

# JOURNAL OF THE FLORIDA SENATE

## ORGANIZATION SESSION

Journal of the Senate for the Organization Session of the Fifth 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 16, 1976, being the day fixed by the Constitution for the purpose.

Tuesday, November 16, 1976

The duties of temporary presiding officer were delegated to Senator Ken Plante who called the Senate to order at 10:30 a.m.

By direction of the Presiding Officer, the Secretary called the roll of the holdover members of the Senate in numerical order of Senatorial Districts, and the following were recorded present:

Tom Tobiassen—2nd District  
Pat Thomas—4th District  
Kenneth H. MacKay, Jr.—6th District  
Lew Brantley—8th District  
Edgar M. Dunn, Jr.—10th District  
Curtis Peterson—12th District  
Ken Plante—14th District  
Lori Wilson—16th District  
John T. Ware—18th District  
Henry Sayler—20th District  
Guy Spicola—22nd District  
Tom Gallen—24th District  
Harry A. Johnston, II—26th District  
Don C. Childers—28th District  
Jon Thomas—30th District  
William G. Zinkil, Sr.—32nd District  
Sherman S. Winn—34th District  
George Firestone—36th District  
Ralph R. Poston, Sr.—38th District  
Richard (Dick) Renick—40th District

The Presiding Officer announced that The Honorable Bruce Smathers, Secretary of State, had certified to the election of certain Senators and directed the Secretary to read the following:

STATE OF FLORIDA )  
OFFICE OF SECRETARY OF STATE )SS

I, BRUCE A. SMATHERS, Secretary of State of the State of Florida, do hereby certify that the following State Senators were elected at the General Election held on the Second day of November, A. D., 1976 as shown by the election returns on file in this office:

### SENATE DISTRICT NUMBER

1 W. D. Childers, Pensacola  
3 Dempsey J. Barron, Panama City  
5 Sherrill (Pete) Skinner, Lake City  
7 Dan Scarborough, Jacksonville  
9 Mattox Hair, Jacksonville  
11 Jim Glisson, Eustis  
13 Alan Trask, Fort Meade  
15 Bill Gorman, Tangerine  
17 John Vogt, Cocoa Beach  
19 Don Chamberlin, Clearwater  
21 David H. McClain, Tampa

23 Betty Castor, Tampa  
25 Warren S. Henderson, Venice  
27 Philip D. Lewis, West Palm Beach  
29 George A. Williamson, Fort Lauderdale  
31 Jim Scott, Oakland Park  
33 D. Robert Graham, Miami Lakes  
35 Jack D. Gordon, Miami Beach  
37 Kenneth M. Myers, Miami  
39 Vernon C. Holloway, Miami



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this 12th day of November, A. D., 1976

BRUCE A. SMATHERS  
SECRETARY OF STATE

The oath of office was administered by The Honorable Ben F. Overton, Chief Justice of the Supreme Court of Florida, to the recently elected Senators.

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

Barron	Gordon	Myers	Thomas, J.
Brantley	Gorman	Peterson	Thomas, P.
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, D.	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	McKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil

40. A quorum present.

Invocation by The Reverend Robert M. G. Libby, Chaplain, Jacksonville Episcopal High School:

Our Heavenly Father, you are the source of all power, justice and love. Be present, as you promised you would be, in this Senate, as we seek to apply that which is eternal to the particularities of this time and this State. Bless those who are here for the first time, those whose mandate has been reaffirmed and those who assume roles of special responsibility. Keep us sensitive to the needs of the poor, the handicapped, the aged and the disposed. May this Senate ordain for our governance only such things as please thee to the glory of your name and the welfare of your people. Amen.

Senator Zinkil led the Senate in the pledge of allegiance to the flag of the United States of America.

The Secretary announced receipt of the following communication:

Honorable Joe Brown  
Secretary, The Florida Senate

This is to confirm the election of Senator Kenneth A. Plante as the Senate Minority Leader and Senator Henry B. Sayler as Minority Leader Pro Tempore for the term November, 1976—November, 1978.

John T. Ware

The Senate proceeded to the organization of the Body.

The Presiding Officer announced that nominations would now be received for President of the Senate, under Article III, Section 2 of the Constitution, for a term of two years.

The Presiding Officer recognized Senator Peterson for the purpose of placing in nomination the name of Senator Lew Brantley of the 8th Senatorial District.

**Senator Peterson:** Ten years ago, a young man from Jacksonville, turned his attention to Florida government, to try at making this government more efficient, to work at making this government more productive, to seek ways to make this government more responsive to the people it serves.

The results of these efforts are positive and the measure of success is obvious.

