

JOURNAL OF THE SENATE

ORGANIZATION SESSION

Journal of the Senate for the Organization Session of the Second Legislature to be convened under the Constitution of Florida, as revised in 1968, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, November 17, 1970, being the day fixed by the Constitution, as amended, for the purpose.

Tuesday, November 17, 1970

The Senate was called to order by Senator Verle A. Pope at 9:30 a.m.

The Secretary called the roll and the following Senators were recorded present:

Arnold	Deeb	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Sayler
Beaufort	Fincher	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Thomas
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Ware
Brantley	Henderson	Ott	Weber
Broxson	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Daniel	Johnson (29th)	Poston	Wilson

48. A quorum present.

The Young Artists of Florida Agricultural and Mechanical University, directed by Mrs. Rebecca Steele, sang the National Anthem. The Senate and gallery remained standing while Senator Henderson led the Senate in The Pledge of Allegiance to the Flag of the United States of America.

Prayer by Reverend H. Arthur Stevenson, Pastor of Immanuel Presbyterian Church of Lake Park:

Most Gracious God, we pray for the people of our great State of Florida and for those they have selected to represent them in this historic legislative hall. Be pleased to direct and prosper all their deliberations for the safety, honor and welfare of the people. Grant that peace and happiness, truth and justice, virtue and honor may be established among us.

The problems which face all of us today are startling in their magnitude. No man by his own wisdom or his own abilities could hope to cope with them. So let our leaders be humble before you, our God, and find in you a constant source of strength and encouragement. Give their work such significance and honesty that when each day ends they can dedicate it to you, O Father, and when they come back to those of us at home, be able to look us in the eye knowing they have done their best. We could ask no more from those we have chosen to serve us. Give particular blessing to the Governor, the Governor-Elect, to Jerry Thomas, President of the Senate and to Wilbur Boyd, President Pro Tempore. Enable them to use their positions of leadership wisely and well as servants of the people and of their God. To the glory of our Lord we pray. Amen.

While the Senate and gallery remained standing, the members of the University Singers of Florida State University, directed by Joseph R. Flummerfelt sang the State song "Suwannee River".

The Senate proceeded to the organization of the Body.

Senator Myers placed in nomination the name of LeRoy Adkison to be Sergeant at Arms of the Senate for the ensuing two years.

On motion by Senator Haverfield the nominations were closed.

The question was put on the election of LeRoy Adkison and the vote was: Yeas—48 Nays—None

Arnold	Deeb	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Sayler
Beaufort	Fincher	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Thomas
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Ware
Brantley	Henderson	Ott	Weber
Broxson	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Daniel	Johnson (29th)	Poston	Wilson

LeRoy Adkison was unanimously elected Sergeant at Arms of the Senate.

Senator Ott placed in nomination the name of Elmer O. Friday to be Secretary of the Senate for the ensuing two years

On motion by Senator Williams the nominations were closed.

The question was put on the election of Elmer O. Friday and the vote was: Yeas—48 Nays—None

Arnold	Deeb	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Sayler
Beaufort	Fincher	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Thomas
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Ware
Brantley	Henderson	Ott	Weber
Broxson	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Daniel	Johnson (29th)	Poston	Wilson

Elmer O. Friday was unanimously elected Secretary of the Senate.

The Honorable E. Harris Drew, Justice of the Supreme Court of Florida, administered the oath of office to LeRoy Adkison and Elmer O. Friday.

The Presiding Officer recognized Senator Gunter for the purpose of placing in nomination the name of Senator Boyd of the 31st Senatorial District to be President Pro Tempore of the Senate for the ensuing two years. Senator Gunter addressed the Senate as follows:

Mr. President, fellow Senators, Ladies and Gentlemen:

It is a high honor indeed to nominate a distinguished colleague to serve in the vital post of President Pro Tempore of the Florida Senate. In fact, I don't really understand why I was chosen to perform this honor. You see I'm the guy who advised Lawton not to walk and Reubin not to run!

Our colleague of whom I speak, of course, is Senator Wilbur H. Boyd of the 31st District. A natural leader, who already in his life has successfully filled many, many roles. Let me just designate a few.

First of all, he is an outstanding family man. His lovely wife, Fay, and three daughters, Daphne, Valerie, and Brenda, are here in the Chamber with him today.

Then, certainly, he is an outstanding Churchman, a past chairman of the Board of Stewards of his Methodist Church. He is a tireless civic worker, having served as president of the Kiwanis, president of the Jaycees, and on and on we could go. He is a veteran of the Merchant Marines. He is an outstanding professional man in his chosen field.

Following in the footsteps of his father, who represented Manatee County in 1940 in the House of Representatives, he embarked upon a career in public service—first, being elected by his fellow townspeople as City councilman and then as Vice Mayor of the City of Palmetto. Then the people of his district sent him to the Florida House of Representatives in 1958 and to this Body in 1966.

Those of us who have had the privilege of working with the Senator from the 31st know him to be a truly uncommon legislator—a leader among leaders. As Chairman of the Education Committee of the Senate he came to be recognized and regarded as our expert in this complicated field. It was Wilbur Boyd who directed the course of this sometimes unmanageable assembly through several teacher-education crises, which we faced in this State in recent years.

In another legislative sphere, all of us can be proud of the Senator from the 31st for his tenacious representation of the Senate of Florida in conference committees with members from the Lower Chamber. Many of us—I have certainly seen him sitting across the table from Bob Graham and others—and Senator from the 48th we are glad to have you, you're good too—have seen him time and again and witnessed how the homework, how the effective argument, how those unwavering blue eyes would win for the position of this Senate over and over again, because Wilbur Boyd was fighting for what he believed to be right.

Much more could be said about this distinguished colleague of ours. He has been recognized by the press, he has been recognized by us in this Chamber, he has been recognized by the educational community, by civic groups, but perhaps the most important thing that we can say is that Wilbur Boyd is our friend.

And, so, it is a high privilege for me to place in nomination the name of the Senator from the 31st, Wilbur H. Boyd, for the office of President Pro Tempore of the Florida Senate.

Senator de la Parte, upon being recognized for the purpose of further seconding the nomination, by unanimous consent of the Senate, yielded the floor and relinquished the honor to United States Senator-Elect Lawton M. Chiles.

The Presiding Officer recognized Senator Chiles, who seconded the nomination as follows:

Thank you, Mr. President and Senators. I appreciate very much the opportunity to address this Body today. Yesterday, all day long, I kept wanting to come in here and vote. I kept feeling like I had to keep myself from answering on the roll call today. I felt I should be able to vote and I certainly am going to miss being here.

It is my distinct pleasure to have the opportunity today to say a couple of words on behalf of the Senator from the 31st in seconding his nomination.

Lincoln once said: "The Lord must love the common man because he made so many of them." I think that perhaps that is true, but I think the Lord also loved the uncommon man. He didn't make too many of them, but they always leave their mark. In speaking of the Senator from the 31st—he is truly an uncommon man. Truly an uncommon man that I have had the pleasure to associate with since I came to the Legislature in 1958 and all through his career. I think he stands forth to me always as being the uncommon man.

He is such a keen competitor. If you try to do anything with him competitively, there is no way that he knows how to lose. I have seen him try. You go out to shoot birds with him, maybe, and he starts feeling sorry for you because you are missing. And you could almost see him resolve to himself that he is going to let you shoot a bird the next time they get up. There is no way he can do it. No matter what happens, when they get up he has to kill that bird in front of you. As hard as he will try, there is no way that he can do it. And the same thing is true, whether it is a ping pong game, whether it is a baseball game, or whether it is anything. There is that keen competition, that competitiveness, that desire to be first, that desire to win, that touch of the uncommon man. I can remember—I see so many of the faces in here—when we had a program drafted by the Executive that went through this Legislature with a three-fourths vote, having to do with some roads and highways in the state. And I can remember that at the time it appeared that that was destined to pass—that it was going to pass—that there was going to be little opposition to it, there was one man who kept talking about it. He talked about it to the point that he was obnoxious to his friends, obnoxious to his family. He couldn't sleep at night, he couldn't eat. We went out fishing on a weekend—several of us are here today who were there—and it got so bad we couldn't fish, we couldn't eat. We finally told him that we were going to lock him in a room if we couldn't have just a few moments' peace from hearing him talk about how bad that program was.

