is the right of the presiding officer to permit the person rising to state why he desires the floor; and if the question he desires to raise is entitled to precedence, the member originally speaking should relinquish the floor until the question having precedence is disposed of, but he is entitled to resume the floor as soon as the privileged question has been disposed of.

8.5—No Senator shall speak more than once on any one question to the prevention of any

Time for debate

other who has not spoken and is desirous to speak nor for any longer period of time than thirty (30) minutes, without yielding the floor, except by consent of a majority of the Senators present.

Limitation on debate

8.6—When a measure is under debate by the Senate, it shall be in order for a Senator to move to limit debate, and such motion shall be decided without debate, except that the introducer of the measure shall have (5) minutes within which to discuss said motion, and he may divide his time with, or waive it in favor of, some other member. If, by a two-thirds (2/3) vote of the Senators present the question is decided in the affirmative, debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the presiding officer equitably; provided, however, that the introducer of such measure shall be entitled to close.

Priority of business

8.7—All questions relating to the priority of business to be acted on shall be decided without debate.

Points of order, definition

8.8—A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice.

Questioning right to vote

8.9—A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

Appeals

8.10—The proper method of taking exception to a ruling of a presiding officer is by appeal. An appeal from a decision of the presiding officer must be made promptly, and it is too late to appeal after debate or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second decision is also subject to appeal.

Appeals, debatable

8.11—An appeal from a decision of the presiding officer on a point of order is debatable even though the question out of which it arose was not debatable.

Questions of privilege

8.12—Questions of privilege shall be first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Senators individually, in their representative capacity only; and shall have precedence of all other questions except motions to adjourn. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

What is a question of privilege

1. Questions which relate to the body or its members in such a manner as to affect proper functioning of

the body are questions of privilege. It is necessary that these questions be under the immediate control of the body. They relate to the rights and privileges of the body or any of its members in their official capacity, or to the comfort and convenience of the body or its members in the performance of their official duties.

2. "Questions of privilege" should be distinguished from "privileged questions" which is a class of motions having the highest precedence.

3. Questions of privilege are of two types: They may relate to the privilege of the entire body, which are known as questions of "privilege of the house," and questions of "privilege" which relate to a member, which are known as questions of "personal privilege." In case of conflict, questions of privilege of the house take precedence over questions of personal privilege.

Rule Nine LOBBYING

9.1—All persons, except members of the Florida Legislature, or duly authorized aides designated in writing by such members, who seek to encourage the passage, defeat, or modification of any legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with any current member of the legislature.

9.2—Every such person shall register on forms prepared by the Secretary and shall state, under oath, the name and address of each client or interest he represents, together with the particular legislation in which he is interested and the term of his engagement. The Secretary shall publish in the Journal in tabulation form a list of those filing the registration statements required under this rule, together with the information contained therein, on the first Monday of the session and weekly thereafter. No registered lobbyist shall be permitted upon the floor of the Senate while it is in session.

9.3—Any person who merely appears before a committee of the Senate or any Senator in his individual capacity without compensation or reimbursement, to express support of or opposition to any legislation, and who shall so declare to the Senator or committee with whom he discusses proposed legislation, shall not be required to register as a lobbyist but shall not be permitted upon the floor of the Senate during consideration of the legislation in which he is interested.

9.4—Separately from any prosecution or penalties otherwise provided by law, any person determined by a majority of the Senate to have failed to comply with the requirements of this rule shall be prohibited for the duration of the session from appearing before a committee of this Senate.

9.5—The Secretary shall provide blank affidavits for the convenience of registrants; but the

Secretary to
provide forms

burden of compliance, nevertheless, always shall be upon the person required to register.

9.6—Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this rule, and to report violations. No committeeman knowingly shall permit an unregistered lobbyist to be heard.