More than a dozen senators here today with a decade or more of service can measure this success, also, for they are a part of the dramatic changes in Florida government.

We believe that the Florida Legislature is our nation's best. Not only that, but folks all over our country say they are getting a better deal out of state government than federal.

Thanks, Lew Brantley, for getting Florida's Legislature out of the nice, comfortable rut. Thanks for leadership that shows you felt the last thing needed was dull, unquestioning conformity. Thanks for knowing where the buck stops. Thanks for bringing us to this point on the brink of greatness.

Lew Brantley has been my good neighbor in this Capitol and good friend during the five years I have been in the Senate. His devoted wife, Catherine, and their children, Richard, Karen, Linda, Robert and Allan, have willingly shared him with us.

We who are in agriculture can claim him, for his roots are from a farm near McRae, Georgia. We who were raised without many of the luxuries of life join his early struggle. Some enjoyed electricity and indoor plumbing, but Lew Brantley didn't. Many of us walked most places we had to go, some times barefoot, but not many had to walk three or four miles to the hard road for the school bus. We who are blessed with family love join him and his brothers and sisters in the same hard life that was close-knit, hard working with all contributing to the striving for sustenance. We who have spent our lives working with our hands know Lew Brantley as a fellow laborer.

He is skilled in the legislative process which includes negotiation as well as law-making and he recognizes the merit in that old proverb: "Peace is better than a good law." He knows the truth of Harry Truman's "What you are going to do is more important than what you have done." I am looking forward to what we are going to do together.

I am proud to nominate Senator Lew Brantley as our president.

The Presiding Officer recognized Senator Lewis who seconded the nomination of Senator Brantley.

**Senator Lewis:** Mr. President, my colleagues in the Senate and honored guests: I feel privileged, indeed, to stand before you here this morning to second the nomination of the illustrious Senator from the Eighth as the 60th man to be elected President of the Senate.

The Senate of the great State of Florida has, through the years, earned its reputation of strict decorum and its business-like administration. It is fitting, then, that the man whose nomination I am so proud to second for the presidency is a success-

ful businessman in private life, and a success in the more than a decade of his legislative service.

Lew Brantley is a man of intensesness when that is the quality needed to get the job done. Lew Brantley is a man of compassion when sympathy and understanding are required. And always, he has been a gentleman of forthrightness in his approach, energy and drive in his pace and knowledge and grasp of the subject he is tackling.

The skills our new leader has exhibited to become the success he is in the business world have been well used since 1966 when he first arrived as a representative from Duval County and during his six years in the Senate. He earned his reputation for being a quick thinker on his feet in debate, for his faculty of rapidly absorbing a great mountain of information and for being able to arrive at a reasonable solution to problems posed to him. This new president of ours—and be certain that he will be "our" president as well as our friend and advisor—is as far from being a procrastinator as one can be. He is, in the vernacular, the kind of person who will tell you like it is, and no holds barred.

A dynamic worker and a fierce competitor, Senator Brantley is a man of proven fairness in all his dealings. He has exhibited these qualities in the Legislature and his skill in debate and keen insight of the rules of this body made him a natural choice for chairmanship of our Rules Committee. And, in that capacity, Lew Brantley was a tireless worker in his role as arbitrator of the rules of operation.

Lew Brantley's honesty and integrity have gone without question and there never has been a reason to doubt that his word was his bond. This is the kind of leader we are selecting here today, and he follows a long list of similarly distinguished leaders.

The hard-working habits that he acquired as a youth in Georgia have remained ingrained in him through his school years and his adulthood in Jacksonville. And, he has brought them with him here to the Senate and we can expect this working president to look for each of us to apply our talents to our jobs with equal vigor. I am pleased to note that we have precisely that type of Senate.

Our new president has devoted most of his life to his business, his church, civic work and public service, sacrificing that time that most of us spend in hobbies and other pursuits of personal pleasure.

Religion is an important component of this man's everyday life, and that is illustrated in his position as a vestryman and lay leader in St. Catherine's Episcopal Church where he and his family worship.

The man whose nomination I second, has won many battles and always has shown himself to be an humble winner and a gracious loser—in those rare occasions where the battle he has joined was lost.

With every certainty that the selection of Lew Brantley as President of the Florida Senate will bring to this body an unmatched period of progress, I do now second the nomination of Lew Brantley as President of the Florida Senate.

The Presiding Officer recognized Senator MacKay who further seconded the nomination of Senator Brantley.

**Senator MacKay:** Mr. President . . . Senators . . . I rise to second the nomination of Senator Brantley as President of the Florida Senate.