But he wouldn't stop, and he finally got enough of the Senators and enough of the House members cranked up on that program that we stumped around the state. I remember one time I was out making speeches and I couldn't find out where he was. He was in North Carolina playing golf, but he had gotten me out fighting the road bond program before he left to play golf. Now, that is truly the mark again of the uncommon man.

I think to have the pleasure of serving with a man like that, to have the pleasure of association with him at anytime is something that has to rub off on all of us.

When they talk about those blue eyes on you, when you see him lock on anything, you can just get ready because there is very little that is going to move him. But I think in this day and age where there is so much accommodation, where there is so much capitulation, where there are so many times that you can say: "Well, it will be all right. It's the simplest thing to do", it is so good to have one person that doesn't, one person that's locked, one person that stands for principle, that stands on a belief in himself. Somehow if we all listened to that secret voice, we could all be leaders, we could all do the things that we think about and aspire to, but most of the time we fail to even heed and go to the Nth degree with the secret voice in ourselves.

With the example of the uncommon man from the 31st, which has stood very great with me, it is my great privilege to have this opportunity to second his nomination as President Pro Tempore.

Senator Saunders further seconded the nomination.

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

Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Thomas
Bishop	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Ware
Brantley	Henderson	Ott	Weber
Broxson	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Daniel	Johnson (29th)	Poston	Wilson
Deeb	Johnson (34th)	Reuter	

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

On motion by Senator Fincher that a Committee be appointed to escort the newly elected President Pro Tempore to the Bar of the Senate, and to the rostrum, the Presiding Officer appointed Senators Barron, Gong and Horne. The newly elected President Pro Tempore was escorted to the Bar of the Senate, where the Honorable E. Harris Drew, Justice of the Supreme Court of Florida, administered to him 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. Wilbur H. Boyd, wife of the newly elected President Pro Tempore, to the rostrum, the Presiding Officer appointed Senators Gong, Graham and Williams. Mrs. Boyd was escorted to the rostrum where she was received by the Presiding Officer and seated beside the newly elected President Pro Tempore.

The Presiding Officer recognized the daughters of the newly elected President Pro Tempore, Daphne, Brenda and Valerie, and presented the newly elected President Pro Tempore to the Senate with the following remarks:

It's my pleasure indeed on this occasion to present to you for a few remarks a man that we all know and love, a man who impressed me the very first time that he came to the Florida Legislature. I observed him as he operated in the House and when we had reapportionment in the State of Florida and he came to the Senate, I remembered the talents and the great ability that he had exhibited in the House and I appointed him to one of the most difficult tasks that I think any chairman has ever found himself in in the history of this legislature. That was as Chairman of the Education Committee of the Senate, during a very severe educational crisis, and it was during that time and under his leadership that I think the State of Florida made the greatest progress that has ever been made in the field of education, not only in the history of this State, but perhaps in the history of any other state. And, so, Wilbur, I say to you that it is a real pleasure, a great privilege, and a great honor for me to present you to this very fine Body that already appreciates and respects your talents, for whatever remarks you might care to make on this occasion.

Senator Boyd, President Pro Tempore, then addressed the Senate as follows:

Thank you, Mr. Chairman, Senators, Ladies and Gentlemen. You have given to me, Senators, this very great honor for which I will always be grateful. You know, I love this Body, and the House, too. I served in it for eight years before coming down to this end of the Chamber, and there is something about, I think, under the fire and the service between members of the Legislature here that through the

years just draws us so very close. I think I can truthfully say that probably the greatest thing in my life has been the friends that I have made in serving the Florida Legislature, in both the House and the Florida Senate. I feel real good today about Florida's government when I look ahead, look to the future. I see in this chamber our Governor-Elect, sitting in the back; our next United States Senator, and our new President, another young man who will be installed, inaugurated here in a few minutes. It really looks like exciting days for Florida. The relationship I know is going to be very good between the Executive and the Legislature, and what a great opportunity for all of us to do a great job for the people of Florida. So, in closing let me say this that I do appreciate so much this honor that you've given me today and I'll make every effort to do the kind of job that you'll be proud of. Thank you so very much.

The Presiding Officer: At this time it is my pleasure to recognize the Senator from the 26th for the purpose of nominating a person to serve in the next Session of the Legislature and the forthcoming two years as President of the Senate of the State of Florida. The Chair will recognize the Senator from the 26th.

Senator de la Parte: Mr. President, Justice Drew, distinguished guests, guests in the balcony, lovely wives, fellow Senators:

It is truly written in the greatest of all books: "To everything there is a season, and a time to every purpose under heaven". To many of us this happy occasion has provided a season for reflection upon the years recently passed in this Body and with our colleagues down the hall, struggling painfully to preserve the last vestiges of the powers constitutionally provided to a Legislature. The reflection upon the agonies of reapportionment, the complexities of constitutional revision, the hurdles of governmental reorganization, these milestones of the past are properly the subject for prideful reflection, for these labors were not in vain. We have reestablished the role of the Legislature and made great progress in redressing the imbalance between the Legislative and the Executive Branches of government, and we are now mightily striving to be a vibrant force representing the peoples of this great State. Now, while it is satisfying to contemplate the legislative glories of the sixties, it is important and more stirring to look to the challenges and opportunities of the seventies. As we do this we must certainly know that unless we move this decade with strong leadership, all of our past accomplishments will be forfeited. That we have recognized the need to move forward is evidenced by the character of the man we have chosen to lead us through the next two years. It is not necessary, really, to catalog his many accomplishments, all of which have brought him to this place of honor today, for all of these accomplishments are well known to all of us. Suffice it to say that whenever he has turned his hand to a task he has brought vigor and he has wrought success. He has been repeatedly recognized by his colleagues, the press, by his constituents, for his legislative accomplishments. As a father, husband, citizen, businessman, he serves as a model for his community. To these pursuits he has brought the same energy, strength, the human understanding which he devoted faithfully, as we know personally, to his legislative duties. At twenty-five, the youngest Securities Commission Administrator in our land, who while in this office never had a decision denied or reversed. At the age of thirty, a member of two national stock exchanges and today the youngest board chairman of

eight commercial banks, the resources of which exceed one hundred and fifty million dollars. These are not the accomplishments of a man who was born to a position of riches and influence, but the accomplishments of a boy who arose at four-thirty in the morning to deliver newspapers, a young man who worked his way through college. I tell you these things not to extol the virtues of the man who accomplished them, rather to extol the virtue of this Body which has had the wisdom to select him as its leader. So, it is now time to formally place the one we have chosen for the highest honor which this Body can offer. We have chosen wisely a man of strength, for only the strong can lead, a man of fortitude for only the courageous can lead in the right direction when other paths are easier, a man of dignity, for only with decorum can the serious business of this Body be properly conducted, a man of proven ability for only the able can cope with the increasingly complex problems of our world. In brief, we have selected a man suitable unto a season, unto a time and unto the task. It is my great personal privilege to place in nomination for the office of President of this great Body, my colleague and my friend, the distinguished Senator from the 35th, the Honorable Jerry Thomas.

The Presiding Officer: For what purpose does the Senator from the 44th rise?

Senator Hollahan: To second the nomination, Mr. Chairman.

The Presiding Officer: The Senator is recognized.

Senator Hollahan: Mr. Chairman, fellow colleagues, their lovely wives and families, and distinguished guests:

I first became acquainted with our nominee's consummate ability in the House of Representatives, where I served with him for a number of years. When I first discovered that only he and the late Honorable Bernie Papy could read the Wall Street Journal, I followed that ability as we traversed the long corridor down to the Senate, where on one particular Senate day, I saw the Senate calendar so adroitly maneuvered that the equal pay for equal work bill arrived for debate the same time that the Business and Professional Womens' Clubs of Florida occupied the Senate gallery. Then to consummate all of this, our nominee, of course, introduced the now famous elimination of pay-toilets bill, showing that he was really for the little people. But, really, and most seriously, Ladies and Gentlemen, we have a man here who has attained an outstanding personal success and has been recognized all over the country for that individual success. With many businessmen that would have been a selfish effort, and there wouldn't have been time to give his wonderful ability to the government of the State of Florida in serving in the Legislature. This man instead has chosen to come here for a period of nearly twelve years and help lead this great state and this Legislature into the position of excellence that I think it obtains all over these great fifty states. So, we are just fortunate to have this man, to have his ability, to have his wonderful family and all of his great background to lead us further in the next two years, and I hope far beyond that. It's with great personal pride and pleasure that I second the nomination of the Senator from the 35th to serve as President of this Body through 1971-72.

The Presiding Officer: For what purpose does the Senator from the 5th rise?