Committees to
be diligent

Rule Ten CHAMBER OF THE SENATE

10.1—No person shall be admitted to the main floor of the Senate Chamber while the Senate is in daily session except present members of the Senate and all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. A special section of the gallery shall be reserved for members of the families of Senators. Also entitled to admission are the Governor or one (1) representative designated by him, Cabinet officers, former governors, present and former United States Senators, members or former members of the House of Representatives of the United States and of this State, Justices of the Supreme and Appellate Courts of Florida, Circuit Judges of Florida, former State Senators of Florida, and persons by invitation of the President.

Persons entitled
to admission

10.2—None of the persons entitled to admission shall be admitted if registered pursuant to Rule 9, nor shall such person engage in any activity for or against any bill, motion, or other proceeding upon the floor of the Senate while in session.

Exception

10.3—Representatives of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them and shall not be allowed on the Senate floor while the Senate is in daily session, except with the approval of the President. All male persons on the main floor of the Senate and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear coats at all times while the Senate is in session.

Admission by
President

10.4—For the first two (2) weeks of the session Senators will be recognized, immediately following prayer, to make brief introduction of visitors to the Senate. At all other times visitors shall be recognized by the President at a convenient time. No person shall be escorted to the rostrum for recognition without concurrence of the Senate.

Recognition of
guests

Rule Eleven

CONSTRUCTION AND WAIVER OF RULES

11.1—It shall be the duty of the President, or the presiding officer for the time being, to interpret all rules. Motions for the pre-

Interpretation
of rules

vious question and to lay upon the table shall not be entertained.

11.2—These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of all Senators present, which motion, when made, shall be decided without debate. A motion to waive a rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Committee on Rules and Calendar except by unanimous consent of those present.

11.3—All proposed actions touching the Rules and Order of Business in the Senate shall be first referred to the Committee on Rules and Calendar, which shall report as soon as practicable thereafter. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive.

11.4—Unless otherwise indicated by these Rules, all action by the Senate shall be by majority vote of those Senators present.

11.5—Whenever in these Rules reference is made to “two-thirds (2/3) of those present”, “two-thirds (2/3) vote”, “two-thirds (2/3) of the Senate”, “two-thirds (2/3) of those voting”, etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, section 3, of the Constitution.

11.6—When used in these Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: (a) The singular always includes the plural. (b) The masculine always includes the feminine.

Rule Twelve EXECUTIVE SESSION

12.1—The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, section 4(b) of the Constitution of Florida.

12.2—Pursuant to Article III, section 4(b), of the Constitution of Florida, the Senate may resolve itself into Executive Session for the sole purpose of considering appointment, removal, or suspension during which no one shall be in attendance except Senators and the Secretary of the Senate, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Upon receipt by the Senate of appointments, removals, or suspensions upon which the consent of the Senate is required, the President shall refer each to an appropriate select committee whose charge it shall be to make inquiry or investigation and advise the President and the Senate as to its recommendation concerning the subject referred and as to the necessity for deliberating such subject in executive session. Reports and findings of select committees appointed pursuant hereto are advisory only and shall be made in executive session.

12.4—When the Senate agrees, by a majority of Senators present in executive session, that specified appointments, removals, or suspensions shall be considered in open session, such shall be accordingly calendared for formal consideration by the Senate.

12.5—All information and remarks including committee work product concerning the character and qualification together with the vote on each appointment, removal, or suspension considered in executive session shall be kept a secret except so much thereof upon which the bans of secrecy shall have been specifically lifted by the Senate while in executive session.

12.6—A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.7—Violation of the above Rule as to the secrecy of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for the unseating of the offending Senator.

The following was read pursuant to Senate Rule 1.1:

Honorable Edwin G. Fraser November 12, 1968
Secretary of the Senate

Dear Mr. Secretary:

Pursuant to the rules of the Senate, this is to certify that the Republican Senators in official caucus at 6:30 P. M., Monday, November 11, 1968, unanimously elected Senator C. W. Bill Young of the 19th District as Minority Leader of the Florida Senate.

Very truly yours,
C.W. Bill Young
Senate Minority Leader

Attest:

Tom Slade, 9th District
Warren S. Henderson, 32nd District

On motion by Senator Friday, the Senate in 1968 Organization Session adjourned sine die at 12:54 p.m.