This body, like any legislative body, is essentially a process—a process in which diverse views and differing opinions, through discussion and debate are compromised and resolved. It is a fragile process which, like democracy itself, is easily corrupted and abused.

As members of this body, we are responsible for the success or failure of this process for the next two years. To be sure, this involves being responsible for the results—those laws we pass, as well as those we fail to pass.

But even more important is our responsibility for the process itself. This is a responsibility each of us owes our constituents, our fellow-members of the Senate, and the Florida Senate as an institution. In the long run, the reputation of the Senate will depend not so much on the result we reach, as the process by which we reach the result.

To work properly the legislative process demands that the majority grant to the minority the right to be heard. Equally important, the minority must concede to the majority the right to prevail. It is a process which demands of each of us, on a daily basis, a degree of humility, a generosity of spirit, and a willingness to give the opposition the benefit of the doubt.

Lew Brantley has demonstrated his ability to function within this process, and to achieve results. He is valued as an able ally when he agrees with you, and respected as an effective opponent when he disagrees.

More importantly, he has stated a commitment to the process—to put it ahead of the result—to uphold the reputation of the Florida Senate for fairness, respect for the minority, and equal treatment of all members.

Because of this commitment, as well as my confidence in his ability to discharge the duties of President of the Senate, I am pleased to second the nomination of Senator Lew Brantley.

The Presiding Officer recognized Senator Renick who further seconded the nomination of Senator Brantley and moved that nominations be closed.

**Senator Renick:** Mr. President, it is with a great deal of pride that I stand to second the nomination of Senator Lew Brantley as our next Senate President.

Having known Lew Brantley in state government for ten years, I have seen him develop into a true leader and most worthy to serve as our President. His honesty, truthfulness, fairness and dedication are known to all. Florida will continue to move forward during his administration.

Therefore, I am proud to second the name of Senator Lew Brantley as our next Senate President and move, Mr. President, that the nominations be closed.

The roll was called on the election of the President and each Senator voted in the affirmative by saying "Lew Brantley". The vote was:

Yeas—39

Barron	Gorman	Peterson	Thomas, P.
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, D.	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	McKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil
Gordon	Myers	Thomas, J.	

Nays—None

Senator Brantley was unanimously elected President of the Senate.

On motion by Senator Spicola that a committee be appointed to escort Senator Brantley to the bar of the Senate and then to the rostrum, the Presiding Officer appointed Senators Spicola, Barron, Johnston, Trask and McClain. Senator Brantley was escorted to the bar of the Senate where Mr. Chief Justice Overton administered the oath of office to him; and then to the rostrum where he was seated.

On motion by Senator Scarborough that a committee be appointed to escort Mrs. Brantley, wife of the President, to the rostrum, the Presiding Officer appointed Senators Scarborough, D. Childers, Vogt and Glisson. Mrs. Brantley was escorted to the rostrum where she was received by the Presiding Officer, presented to the Senate and seated beside the President.

The Presiding Officer presented the following members of the President's family: The President's parents, Mrs. Mary Brantley and Mr. Charles Brantley, Jacksonville; Mrs. Brantley's parents, Mr. and Mrs. Stuart Dent, Jacksonville; children Richard, Karen, Linda, Robert and Allen Brantley, Jacksonville; Mr. and Mrs. Dallas Grimes, Mrs. Walter Lewis, Mr. and Mrs. Charles Brantley, Jr., Randy and Brett Brantley, Mr. and Mrs. C. Allen Perry, Tracy Grimes, Joe Briley, Mr. and Mrs. Gunnar Miller, Daisy and Alison Miller, Mr. and Mrs. James M. Pratt, Mr. and Mrs. J. W. Dent, Stuart, Carolyn and Elizabeth Dent. The following friends from Jacksonville were presented: Mrs. Evelyn Pomar, The Reverend and Mrs. Robert M. G. Libby, Mrs. Helen Bree, Mr. and Mrs. Jim McCloy, Mr. and Mrs. Julian Fant, Sr., Mr. and Mrs. Julian Fant, Jr.

Senator Plante, the Presiding Officer, presented the gavel to the President.

#### The President Presiding

The President announced that nominations would now be received for President Pro Tempore for a term of two years, and recognized Senator Firestone who placed in nomination the name of Senator Sherman S. Winn of the 34th Senatorial District.

**Senator Firestone:** Mr. President, I rise for the purpose of placing in nomination for the office of President Pro Tem the name of a very special colleague.

All of us play many roles in our lives that equip us for the future . . . each role a rung in a ladder leading to our personal, political, moral and spiritual goals.