Senator Horne: Mr. President, to further second the nomination of the next President of the Senate of Florida.

The Presiding Officer: The Senator is recognized.

Senator Horne: Mr. President and distinguished colleagues of the Senate, custom would dictate from my posture that I simply move that the nominations close. The history of this man, however, compels one other brief moment because he is not new to the Capital of Florida nor the legislative scene—a few words in amplification of the great introduction and movement of Senator de la Parte. When our President came to Tallahassee in pursuit of his education and in furtherance of an ambition then to achieve for himself a high degree of distinction, he moved in this community in the business climate and he worked with the House of Representatives in a typing pool. My wife was then his boss and is here today to watch him become President of the Senate. He worked hard learning as much as he could about government and the mistakes that we make, and he vowed that if he could do anything in the world about government, he'd be sure that he reflected upon its own image first and emulate that. He went to the Securities Commission, as Senator de la Parte said, as the youngest in the history of Florida and in this nation, and there set about to achieve an image for the securities movement in Florida that would be emulated around the state. That creature that he established there, not easily, is the model throughout the country now. There aren't but three or four states that have achieved that type of distinction and all of those are modeled after the fashion that our next President created. He now moves to the organization of this Senate, and those of you who've watched a number of sessions develop, I know, share with me a great pride and enthusiasm as we go about the business of completing the task of making our internal workings so strong and so respectful that Florida will continue to be a pattern for the whole country. With that, I proudly further second the nomination, and Mr. President, move that the nominations close and a unanimous ballot be cast for the Honorable Jerry Thomas.

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

Arnold	Deeb	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Saylor
Beaufort	Fincher	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brannen	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

Senator Thomas was unanimously elected President of the Senate.

On motion by Senator Bishop that a Committee be appointed to escort the newly elected President to the Bar of the Senate, and to the rostrum, the Presiding Officer appointed Senators Daniel, Broxson and Weissenborn. The newly elected President was escorted to the Bar of the Senate, where the Honorable E. Harris Drew, Justice of the Supreme Court of Florida, administered to him the oath of office; and to the rostrum where he was seated.

On motion by Senator Lane that a Committee be appointed to escort Mrs. Jerry Thomas, wife of the newly elected President to the rostrum, the Presiding Officer appointed

Senators Lewis (33rd), Saunders and Knopke. Mrs. Thomas was escorted to the rostrum where she was received by the Presiding Officer and seated beside the newly elected President.

On motion by Senator Johnson (29th) that a Committee be appointed to escort Mrs. Irene Thomas, mother of the newly elected President, to the rostrum, the Presiding Officer appointed Senators Johnson (34th), Williams and Poston. Mrs. Thomas was escorted to the rostrum where she was seated.

The Presiding Officer recognized the following members of the family of the newly elected President, daughters Robbie and Cindy, sons Larry, Kenny and Jerry; Mrs. Jane Thompson, sister; Colonel Dan Thompson, brother-in-law; Jack Thomas, brother; Mrs. Kathryn Thomas, sister-in-law; nieces Sue, Toi and Betsy Thomas; Jan and Gay Thompson.

The Presiding Officer called on the President Pro Tempore to present the newly elected and sworn President to the Senate.

The President Pro Tempore presented the newly elected and sworn President of the Senate to the Body.

The President addressed the Senate as follows:

I wish to extend warmest thanks to my distinguished colleagues who were so generous in their remarks in placing my name in nomination and to each of you in the Senate for your confidence in electing me as your President.

I am humbly grateful in the knowledge that the good people of my Senatorial District from all walks of life have been kind enough to allow me to represent them in their Legislature for slightly more than a decade. Many of those good friends honor me by their presence here today.

Those of you here today are witnessing a new era in Florida government. The Florida Legislature has initiated many meaningful legislative reforms. It has modernized our constitution. It has brought about massive reorganization of Florida government which many critics said was impossible.

From this day forward the legislative branch of your State's government will render an even more viable exercise of public service than in the past. Your Legislature is no longer content to react. Its desire for public service has become insatiable. It is destined to lead.

It intends to exert its potential for greatness by serving its state in establishing Florida, our country's 9th largest state, as the number one state in legislative leadership.

For the first time, the Florida Senate will maintain a closer liaison with its constituency than the executive branch of the government. At the conclusion of today's deliberations the entire membership of the Senate will go to Jacksonville for the first of a series of meetings throughout the State. From its historical sanctuary in the Capitol, it will physically go to all of the people of Florida—the young, the old, the successful, the destitute.

We have enjoyed government of the people, by the people, and for the people. From this historical threshold there shall now be government "to the people". We cannot bring Main Street of Florida to the Senate, so we are taking the Senate to Main Street.

When the Senate convenes in regular session in April, it shall have held public hearings in geographical areas throughout the State comprising approximately 90% of our State's population.

These meetings will be held in public buildings, on school and college campuses, in state institutions. Your Senate membership will have seen first hand problems of the young, the old, the migrant worker, the farmer, the urbanite, and the business man. We shall no longer be content to have such information coldly fed to us statistically here in Tallahassee.

At the conclusion of these meetings there should be no communication barrier, no credibility gap. The Senate belongs to the people, so what better way to determine their needs than to go among them for their advice and counsel.

Such a program has never before been tried in any state, but with your help it will be a noble and successful experience.

The accomplishments of the Florida Legislature have been recognized as the most progressive in the United States, but this only whets our appetite as a taste of greatness. The accomplishments and, yes, the traditions of the past are credit worthy. But we are not here to revel in past attainments. Our challenge is today—not yesterday.

That is not to say that we should not be unmindful of the past, for we live today by the results of the past. We learn from the past, and we move forward from the accomplishments and the errors of the past.

Hopefully, by taking the Senate to the people we will effectively bridge prior apathies and become creative by developing a dialogue with all citizens that will serve to initiate a meaningful renaissance in state government.

If ever government is to be returned to the people, it must be initiated by the various states. We seemingly have lost forever the ability to communicate with a federal government that has lost itself in a maze of red tape. If united, the states can collectively bring about reform in the federal government.

This can only be done by effective political leadership at the state level. Unfortunately, for too many years the states have failed miserably in providing such leadership. Collectively, they have acquiesced to a usurpation of state responsibilities until every major reform that should have been the charge of the states has transcended to a federal power.

The primary genesis for this usurpation was in 1913 when an amendment to the Constitution of the United States took from the state legislatures the right of electing members of the United States Senate. From then on, the influence of state government in Washington continued to be diluted. If the states do not take a positive stand there will soon be nothing but a federalized government. Yes, there will be a semblance of state government but it will be a paper Republic. Florida must provide leadership that has the courage to come to grips with critical problems, to articulate these problems to its citizenry and to develop strategies for bringing about worthwhile programs, services, and reforms, and thereby a return to strong state government.

One of our first goals is the field of federal revenue sharing in the form of direct refunds from federal taxes sent to Washington from the various states.

We are no longer content to receive block grants back from Washington with a web of bureaucratic strings entangled.

If necessary, the states are prepared to initiate a constitutional amendment to accomplish their goal.

JUDICIAL REFORM

We have adopted the essence of a new constitution but only as it affects the legislative and executive branches of government. We must and shall complete our obligation of presenting to the people an upgraded and realistic modernization of our constitutional treatment of the judicial branch.

TAX REFORM

Yes, there shall be tax reform, but that does not mean burdening the people with more taxes. In its simplest form, it means equity. It means equal treatment. It means paying a fair share. It means no free rides at the expense of others.

BALANCED ECONOMY

We must never lose sight of the fact that the economy of Florida is delicately balanced on an economic tripod consisting of agriculture, tourism and industry.

Agriculture has long been our number one industry, and it needs help and understanding. In a world whose population is multiplying twice the speed of its agricultural productivity, Florida's role as the breadbasket of winter gardening becomes increasingly critical.

We must not turn our backs on the plight of the migrant worker. With the continued mechanization of agricultural harvesting, he will become the displaced person. State and federal programs on an interstate basis must be implemented.

CONSUMER PROTECTION AND INSURANCE

Consumer protection continues in the forefront. This legislature has proven by its past deeds, its commitment to protecting the public from deceptive practices.

Insurance rates have continued to soar beyond the average man's economic reach. We are already directing our energies towards finding solutions through a select senate committee.

TRANSPORTATION

There is a constant need for modern highways as well as greater safety on our roads. While we attack these problems, we must be ever alert to the need for mass transportation such as inter-city bus services. As government removes from the elderly the privilege of driving because of physical impairments, let us not fail to recognize their continued need for mobility.

CRIME, YOUTH, AND MORALITY

One of the greatest problems on our campuses and throughout our State is the erosion of our national morality. We are in an advanced state of fall and decline.

What could be the future of our youth in a nation which spends more on alcohol than on education? What's the

destiny of youth in a nation that spends about one-third as much for comic books and pornographic material as it does for school construction? Last year Americans read more than 285 million paperback books, mostly murder mysteries, westerns, and sex of all imaginable and some unimaginable varieties. Fifteen million sex magazines are read monthly by 1/3 of the nation. There are three times as many criminals as college students. In Florida, for every two marriages there is a divorce. One million babies are born in illegitimacy each year. There are more than 60 suicides in America every day, one murder every 36 minutes, and one violent crime every 48 seconds, one forcible rape every 14 minutes, one burglary every 16 seconds, and one auto theft every 36 seconds. Nine serious crimes are committed each minute.

Seventeen-year-olds constitute the largest criminal group. 55% of all burglaries, 58% of auto thefts, 53% of all larcenies, and 25% of all arrests for rape are among teenagers. Arrests among persons under 18 have increased 55% since 1952. The annual cost of crime is \$51 billion annually, forty times our annual State budget.

Crimes by addicts seeking funds to buy heroin in the underworld market have turned American cities, streets, and parks into jungles where, even by day, people dare not walk.

The contamination of addiction spreads daily reaching from the slums into middle and upperclass neighborhoods and from thereon to the formerly well-protected world of suburbia.

We face a situation that threatens large areas of our society and particularly our young people of today. Unless addiction is checked it will bring even greater havoc to the generation of tomorrow.

Even our religious groups are losing their battle to maintain morality and teach the proper way of life. In the United States we spent more on pedigreed dogs than we spent on the entire World Mission Program last year. Yes, more for dogs than for the salvation of man. We spent twice as much in this country last year for chewing gum than we spent for the World Mission Program.

We spent more in this country last year on tobacco than both the United States and Canada have spent for mission work since white man first discovered America.

That is why we are taking the Senate to the people. We recognize that we cannot bring happiness and guidance to a million children by merely passing a bill or making a speech. It has to be done child by child.

Truly, the chief casualty of the 20th Century is morality. But it is not too late. The basic tenets of Americanism and morality can and must be instilled in our young people. As always, the mantle of responsibility has fallen where it must—on the shoulders of those who represent positions of public trust, but it falls equally heavily on the parents.

EDUCATION

Among the distinctive features of the second half of the 20th Century is a worldwide commitment to education. The search of educational expectations may well go down as the most important social movement of our time. Both the underdeveloped country and the highly industrialized

modern country sense the power of education to help individuals and societies realize their fundamental aspirations.

Although American society has built an educational system of unmatched dimensions, it is intensifying a drive toward the goal of educating every citizen to the highest level of his ability. More than a fourth of the nation is in school. Expenditures for education exceed \$30 billion a year, a sum greater than the income of the nation's agriculture, mining, construction, communications, and public utilities industries. 70% of every dollar budgeted by this Legislature goes to education.

The rising expectations for American education penetrate every corner of the system. There is ferment for improvement in the schools.

Young brain power is the state's most valuable asset. The total wealth of a state can no longer be measured in terms of natural resources. Money wisely spent in developing the state's young brain power is an investment which will return the state dividends many fold.

PUBLIC SCHOOLS

The theoretical cost of re-teaching the more than 57 thousand pupils who were not promoted in 1968-69 is estimated at \$37 million. If some acceptable remedial action could be taken to cut in half the failure rate in the first grade alone, a theoretical saving of \$3.7 million could result. This savings, while it could not be realized immediately, would be equal to enough to pay some 400 additional teachers or to construct and equip almost 100 new classrooms. While we talk about savings of the taxpayers' dollars the real tragedy is for that child who failed to pass his grade, who was pushed into educational circumstances with which he cannot compete.

VOCATIONAL-TECHNICAL EDUCATION

There must be greater commitments to vocational-technical programs. Two hundred years ago Ben Franklin told his fellow Americans that a man who has a trade has an estate. This is even more true today. A man without a skill hardly has a chance.

At the very time that many youth and adults are looking for work, there is a great demand in the State for trained people. There is a critical shortage of qualified secretaries and stenographers. Approximately 10,000 more will be needed each year for the next five years. There will also be openings annually through 1975 for over 4,000 registered and licensed practical nurses, 4,000 waiters and waitresses, 2,100 automobile mechanics, to name but a few.

HIGHER EDUCATION

Higher education deserves as much of our attention as public schools. We must be on guard to the prospects of over mechanization and pseudo intellectualism of all our educational processes to the detriment of the student.

During a period in the late fifties, we constructed more institutions of higher learning than all of the other states in the nation combined. However, the Legislature will no longer be content to simply accept requests for more money without the satisfaction and knowledge that there is an optimum return for every dollar invested. We intend to probe, to help, to correct. Rather than simply reacting to

the call for more funding, we intend to examine the effectiveness of the system as we know it today. There will be accountability.

More than 2,000 years ago Aristotle wrote, "All who have meditated on the art of governing mankind have been convinced that the fate of empires depends on the education of youth."

The truth of these words rings louder today than ever before. For, if education guided the destiny of ancient empires with their relatively simple and uncomplicated cultures, it has become a matter of life and death for states and nations in the space age.

REHABILITATION, WELFARE, CORRECTIONAL INSTITUTIONS AND MENTAL HEALTH

Perhaps the greatest waste in America today is the loss of our human resources. Year after year thousands of people fall from society into prisons, mental hospitals and onto welfare rolls.

Not only are these people lost to the producing potential of the nation, but they become an economic burden on the producing sector.

The answer to this problem is rehabilitation for those who can be returned to society and a decent level of care for those who are genuinely unable to help themselves.

Our program for the '70's must provide that every able-bodied person who can be helped back into the economy, who can be helped to become a proud and self-sustaining taxpaying worker must be helped. The children born into poverty must be lifted into the society, so the cycle of welfare children growing up to become welfare mothers is stopped forever.

We must continue our ongoing prison reform. In the last few years our prison education program has become one of the better programs in the nation. Our newly initiated work-release program has already turned a growing cadre of inmates from tax eaters into taxpayers. These selected inmates have earned over a million dollars, have lifted the burden for their care from the taxpayers, have started supporting their families while still in prison, and have finally begun paying taxes.

Our objective for the '70's is that every man released from prison has a job for which he is trained and the desire never to come back.

There are many such areas of human potential in Florida. Vocational rehabilitation has shown us that for every tax dollar invested in training the handicapped, the state gains \$10 in taxes alone which that rehabilitated worker pays.

The same is true in mental health and drug rehabilitation. This Senate originated one of the most advanced drug rehabilitation plans in the nation last session. That program must be strengthened to meet the rising tide of drug abuse in this State.

We can be proud of our community mental health act. We are committed to continuing to support its growing success in returning the mentally ill to society.

CONSERVATION

The 1970 Senate made great strides in the area of conservation in passing 41 conservation measures. But there

is much more to be done if we are to preserve any semblance of our tropical paradise. We are indeed involved in World War III. Our commitment must be as dedicated as in any prior world war. Unlike other wars, there are no exemptions, no draft deferments, no 4-f's, no neutral nations, none too young, none too old. It involves not only man but every creature on earth. It does not require the taking up or the using of weapons of death. It does require sacrifice; it does require money. Like any war it can only be won by a series of successful battles. We intend to wage those battles here in Florida and provide the leadership for the nation. We realize that as the 9th largest state our anti-pollution accomplishments will have an effect on the nation and the world over. This is more understandable when you realize that the United States, with only 5.7% of the world's population, consumes 40% of the world's natural resources and produces almost 50% of the world's industrial pollution annually.

Accountability will be the watchword of the Florida Senate, for we intend to see that all echelons of government properly account to the people.

The Senate, operating on only a fraction of one per cent of the annual budget of \$2.4 billion it approves, must become the fiscal guardian for Florida. Fiscal responsibility must be our guideline.

These are the goals. These are the commitments. The Florida Senate accepts the challenges of the '70's. We intend to hold hands firmly with the people of Florida and accomplish these goals, for together we can preserve our State and our Republic for future generations.