Sherman Winn (Uncle Shalom) has served and contributed with each step he took:

- A son, a father, a grandfather
- A devoted husband
- A serviceman
- A businessman
- A generous man
- A religious, pious man
- A city commissioner
- A member of the House of Representatives
- A senator
- A peacemaker
- A confidant
- A stabilizer

His legislative career began in 1970 when he joined the Dade Delegation as a member of the House. His energies quickly were harnessed into effective work for his district and the state as he early was recognized for his ability to get the job done. Here was a "freshman" legislator with a "senior" grasp and understanding of the governmental process.

We here in the legislative halls were not alone in recognizing this aptitude. His constituents perceived this too, and promptly honored him by sending him to the Florida Senate in 1972.

Sherman Winn has demonstrated that he is prepared for any role of leadership we bestow on him. He is a man endowed with equally generous shares of capacity and compassion.

His record is replete with honors of recognition for his selfless efforts on behalf of education, for public service with his city and for his advancement generally of the cause of brotherhood.

Mr. President, it is with great pride that I offer in nomination for the office of President Pro Tem of the Florida Senate, the name of the Honorable Sherman S. Winn.

The President recognized Senator P. Thomas who further seconded the nomination of Senator Winn.

Senator Thomas: Mr. President, I am pleased to be recognized by this body that I might second the nomination of Senator Sherman S. Winn for the office of President Pro Tem of the Florida Senate.

Through the years, both as a member of the Florida House of Representatives and the Senate, and prior to that period as a private citizen, I watched the evolution of the office of President Pro Tem from that of a wholly honorary, ceremonial position to one of growing importance to this Senate. For that reason, because we do ask our President Pro Tem to accept a more meaningful posture in the operating affairs of this Senate, it becomes increasingly vital that the man we select here today be a person capable of accepting and carrying out the varied responsibilities which we, as senators, and which our President assigns to him.

Sherman Winn is a man of demonstrated ability. He is a man with great powers of persuasion, if persuasion is the ingredient needed. Likewise, when conciliation is called for to move forward with our projects and our business, Sherman Winn is fully able to carry out this avenue of pursuit.

I am singularly honored that, coming from one of the districts of the northernmost parts of our great Sunshine State, I can stand before you here today and tell you and the voters of my senatorial district, and the voters of Senator Winn's South Florida district and the voters of all of Florida that the office of President Pro Tem is in good hands when we select the Honorable Sherman S. Winn for this position.

It is with the utmost pleasure, Mr. President, that I second the nomination of Sherman Winn for President Pro Tem.

The Presiding Officer recognized Senator Wilson who further seconded the nomination of Senator Winn.

Senator Wilson: Mr. President, senators and distinguished guests:

On past occasions such as this I have heard senators speak eloquently of their fellow senators that they are preparing to honor. This selection of our leaders for the next two years is

the culmination of a long and sometimes hard fought process. The competition is sometimes fierce and often partisan.

Perhaps because of that, the senators who are selected to serve as President Pro Tempore seem to have something more in common than just the ability to serve in place of the President.

They have the uncommon ability to command quiet respect, love and affection from all members of this body. They are peacemakers who help bind up partisan wounds and are well liked by all.

As the only Independent member of this Senate, I rise not to nominate a Democrat but to place in nomination the name of a senator.

A senator who is a peacemaker.

A senator who is an humanitarian.

A senator who truly believes in equality for all senators and for all people.

A senator who comes from a people who, for thousands of years, have known the true meaning of equality and justice.

A senator who is a quiet, effective and respected friend of us all.

I Independently second the nomination of Senator Sherman S. Winn for the office of President Pro Tempore.

On motion by Senator Wilson nominations for President Pro Tempore were closed.

The roll was called on the election of the President Pro Tempore and each Senator voted in the affirmative by saying "Sherman Winn". The vote was:

Yeas—39

Mr. President	Gordon	Myers	Thomas, J.
Barron	Gorman	Peterson	Thomas, P.
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, D.	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	McKay	Skinner	Zinkil
Glisson	McClain	Spicola	

Nays—None

Senator Winn was unanimously elected President Pro Tempore.

On motion by Senator J. Thomas that a committee be appointed to escort Senator Winn to the bar of the Senate and to the rostrum, the President appointed Senators J. Thomas, Skinner, Chamberlin and Gorman. The committee escorted Senator Winn to the bar of the Senate where the oath of office was administered to him by Mr. Chief Justice Overton, and to the rostrum where he was received by the President and seated.

On motion by Senator Myers that a committee be appointed to escort Mrs. Winn, wife of the President Pro Tempore, to the rostrum, the President appointed Senators Myers, Castor, Poston and Henderson. The committee escorted Mrs. Winn to the rostrum where she was received by the President, presented to the Senate and seated.