Benediction by Dr. Jesse Moody, Pastor of the First Baptist Church of West Palm Beach and President of Palm Beach Atlantic College:

Our Father, many times we have prayed God bless America. We look at our nation. We realize ninety per cent of all the engineers that have ever lived are alive now. Seventy per cent of them live in this nation. Ninety per cent of the great architects of free thought who have ever lived are living now. Seventy per cent of them live in this nation.

Dear Father, our prayer has been answered. You blessed America. Now it is time that America bless God.

Dear Father, we know that government is just the way of getting things done. Good men get things done more effectively than evil men. From personal knowledge, Father, we know Senator Thomas is a good man. So help him along with these other good men and women to get something done. Amen.

The Presiding Officer then presented the Senate gavel to the President of the Senate, and resumed his seat as the Senator of the 12th Senatorial District.

On motion by Senator Arnold that a Committee be appointed to notify the House of Representatives that the Senate was convened, the President appointed Senators Arnold, Ware and Lewis (43rd).

A Committee from the House of Representatives, composed of Representatives Conway, Caldwell and Reeves, 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 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, Calendar, Privileged Business and Ethics:

Senator Hollahan, Chairman; Senator Horne, Vice Chairman, Senators Pope, Barron, Haverfield, Boyd, de la Parte, Knopke, Poston, Broxson, Wilson, Gunter, Henderson, Lane, Daniel and Karl.

On motion by Senator Hollahan, the Senate stood in recess at 11:20 a.m. The Senate was called to order by the President at 11:33 a.m. A quorum present.

Senator Hollahan moved that the rules which were distributed to each member and discussed at the orientation session on Monday, November 16, 1970, be adopted to govern the Senate.

Senator Horne offered the following amendment which was adopted:

In Rule 2.22, line 15, page 31, after the word "appeal," insert: The perfection of an appeal or the certification of a question pursuant to this rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

Senator Horne offered the following amendment which was adopted:

In Rule 6.5, line 1, page 64, after the words "When a question" insert: , including a question relating to the vote on a veto message,

On motion by Senator Hollahan, the Rules as amended were adopted. The vote was: Yeas—40 Nays—None

Mr. President	Deeb	Horne	Pope
Beaufort	de la Parte	Johnson (29th)	Poston
Bell	Ducker	Johnson (34th)	Reuter
Bishop	Fincher	Karl	Saunders
Boyd	Gong	Knopke	Scarborough
Brannen	Graham	Lane	Stolzenburg
Brantley	Gunter	Lewis (33rd)	Trask
Broxson	Haverfield	McClain	Weber
Childers	Henderson	Ott	Weissenborn
Daniel	Hollahan	Plante	Wilson

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 by caucus 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. He may recess the Senate for periods of time not to exceed thirty (30) minutes.

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

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

Calling the Senate to order

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

same to be cleared. Unless otherwise authorized by the President, no food or newspapers shall be permitted in the Senate chamber while the Senate is in session.

1.4—The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena or authorization for payment or other papers shall issue without the signature of the President. 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 Committee on Rules, Calendar, Privileged Business and Ethics 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 legislative proceedings. In all yeas and nays 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.

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 Senate 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 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.

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.

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.

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

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.

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

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

Secretary's duties at organization

Appointment of committees

Vacating chair

President Pro Tempore

Secretary of the Senate

Duties generally: Keeps Journal

Prepares daily calendar

Reads papers, calls roll

Attests warrants and subpoenas; Certifies passage

Prepares printed forms

Responsibility for legal form of bills, etc.

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. 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 for just cause 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 for just cause 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. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

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 Rules, Calendar, Privileged Business and Ethics Committee.

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 be referred to the Rules, Calendar, Privileged Business and Ethics Committee of the Senate. 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. Any Senator's spouse or immediate relatives may serve in any authorized position, provided, however, that said spouse or relative shall not receive compensation for services performed in said positions.

Dismissal of
employees

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.

Employees
forbidden to
lobby

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.

Hours of
employment and
duties of
employees

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.

Penalty for ab-
sence of em-
ployees without
permission

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

Senate employees'
political activity

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

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.

Legislative
conduct

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

Improper
influence

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.

Conflicting
employment

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.

Undue
influence

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 and such disclosure shall be reported in the Journal immediately following the vote on the measure.

Disclosure

1.36—Upon disclosure, a member may disqualify himself from voting on a measure in which he has a conflict of interest and such shall be reported in the Journal immediately following the vote on the measure.

Disqualification

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

Senate
employees

1.38—All questions relating to the interpretation and enforcement of these Rules touching upon legislative conduct and ethics shall be referred to the Rules, Calendar, Privileged Business and Ethics Committee or shall emanate therefrom. A member of the Senate may submit a factual situation to the Rules, Calendar, Privileged Business and Ethics Committee 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.

Advisory
opinions

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, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, upon recommendation of the Rules, Calendar, Privileged Business and Ethics Committee. The Committee, before making

Penalties for
violations

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, OFFICERS, MEMBERS,
VOTING, MOTIONS, DECORUM AND DEBATE

PART ONE—COMMITTEES

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. At the organizational session preceding the regular session of each odd numbered year, the President shall appoint the membership of the following named standing committees and standing subcommittees provided that each standing committee shall consist of not less than five (5) nor more than twenty-one (21) members.

Standing
committees,
standing
subcommittees

AGRICULTURE

COMMERCE

Subcommittee on Consumer Protection

GOVERNMENTAL EFFICIENCY

HEALTH, WELFARE AND INSTITUTIONS

JUDICIARY—CIVIL A

JUDICIARY—CIVIL B

JUDICIARY—CRIMINAL

NATURAL RESOURCES AND CONSERVATION

PERSONNEL, RETIREMENT AND CLAIMS

PUBLIC SCHOOLS

Subcommittee on K-Elementary Education

REAPPORTIONMENT AND REDISTRICTING

RULES, CALENDAR, PRIVILEGED BUSINESS
AND ETHICS

Subcommittee on Privileged Business

TRANSPORTATION

UNIVERSITIES AND COMMUNITY COLLEGES

VOCATIONAL-TECHNICAL EDUCATION

WAYS AND MEANS

Subcommittee on Appropriations A

Subcommittee on Appropriations B

Subcommittee on Finance and Taxation

Notwithstanding anything in these Rules to the contrary, the President may appoint the Chairman and Vice Chairman and the membership of the Committee on Reapportionment and Redistricting at a time other than the Organizational session.

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 President of the Senate, the Secretary of the Senate and the Director of the Legislative Service Bureau.

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—A committee shall be authorized the services of such personnel as may be necessary to carry out its duties and functions, subject to such guidelines and criteria

Staffing of committees

as may be prescribed by the Rules, Calendar, Privileged Business and Ethics Committee and subject also to the pay and classification code of the Senate.

2.5—Notice of meetings of standing committees or standing subcommittees shall be published in the daily calendar. No committee 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, which shall include the date, time and place of the meeting together with the name of the introducer and number of each bill to be considered.

Notice of Meetings

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.

2.6—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 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.

Bills recommitted

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 2.5), 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.

Hearing publication requirements

2.8—Each standing committee and standing subcommittee shall consider, as expeditiously as is reasonably possible and proper, the public business assigned to 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.

Committee meetings

The Rules, Calendar, Privileged Business and Ethics Committee shall provide a schedule of days, hours, and places for the meeting of committees for the regular sessions and during the interim, and deliver a

copy of same to each Senator; provided however, that such scheduling shall not limit the powers of the chairman of a standing committee or subcommittee as provided in these Rules.

2.9—Each committee shall regularly meet in the room assigned for its use by the Rules, Calendar, Privileged Business and Ethics Committee, and notice of such assignment shall be posted by the Sergeant at Arms on a bulletin board provided for this purpose in the public corridor leading into the Senate Chamber. The committee chairman may arrange with the Rules, Calendar, Privileged Business and Ethics Committee and the Sergeant at Arms for evening or other special meetings. No committee except the Rules, Calendar, Privileged Business and Ethics Committee shall meet while the Senate is in session without consent of the Senate.

2.10—The introducer of a bill shall attend the meeting of a standing subcommittee (or standing committee if the bill being considered received no subcommittee reference) before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his aide or committee staff member, or any other representative possessed of written permission to speak for the bill in his behalf. Bills shall be considered when reached on the Committee agenda notwithstanding the absence of the sponsor or anyone authorized by these Rules to appear on his behalf.

2.11—All committee meetings shall be open to the public subject always to the powers 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 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 represented (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 recommended 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. 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. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. 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 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]. Although a committee substitute may treat the substance of several bills pending before the committee, the committee report shall address itself to only one of such bills in reporting a committee substitute.

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. Com-

mittee 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. 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.

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 report; but upon motion by any member of the committee, adopted by a two-thirds (2/3) vote of the committee members present the same may be taken from the table. When a bill, joint resolution or memorial is thus removed from the table by a standing committee it shall receive a hearing de novo and witnesses shall be permitted to testify.

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—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 bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the Constitution receive no further reference to Committee. 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—Upon receipt from the Secretary of each prefiled bill, the Chairman of a committee shall either refer to a subcommittee, refer to a select committee as otherwise provided in these Rules or

Quorum of
Committee

Committee of
Whole

Prefiled
bills

agenda for a meeting of the standing committee. In either event, the Chairman shall concurrently notify the Secretary of the Senate of his action upon forms provided for such report. The chairman of the subcommittee, select committee, or of the standing committee thus possessing jurisdiction of a prefiled bill shall determine the time and place for the hearing during which such bill is to be considered and notify the Secretary of the Senate as required by these Rules.

Committees having jurisdiction of prefiled bills shall expedite the business of such committee and shall file reports as soon as practicable after each hearing, except that the Ways and Means Committee shall not be required to file such a report of any prefiled bill defined by these Rules.

A prefiled bill introduced solely by a Senator who will not be a Senator at the next ensuing regular session of the Legislature shall be reported unfavorably without notice or hearing. A copy of each such bill shall be mailed to each Committee member for the purpose of determining possible sponsorship. Such an automatic report shall not preclude the introduction of another bill of identical substance.

2.18—Bills shall be considered in the order appearing in the notice required by these Rules, except that the Chairman may, in his sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the prime introducer thereof.

A bill or joint resolution may otherwise be considered out of its order on the committee calendar upon unanimous consent obtained in the following manner: The Senator moving for such unanimous consent shall have, prior to the entertainment of such motion, orally given the committee 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. 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.

PART TWO—COMMITTEE OFFICERS

2.19—A Chairman and a Vice Chairman of each standing committee shall be appointed by the President at the organizational session preceding the regular session held each odd numbered year and shall continue in office at the pleasure of the President. The President shall also appoint a chairman for each standing subcommittee authorized by these Rules, and may designate a vice chairman, both of whom shall continue in office at the pleasure of the President.

2.20—The Chairman or in his absence, the Vice Chairman shall call the committee to order at the hour provided, by these Rules. Upon the appearance of a quorum, the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum.

2.21—The Chairman or Vice Chairman shall preserve order and decorum and shall have general control of the committee room. In case of a disturbance or disorderly conduct in the committee room, he may cause the same to be cleared.

2.22—The Chairman shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. He shall decide all questions of order, subject to an appeal by any Senator, which appeal shall be certified by the Chairman to the Senate for a decision by the President during the daily session of the Senate next following such certification which ruling shall be entered in the Journal and shall constitute binding precedent upon all committees of the Senate. A ruling by the President on any question certified shall be subject to appeal as any other question. The Chairman may, or upon the vote of a majority of the Committee, shall certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.23—The Chairman and Vice Chairman shall vote on all matters before such committee provided that the name of the Chairman shall be called last.

2.24—The Chairman may name any member of the committee to perform the duties of the chair provided that such substitution shall not extend beyond such meeting. In his absence and omission to make such appointment, the vice chairman shall act during his absence.

2.25—Upon the death of the Chairman, the Vice Chairman shall perform the duties of the office until and unless the President shall appoint a successor. Upon and during disability, absence, or incapacity of the Chairman beyond one (1) legislative day, the Vice Chairman shall perform his duties.

2.26—Each Chairman shall be entitled to such facilities and expenses as may be necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the Rules, Calendar, Privileged Business and Ethics Committee.

PART THREE—COMMITTEE MEMBERS

2.27—Every member of a committee shall be in attendance during each of its meetings, unless excused or necessarily prevented and shall vote on each question, except that no member of a committee shall be required or permitted to vote on any questions immediately concerning his private rights as distinct from the public interest.

The Chairman control of the committee room

Chairman's authority to sign notices, etc., and decide questions of order

Vote of Chairman, Vice Chairman

Temporary appointment of alternate to Chairman

Performance of duties by Vice Chairman

Chairman's expenses and facilities

Order of business

Appointment of Chairman and Vice Chairman

Calling the committee to order

Members, attendance, voting, proxy

No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes upon the disposition of any bill or other matter considered by the committee.

The Chairman may excuse any Senator for just cause from attendance on the meetings of his committee for any stated period, and such excused absence shall be noted on the records of such committee.

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 shall constitute automatic withdrawal from the committee. Upon notification by the Chairman of the committee the President shall make appointments to such vacancies.

PART FOUR—VOTING

2.28—The Chairman shall declare all votes and shall cause same to be entered on the records of the committee, but if any Senator rises to question a vote, then upon a showing of hands by three (3) Senators, the Chairman shall take the sense of the Committee by yeas and nays. In all cases where the Committee shall be equally divided, the question shall be lost.

Prior to the announcement of the result of a roll call, notice shall be taken in the records of the Committee 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 action of the committee until the measure shall first have been recalled to the Committee for further consideration. Upon request of a Senator prior to consideration of other business, the Chairman shall order a verification of a vote.

2.29—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 Committee for the remainder of the session, in addition to such punishment as may be prescribed by law.

2.30—No pairing shall be permitted by the Committee.

2.31—No Senator shall be permitted to defer or explain his vote during a roll call but may reduce his explanation to writing; and upon filing with the Chairman, this explanation shall be spread upon the

Pairing prohibited

Explanation of vote

Journal

PART FIVE—MOTIONS AND THEIR PRECEDENCE

2.32—Every motion may be made orally. Upon request of the Chairman, a Senator shall reduce his motion to writing. After a motion has been stated or read by the Chairman, it shall be deemed to be in possession of the Committee without a second, and shall be disposed of by vote of the Committee. 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

2.33—When a question is under debate, the Chairman shall receive no motion except:

1. To rise at a time certain
2. To rise instanter
3. To take a recess
4. To reconsider
5. To limit debate
6. To postpone to a day certain
7. To commit to a select committee
8. To amend

Motions, Precedence

which several motions shall have precedence in the descending order given.

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

2.34—Motions to rise or to recess shall be decided without debate by a majority vote of those present and voting. Only one substitute for a motion to rise shall be entertained. The substitute motion shall fix a different time for rising, 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 preclude any further motion to adjourn until other business shall have intervened.

Motions which can be made but once

2.35—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

2.36—When a question has been decided by a committee any Senator voting with the prevailing side, or when a question has been decided by voice vote, any member, during the meeting at which the vote was taken may move the reconsideration thereof. Such motion may be made pending a motion to rise or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned. If the Committee 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 during the meeting at which the original vote was taken.

Reconsideration generally

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

Reconsideration
vote required

2.38—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
debate, allowed

2.39—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 Committee has passed to other business.

Reconsideration
collateral
matters

PART SIX—AMENDMENTS

2.40—Amendments shall be filed with the Chairman on forms prescribed by the Secretary and supplied by the Sergeant at Arms, but shall be considered only as sponsors who are members of the Committee, gain recognition from the Chairman to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the Chairman and has moved its adoption. Amendments which have been filed with the Chairman, the adoption of which have 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.

Form, manner
of consideration

2.41—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 substitutes. 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. (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.

Sequence of
amendments to
amendments

2.42—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 of
enacting
clause

2.43—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 Chairman 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 in 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

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

Senate amend-
ments to
House bills

PART SEVEN—DECORUM AND DEBATE

2.45—When any Senator desires to speak or deliver any matter to the Committee, he shall respectfully address himself to "Mr. Chairman" and, on being recognized, may address the Committee and shall confine himself to the question under debate, avoiding personality. 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 or such appellation and the surname of the Senator referred to or addressed.

Decorum and
debate

2.46—When two (2) or more Senators speak at once, the Chairman shall name the Senator who is first to be recognized.

Chairman's
power to recog-
nize

2.47—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 Chairman concerning a point of order (if the appeal is made immediately following the decision); a parliamentary inquiry requiring an immediate reply or to question the existence of a quorum. The Chairman shall strictly enforce this rule.

Interruptions;
when allowed

2.48—When a member is speaking and another member interrupts to request recognition, it is the right of the Chairman 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.