The President introduced the family of Senator and Mrs. Winn: Steve and Judy Winn, son and daughter-in-law; Jacqueline and Harvey Ehrlich, daughter and son-in-law; Susan and Patricia Winn, daughters; Michelle and Leslie Winn, granddaughters. Mr. and Mrs. John Roberts, Mr. and Mrs. Steve Fisher, Mr. and Mrs. Ron Silver, Mr. David Stettner, personal friends of Senator Winn were also introduced.

The President Pro Tempore was then presented to the Senate.

Senator Winn: Thank you, Mr. President. After listening to the beautiful words of my dear friends, Senator George Firestone, Senator Pat Thomas, and our lovely Independent Senator Wilson, whom I really cherish, all I can say is that this is a day I will never forget. I've been privileged by the people of Florida to be part of the Florida Senate. I've also been privileged to work under, in my estimation, two great Presidents of the Florida Senate, Mallory Horne and Dempsey Barron. I'm sincerely looking forward to continuing the relationship and friendship I've had in these past years with our new president, President Lew Brantley. I'm sure the President's parents are right proud of him. Unfortunately, my parents are home but I am sure that they are with us today. I also had wonderful in-laws who are not with us anymore, but I'm sure they are also with us.

It is a great day in America when I can stand up here in the State of Florida and say 'Shalom'—'Peace', which I hope and believe can continue for our country under the leadership of such great United States Senators as Senator Richard Stone who is with us today. And, one day, throughout the world, we will all be able to say 'Shalom'. Thank you.

The President announced that nominations would now be received for Secretary for a term of two years.

Joe Brown was nominated for Secretary of the Senate by Senator Myers. Senator Ware seconded the nomination and on motion by Senator Ware nominations were closed.

By unanimous vote of the membership, Joe Brown was elected Secretary. Mr. Chief Justice Overton administered the oath of office to Mr. Brown.

The President announced that nominations would be received for Sergeant at Arms for a term of two years.

John D. Melton was nominated for Sergeant at Arms by Senator W. D. Childers. Senator Henderson seconded the nomination and on motion by Senator Henderson nominations were closed.

By unanimous vote of the membership, Mr. Melton was elected Sergeant at Arms. Mr. Chief Justice Overton administered the oath of office to Mr. Melton.

On motion by Senator Gordon that a committee be appointed to notify the House of Representatives that the Senate was convened for the purpose of organization, the President appointed Senators Gordon, Gallen, Holloway, Williamson and Scott. The committee was excused to perform its duty.

On motion by Senator Dunn that a committee be appointed to notify the Governor that the Senate was convened for the purpose of organization, the President appointed Senators Dunn, Graham, Hair, Tobiassen and Sayler. The committee was excused to perform its duty.

A committee from the House of Representatives consisting of Representatives Eric Smith, James Redman and Franklin Mann was received and informed the Senate that the House of Representatives was convened for the purpose of organization.

The committee appointed to notify the House of Representatives returned to the chamber and reported to the President that its duty had been performed.

The committee appointed to notify the Governor returned to the chamber and reported to the President that its duty had been performed.

The President addressed the Senate as follows:

And now, according to the agenda, there comes a time for the President to make a few comments to the Senate. I want to, at the outset, thank those who nominated me and seconded the nomination for those very kind words that I think will probably serve as an inspiration to me during these coming two years.

To each of you here in the Senate, let me say that I am most grateful for the confidence that you have shown in selecting me as your President. I will strive to make you ever proud of that confidence. And to my family, I want to say I'm grateful to your having given me the time to participate in government over the last several years, recognizing that it has demanded a great deal of time away from you. I hope in the future to include you even more than perhaps we have in the past, because the operation of government cannot be separated from that of a family obligation; and to each of you I am very proud that you are my family, and I want you to be proud of me in the future.

There are a number of things that I want to speak to you today about, those of you in the Senate and to the press and to our friends in the gallery. We have a number of problems in Florida that I'm confident that this Senate has the capability of solving. Yes, I have talked to a number of people in the last several months about true tax reform in Florida.

In the past, tax reform has simply meant increased taxes. I assure you that is not my intent. I think, however, there needs to be true tax reform. In my opinion, property taxes have gotten beyond the reach of a number of people and, it is a regressive form of taxation. It discourages home ownership. It discourages the improvement of existing property, and it is gnawing away at the pocketbooks of those who can least afford it. It hits hard on those on fixed income, which is a large percentage of our citizens in Florida.