Speaking rights

2.49—No Senator shall speak more than once on any one question to the prevention of any other who has not spoken and is desirous to speak nor for any longer period of time than ten (10) minutes without yielding the floor, except by consent of a majority of the Senators present.

Time for
debate

2.50—When a measure is under debate by the Committee, 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 five (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 Chairman.

Limitation
on debate

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

Priority of
business

2.52—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.

Questioning right to vote

2.53—The proper method of taking exception to a ruling of the Chairman is by appeal. An appeal from a decision of the Chairman 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 Chairman. This second decision is also subject to appeal.

Appeals

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

Appeals; debatable

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.

“Bill” stands for all legislation

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:

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 (8) 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 not 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.

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.

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.

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 o'clock noon of the second 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 Rules, Calendar, Privileged Business and Ethics Committee.

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

3.9—A prefiled bill complying with these rules shall be anticipatory to the next regular session and be serially numbered in accordance with the permanent system required by these rules. A bill received by the Secretary within three (3) weeks next preceding the convening of a regular session shall be numbered but otherwise with held from the operation of this rule. Such a bill shall be treated as if it had been delivered for introduction on the first day of the succeeding regular session.

The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these rules.

The Secretary shall promptly forward each referenced bill to the chairman of the first or only committee of reference. A copy of each prefiled bill reflecting the referencing data, shall be mailed to each Senator. The Secretary shall regularly mail to each Senator a calendar of all committee hearings, including the bills noticed for hearing by each.

Each bill, having been considered by a committee the report of which has been received by the Secretary at least seven (7) days preceding a regular session, shall be introduced and read on the first (1st) day thereof pursuant to the Constitution, Laws of Florida, and these rules. The Reading Clerk shall recite the committee reference and the Journal shall reflect the report of the Committee. All requirements for the referencing of bills to and the consideration of bills by Senate Committees shall be deemed to have been met and

discharged, if the jurisdictional requirements of this rule have been complied with as to each of such bills.

In the event a committee fails to deliver its report of a prefiled bill within seven (7) days next preceding the convening of a regular session or, in the event a prefiled bill had received a reference to more than one (1) committee and less than all considered such bill, the committee or committees failing to so report and the committee or committees having failed to discharge their jurisdiction of a bill shall conduct hearings and file reports during the regular session as if such bill had not been prefiled.

Notwithstanding these rules, any Senator may, during the day of introduction of prefiled bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second legislative day on which the Senate meets, 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.

3.10—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. The number of copies of each such measure shall be determined each year by the contract for printing. 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.

3.11—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.

3.12—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.

3.13—Bills, joint resolutions, concurrent resolutions, Introduction memorials, or resolutions shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original thereof, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original thereof, provided that the general appropriations bill shall always be introduced by the Committee on Ways and Means.

Rule Four

ORDER OF BUSINESS AND CALENDAR

4.1—The Senate shall meet pursuant to a schedule adopted, from time to time by the Committee on Rules, Calendar, Privileged Business and Ethics and approved by the President, which shall set forth hours of convening and adjournment. This rule notwithstanding the Senate shall meet in session at least once each legislative week during a regular session.

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—Daily order of business.—The daily order of business shall be as follows:

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

At 8:30 a.m. every legislative day, the President shall call the Senate to order for the sole purpose of conducting the order of business of "Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions". During this period, the Chairman of the

Committee on Rules, Calendar, Privileged Business and Ethics or his designate from such Committee and the minority leader or his designate from his party shall attend. A list of the bills, reflecting the number and title of each, and the referencing thereof, shall be delivered to each Senator no later than noon of the day of such referencing. The adoption of this rule shall constitute a waiver of so much of Section 7 of Article III of the Constitution of the State of Florida as pertains to the first reading of a bill.

A vote of two-thirds (2/3) of the Senators present shall be required to establish a Special Order except as provided in Rule 4.15. 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.

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, it shall be read to the Senate and, prior to voting, shall be read a second time on the next day on which the Senate meets. Upon completion of the second reading, the vote first shall be upon the acceptance or rejection thereof as an entirety. During the last five (5) days of a regular session such report shall be read only once, but shall be accompanied by the statement required hereby. 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 on the differences existing between the Senate and the House and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

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

Reference generally

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

General bills and joint resolutions introduced after the thirtieth (30th) day of the regular annual session shall be referenced, but delivery thereof shall be withheld from the committee or committees of reference until adjournment sine die of such session. The bills and joint resolutions affected hereby shall be known as prefiled bills and considered in accordance with these rules. A motion to waive this rule shall be referred to the Committee on Rules, Calendar, Privileged Business and Ethics for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill or joint resolution notwithstanding this rule, which recommendation must be reported back to the Senate not later than the next legislative day.

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

Reference to Ways and Means Committee

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.

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, no later than under the Order of Business of "Motions Relating to Committee Reference" on the next succeeding legislative day on which the Senate meets, 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

Reading of Senate resolutions

resolution then shall be read an additional time in full before the question is put on adoption by voice vote.

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 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, the Committee on Rules, Calendar, Privileged Business and Ethics 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.

Special order calendar

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

Order after second reading

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 on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

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

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.

Rule Five

VOTING

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

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.

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.

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.

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.

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.

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

- Motions:
How made:
Withdrawn
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.

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.

6.5—When a question, including a question relating to the vote on a veto message, 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 on which the Senate meets, 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 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.

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.

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.

6.9—The Secretary shall retain possession of all general bills and joint resolutions for

Reconsideration: the period after passage during which Secretary to reconsideration may be moved, except hold for period 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.

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.

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 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.

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. 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.

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.

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.

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

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.

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

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. 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 or such appellation and the district number of the Senator being addressed, or he may also use such appellation and the surname of the Senator referred to or addressed.

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

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.

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 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.

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 five (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.

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

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.

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.

Questioning
right to
vote

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

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.

Appeals,
debatable

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. The question shall not be recognized during the debate on a bill. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

Questions of
privilege

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,

Those required
to register

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 his name and business address, the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of his agency.

Method of
registration

The Secretary shall publish in the Journal, in tabulation form, a list of those filing the registration statements 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, nor shall he deliver or cause to be delivered any message into the Senate Chamber while the Senate is in session.

9.3—Any person who, on an isolated basis and without intent to continue beyond a single legislative day, merely appears before a committee or committees of the Senate in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other than reasonable and ordinary travel expense, to express support of or opposition to any legislation, and who shall so declare to the Senators or committees with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

Registration
exception

9.4—A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

Obligations of
Lobbyist

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.5—A lobbyist shall submit to the Secretary of the Senate at the end of every second legislative week, commencing with the beginning of the session, a signed and certified statement listing all expenditures incurred, the purpose thereof, and sources from which funds for making such expenditures have come. Lobbying expenditures to be reported shall not include personal expenses for lodging, meals and/or travel. At the end of each calendar quarter, between the first and the tenth day of the ensuing month, each

Periodic
reports
required

lobbyist, as long as his activity continues, shall submit to the Secretary of the Senate like reports covering those periods in which the legislature is not in session. Within thirty days after the adjournment of the legislature, every lobbyist shall file with the Secretary of the Senate a complete and detailed statement, verified under oath by person making the same, of all expenses paid or incurred in connection with his employment as lobbyist. Said statements shall be rendered in the form provided by the Secretary and shall be open to public inspection.

9.6—A lobbyist when in doubt about the applicability and interpretation of this Rule in a particular context may submit in writing a statement of the facts involved to the Committee on Rules, Calendar, Privileged Business and Ethics and may appear in person before said Committee.

The Committee on Rules, Calendar, Privileged Business and Ethics may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case would constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.7—The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules, Calendar, Privileged Business and Ethics as well as a current list of registered lobbyists and their respective reports required under these Rules, all of which shall be open to public inspection.

9.8—Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate, upon recommendation of the Committee on Rules, Calendar, Privileged Business and Ethics. The Committee on Rules, Calendar, Privileged Business and Ethics, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

9.9—The Secretary shall provide blank affidavits for the convenience of registrants but the burden of compliance nevertheless always shall be upon the person required to register.

9.10—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.

Rule Ten

CHAMBER OF THE SENATE

10.1—No person shall be admitted to the main floor of the Senate Chamber while the Sen-

ate 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, the Lieutenant Governor, 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 Court, former State Senators of Florida, and persons by invitation of the President.

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.

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 and ties at all times while the Senate is in session.