I have advocated the removal of property taxes for the support of education, for I believe that the Constitution means what it says when it says, "We shall have a uniform system of free education." I submit to you we shall never have a uniform system of free education so long as we are dependent to a great degree on property taxes for the financial maintenance of that educational system. So, we should dedicate ourselves to the proposition of reducing property taxes in Florida, and at the same time, provide equal education and increase funding to the classroom of that educational system.

I am asking the Education Committee and Appropriations to consider the possibility of appropriating dollars for instructional personnel completely separate from general education or administration.

I submit to you that we have an abnormally high level of the administrators in our educational system, and if you had the same level of overhead in your private business, you would be bankrupt tomorrow. The separation of allocating dollars to instructional personnel versus that of general education is the only viable means to my knowledge that we have of reducing that number of administrators to instructional personnel. This past year, property taxes alone contributed some \$682 million for the maintenance of our school systems throughout the state. The very best estimate we can get this year is about \$748 million. One penny increase in the sales tax will raise approximately \$350 million. That is only one area. The work product of the interim staff on finance and tax will be distributed to you and will provide some alternative sources of funding that education package. I submit to you, senators, this ought to be a

primary concern that legislation should be developed as quickly as possible.

In the area of insurance, as I have traveled the state, I find that the people are terribly concerned and are being hurt by the ever-increasing cost of insurance. I have spoken to one member of this body who has displayed an interest and a knowledge in insurance and have asked him to work with the committee on which he will serve to totally review the no-fault automobile liability insurance law, to review the products liability coverage, to review workmen's compensation, to review professional liability, unemployment compensation with the thought in mind of getting the dollars that are cranked into those programs through premiums to the persons that are deserving of the dollars.

I am told by staff and others that approximately 25% of the insurance claims in Florida are fraudulent. I submit to you that we did a proper thing last year when we made it a felony to submit a fraudulent insurance claim in automobile insurance. That same theory should be spread throughout all areas of insurance, and I am requesting the Commerce Committee to develop legislation making it a felony for anyone in the State of Florida to submit a fraudulent insurance claim.

Fraud is nothing less, senators, than a direct way of stealing from the ratepayers through increased cost of insurance. Also, we must always keep in mind that any action of the Senate and of this Legislature may have an impact on our economic development. It is time that we give absolute consideration to further development of the economy of Florida. It is, I think, shameful to have an unemployment rate in Florida above that of the national average. We have taken some positive actions in the past, but I think we should insist on more affirmative actions in the future. We must have results. We must not have lip service, but rather positive action.

I am pleased with the Governor's action recently and his attempt to bring industry to Florida to overcome the six years of anti-business attitude that we all know presently exists. I think that we must bring industry to Florida, to provide jobs for those people that want to work and get them off the welfare roll, or get them off the unemployment compensation roll.

It is of growing concern to me that periodic reports coming from all parts of the state indicate that in the not-too-distant future we're going to have major shortages in our drinking water supply. There is evidence already that there are shortages in particular areas, but there also should be a concern for drinking water all over the state.

I am asking the Natural Resources and Conservation Committee to review the water management districts that were established by this Legislature, with the thought in mind that that governmental body has the capability of assuring all citizens of Florida for years to come an adequate supply of drinking water. Yes, we must determine where our supplies are, determine if we have a capability of transferring it from one part of the state to another where shortages arise, and we must have the governmental mechanism to do this.

Among other great concerns to all of us I think is that of a growing crime rate in Florida. In certain areas, we have had some reduction in crime, but I think to a great degree that reduction has been caused by action of this Legislature, such as the three-year mandatory sentencing bill for the commission of a crime with a firearm. It is time that we do everything in our power to stop crime in Florida.

We must review, I think, all law enforcement capabilities with the thought in mind of beefing them up. Once again, lip

service cannot be tolerated in the fight against crime, but rather we must have positive actions, we must assure the people of our state they are safe when they go on the street. If necessary, we must put more dollars into crime-fighting in Florida, because those that would violate the law need to be punished swiftly and need to be taken away from society.

Coupled with that in the area of correction, probation and parole, I think we must insist, as this Legislature did last year, in putting the work ethic back into the correction process. Last year, I was pleased that we passed the prison industries law with an advisory council. Unfortunately, that advisory council has not yet been appointed, and I am calling on the Governor at this time, to appoint that council so the work ethic may be cranked into the rehabilitative process. To teach inmates how to earn a living when they are ultimately paroled will stop the high recidivism rate that we have in this state.

Let the prisoners work for their own maintenance instead of law-abiding citizens and law-abiding taxpayers being taxed to death for the support of those who have robbed or maimed or raped in violation of the law. We must start thinking of the victim instead of constantly thinking of the criminal. We, as you know, did create a committee, and it is part of our standing committee structure now, on retirement, personnel and collective bargaining. So I am asking the Committee on Retirement, Personnel and Collective Bargaining to completely review the public employees' collective bargaining law and make modifications for improvement with complete fairness for all employees and for government. I submit to you that both labor and management state this law is not working. To help with this undertaking, I will consult with the chairman of that committee on appointing a representative group from labor and management to undertake a re-write of that law to insure fairness to both sides and for better operation of collective bargaining in years to come.

I have touched on several areas of concern and have been specific on some. Other major problems of concern I will be communicating with and working with each respective committee. I am asking you, this Senate, for full cooperation, to hit the ground running from this time forward and be prepared to discuss major legislation on the first day of the regular session in April. Should you agree with this, we as a Senate, can avoid the last two-week crunch that we have all observed in the past. Legislation should be acted on in the interim, and your agendas should be cleared as nearly as possible. Take up the bill, act on it, pass it, kill it, or modify it, but, senators, I am asking you to act.

The several committees should develop major proposals beginning now and move them out of your committees during December, January, February and March meetings. This, you have the capacity to do because of the interim work product by our professional staff, with whom I have been personally working since July, and of whom I am very proud. Your diligence in using this work product can justify that which I have been representing to all major press—that this will be the most knowledgeable Senate ever assembled in Tallahassee.

In conclusion, I extend to each member of the Senate my hand of friendship and cooperation in developing a legislative product to improve the quality of life for all of our citizens. I do now, and will in the future, invite you regularly to help set goals and priorities with this administration.

Also, on behalf of this Senate, I extend a hand of friendship, cooperation and interest to our colleagues in the House of Representatives, to the Governor of this state and his executive departments, and to the judicial branch of Florida. There

is no room for government by confrontation in this administration. All people will best be served through a spirit of cooperation. Thank you.

On motion by Senator Plante, the foregoing address by the President, remarks by the President Pro Tempore, and all nominating and seconding speeches for President and President Pro Tempore were spread upon the Journal.

On motion by Senator Plante the Rules of the 1975-76 regular sessions, as amended during those sessions, were adopted to govern the Senate with the following amendment to Rule 11.3:

At the end of Rule 11.3 strike the period and insert: , and provided further that any report made during the first 7 legislative days of the 1977 regular session may be amended by majority vote of the members present.

## RULES OF THE SENATE

### RULE ONE

#### OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

##### PART ONE—OFFICERS OF THE SENATE

##### 1.1—Election of the President, President Pro Tempore, Minority Leader, and Minority Leader Pro Tempore

A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office. At the regular session prior to the organization session the majority party may by caucus called by the President elect a majority leader (President Designate) and a majority leader pro tempore (President Pro Tempore Designate), the names of whom shall be certified to the Secretary of the Senate. At the organization session, the minority party shall by caucus elect a minority leader and a minority leader pro tempore, the names of whom shall be certified to the Secretary of the Senate. All elected officers are to continue in office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur.

##### 1.2—Calling the Senate to order

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's control of Chamber, corridors, and rooms

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 he may cause the area to be cleared. Unless 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's signature; questions of order; travel

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 and Calendar shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred as authorized.

##### 1.5—Appointment of committees

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's vote

The President shall not be required to vote in legislative proceedings. In all yea and nay votes, the President's name shall be called last.

##### 1.7—Vacating chair; duties of President Pro Tempore

(a) The President may name any Senator to perform the duties of the chair.

(b) Upon the death, disability or other absence of the President and his omission to make such appointment, the President Pro Tempore shall assume the duties of the chair.

(c) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from designating a presiding officer.

(d) Upon the resignation of the President from that office, he may, prior to such resignation, designate a member of the majority party to assume the duties of the chair until a permanent successor is elected.

##### 1.8—Election of Secretary of the Senate

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 Constitutions 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 may designate an assistant enrolling and engrossing clerk. The Secretary shall generally supervise all matters pertaining to Senate business.

##### 1.9—Secretary's duties at organization

In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall at the organization 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.

##### 1.10—Duties generally; keeps Journal

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.

##### 1.11—Daily calendar

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.

##### 1.12—Reads papers, calls roll

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.

#### 1.13—Attests to warrants and subpoenas; certifies passage

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

#### 1.14—Prepares printed forms

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

#### 1.15—Examines legal form of bills for introduction

The Secretary shall examine bills upon their tender for introduction but prior to their receiving a number he shall 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.

#### 1.16—Indexes bills

The Secretary shall maintain a numerical index of bills and resolutions and a cumulative index by introducers.

#### 1.17—Transmits bills to House of Representatives

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.