10.4—No person shall be introduced unless he is escorted to the rostrum with concurrence of the Senate. This rule shall not apply to the first day of each regular session.

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 previous 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, Calendar, Privileged Business and Ethics 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, Calendar, Privileged Business and Ethics, which shall report as soon as practicable thereafter. Consideration of such a report shall always be in order. The Committee on Rules, Calendar, Privileged Business and Ethics may originate reports

Ethics Committee Advisory Opinions

Compilation of Opinions, List of Lobbyists

Penalties for violations

Secretary to provide forms

Committees to be diligent

Persons entitled to admission

Exception

Admission by President

Recognition of guests

Interpretation of rules

Waiver and suspension of rules

Changes in rules

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—(a) Except as otherwise herein provided, 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.

(b) An executive suspension of a public official who is under indictment or who has pending against him criminal charges filed by the appropriate prosecuting officer in a court of record shall not be referred to a select committee nor considered by the Senate until the pending charges have been dismissed or until final determination of the charges at the trial court level.

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.

Rule Thirteen

SPECIAL SESSION

13.1—All Senate rules in effect on adjournment of the next preceding regular session shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—The Senate shall meet each legislative day at 9:00 a.m..

13.3—Committee meetings shall be coordinated and scheduled by the Committee on Rules, Calendar, Privileged Business and Ethics or a subcommittee thereof. Meetings of standing committees and standing subcommittees scheduled in accordance with this rule may be held following an announcement by the chairman while the Senate is in session and by the posting of notice on a bulletin board in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—All bills and other measures for introduction may be delivered to the Secretary of the Senate at anytime.

13.5—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 third calendar day from the day of reference (the day of reference not being counted as the first day) unless otherwise ordered by the Senate by majority vote. 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 during the first five (5) days of a special 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 which shall not be beyond the time allowed herein.

13.6—The receiving of reports of committees of conference shall always be in order, except when the Senate is voting on any proposition. It shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after they 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.

13.7—A motion to reconsider shall be made and considered on the same day.

13.8—The Committee on Rules, Calendar, Privileged Business and Ethics may from time to time submit a Special Order Calendar determining the time and priority for consideration of bills and joint resolutions.

Pursuant to Rule 2.1 the President announced the appointment of the following standing committees and subcommittees:

AGRICULTURE

Senator Bishop, Chairman; Senator Lewis (33rd), Vice Chairman; Senators Deeb, Stolzenburg, Ott, Ware, Brannen and Childers.

COMMERCE

Senator Karl, Chairman; Senator Brantley, Vice Chairman; Senators Barron, Haverfield, Gong, Poston, Barrow, Henderson, Weber, Scarborough, Lewis (43rd), and Johnson (34th).

Consumer Protection Subcommittee: Senator Gong, Chairman; Senator Barron, Vice Chairman; Senators Weber, Scarborough and Johnson (34th).

GOVERNMENTAL EFFICIENCY

Senator Daniel, Chairman; Senator Gong, Vice Chairman; Senators Hollahan, Horne, Deeb, Wilson and Plante.

HEALTH, WELFARE AND INSTITUTIONS

Senator Myers, Chairman; Senator Scarborough, Vice Chairman; Senators Weissenborn, Johnson (29th), Reuter, Lane and Lewis (33rd).

JUDICIARY—CIVIL A

Senator Barron, Chairman; Senator Lewis (43rd), Vice Chairman; Senators Bell, Weber, Beaufort, McClain and Arnold.

JUDICIARY—CIVIL B

Senator Horne, Chairman; Senator Brannen, Vice Chairman; Senators Gong, Stolzenburg, Saylor, Daniel and Ware.

JUDICIARY—CRIMINAL

Senator Barrow, Chairman; Senator Fincher, Vice Chairman; Senators Hollahan, Deeb, Ott, Wilson, Plante, Brantley and Johnson (34th).

NATURAL RESOURCES AND CONSERVATION

Senator Knopke, Chairman; Senator Childers, Vice Chairman; Senators Henderson, Bishop, Ducker, Saunders and Graham.

PERSONNEL, RETIREMENT AND CLAIMS

Senator Scarborough, Chairman; Senator Arnold, Vice Chairman; Senators Pope, Bell, Reuter, Ducker, McClain, Graham and Lewis (43rd).

PUBLIC SCHOOLS

Senator Broxson, Chairman; Senator Graham, Vice Chairman; Senators Pope, Weissenborn, Saylor, Ducker, Trask and Saunders.

K-Elementary Education Subcommittee: Senator Saunders, Chairman; Senator Weissenborn, Vice Chairman; Senators Ducker and Graham.

REAPPORTIONMENT AND REDISTRICTING

Senator Boyd, Chairman

RULES, CALENDAR, PRIVILEGED BUSINESS AND ETHICS

Senator Hollahan, Chairman; Senator Horne, Vice Chairman; Senators Pope, Barron, Haverfield, Boyd, de la Parte, Knopke, Poston, Broxson, Wilson, Gunter, Henderson, Lane, Daniel and Karl.

Privileged Business Subcommittee: Senator Pope, Chairman; Senator Knopke, Vice Chairman; Senators Boyd, Wilson, Gunter, Henderson and Karl.

TRANSPORTATION

Senator Poston, Chairman; Senator Beaufort, Vice Chairman; Senators Stolzenburg, Bell, Bishop, Arnold, Childers and Johnson (34th).

UNIVERSITIES AND COMMUNITY COLLEGES

Senator Haverfield, Chairman; Senator Barrow, Vice Chairman; Senators Weber, McClain, Ware, Brantley and Lewis (33rd).

VOCATIONAL-TECHNICAL EDUCATION

Senator Ott, Chairman; Senator Williams, Vice Chairman; Senators Fincher, Johnson (29th), Reuter, Karl and Brannen.

WAYS AND MEANS

Senator de la Parte, Chairman; Senator Gunter, Vice Chairman; Senators Beaufort, Boyd, Broxson, Fincher, Johnson (29th), Knopke, Lane, Myers, Plante, Pope, Saunders, Saylor, Trask, Weissenborn and Williams.

Appropriations Subcommittee A: Senator Gunter, Chairman; Senator Beaufort, Vice Chairman; Senators Pope, Knopke, Lane, Myers, Plante and Saylor.

Appropriations Subcommittee B: Senator Williams, Chairman; Senator Weissenborn, Vice Chairman; Senators Boyd, Fincher, Broxson, Saunders, Johnson (29th) and Trask.

Finance and Taxation Subcommittee: Senator Trask, Chairman; Senator Fincher, Vice Chairman; Senators Pope, Boyd, Gunter, Saylor, Myers and Williams.

INTRODUCTION

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

By Senators Poston, Arnold, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Brannen, Brantley, Broxson, Childers, Daniel, Deeb, de la Parte, Ducker, Fincher, Gong, Graham, Gunter,

Haverfield, Henderson, Hollahan, Horne, Johnson (29th), Johnson (34th), Karl, Knopke, Lane, Lewis (33rd), Lewis (43rd), McClain, Myers, Ott, Plante, Pope, Reuter, Saunders, Saylor, Scarborough, Stolzenburg, Thomas, Trask, Ware, Weber, Weissenborn, Williams and Wilson—

SR 1-Org—A resolution commending Secretary Edwin G. Fraser for outstanding service in the office of Secretary of the Senate of the State of Florida.

WHEREAS, Secretary Edwin Fraser began his service with the Legislature of the State of Florida in the House of Representatives, during the years from 1936 to 1940, and

WHEREAS, he also served with distinction for many years as a member of the State Senate from 1944 until he was chosen to serve in the capacity of Secretary of the Senate in 1963, and

WHEREAS, as Secretary of the Senate from 1963 until his present retirement Edwin Fraser has demonstrated his skill and talent in the efficient management of his duties as Secretary, and

WHEREAS, during this long tenure of service to the State of Florida, Edwin Fraser has been an inspiration to the members

of the Senate and the People of Florida, and is therefore extremely worthy of legislative recognition, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida

That on behalf of the People of the State of Florida, the 1970 Senate recognizes and pays tribute to the record of dedicated service rendered by Edwin G. Fraser in the long years he has devoted himself to serving the State and improving the operation and administration of this Body

BE IT FURTHER RESOLVED that the membership of the Senate sends its best wishes to Edwin Fraser with the hope that his well-deserved retirement will be fully enjoyed.

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

On motion by Senator Hollahan, the Senate in 1970 Organization Session adjourned sine die at 11:44 a.m.