#### 1.18—Receives and delivers for reading messages from House; summaries of House amendments to Senate bills

The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. He shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the Senate Legislative Services for research and summary. He may retain such messages for two (2) days and shall cause such summaries to be delivered to each Senator on the morning of the day such messages shall be acted upon by the Senate. Special notice of the summaries will be given to those Senators who are prime introducers of bills amended by the House.

#### 1.19—Sergeant at Arms; election and duties

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 Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

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—Attendance and voting

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. No Senator shall be required or permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

#### 1.21—Excused absence

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

#### 1.22—Senate papers left with Secretary

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.

#### 1.23—Members deemed present unless excused

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.

#### 1.24—Contested seat

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 organization 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.

#### 1.25—Facilities for members

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 President.

#### 1.26—Non-legislative activities

No Senator shall accept appointments to non-legislative committees, commissions; or task forces without prior approval from the President where expenses for travel and per diem would be taken from Senate funds.

### PART THREE—EMPLOYEES OF THE SENATE

#### 1.27—Dismissal of employees; services of spouse

Disputes of complaints involving the competency or decorum of a Senate employee or attache, except those officers elected by it, may be resolved by the President who may terminate the services of any employee or attache for just cause, or in his discretion, may refer the matter to the Committee on Rules and Calendar for its recommendation. The pay of an employee so terminated shall stop upon the date of termination. 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.

#### 1.28—Employees forbidden to lobby

No employee or attache of the Senate shall directly or indirectly interest or concern himself or herself with the 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 properly delegated to a Senator's aide.

#### 1.29—Duties and hours

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 or in case of part-time employees and Senator's personal aides, such hours as may be prescribed by their department head.

#### 1.30—Absence without permission

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.

**1.31—Political activity**

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

**1.32—Secretary; supervision of employees**

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.

**1.33—Sergeant at Arms; supervision of employees**

The doorkeepers, janitors, pages, messengers, and attaches, except where otherwise specifically provided in these Rules or by order of the President, shall be under the supervision of the Sergeant at Arms.

**PART FOUR—LEGISLATIVE CONDUCT AND ETHICS****1.34—Legislative conduct**

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.

**1.35—Improper influence**

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

**1.36—Conflicting employment**

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

**1.37—Undue influence**

A member of the Senate shall not use his influence as a Senator in any matter which involves substantial conflict between his personal interest and his duties in the public interest.

**1.38—Disclosure and disqualification**

A Senator shall disclose any personal, private, or professional interest in a bill which would inure to his special private gain or the special gain of any principal to whom he is obligated. Such disclosure shall be filed with the Secretary of the Senate for reporting in the Journal immediately following the record of the vote on the measure. Such disclosure may explain the logic of voting or of his disqualification.

**1.39—Senate employees and conflicts**

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

**1.40—Advisory opinions**

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

**1.41—Penalties for violations**

Separately from any prosecutions or penalties otherwise provided by law, any Senator determined to have violated the requirements of the rule regulating ethics and conduct 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 Committee on Rules and Calendar. The Committee, before making said recommendation, shall conduct a hearing after giving reasonable notice to the Senator alleged to have violated this rule and grant said Senator an opportunity to appear at the hearing.

**RULE TWO****COMMITTEES, OFFICERS, MEMBERS,  
VOTING, MOTIONS, DECORUM AND DEBATE****PART ONE—COMMITTEES ORGANIZATION, DUTIES AND RESPONSIBILITIES****2.1—Standing committees; standing subcommittees**

Permanent standing committees and standing subcommittees, when created and designated by rule of the Senate, shall exist and function both during and between sessions. 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) members:

- Agriculture
- Appropriations
  - Subcommittee A
  - Subcommittee B
  - Subcommittee C
- Commerce
- Corrections, Probation and Parole
- Economic, Community and Consumer Affairs
- Education
- Executive Business
- Finance, Taxation and Claims
- Governmental Operations
- Health and Rehabilitative Services
- Judiciary-Civil
- Judiciary-Criminal
- Natural Resources and Conservation
- Personnel, Retirement and Collective Bargaining
- Rules and Calendar
- Transportation

Each standing committee or the chairman thereof may appoint, from time to time, a select subcommittee to study or investigate a specific matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President of the Senate shall be promptly notified of the appointment of select subcommittees, their assignment, the time allowed for the assignment, and shall be notified upon completion of the assignment. 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. The advisory reports by select subcommittees whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended or rejected by majority vote.

**2.2—Powers and responsibilities of committees**

Permanent standing committees and standing subcommittees are authorized: (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. The standing committee or standing subcommittee is authorized to invite public officials and employees and private individuals to appear before the standing committee or standing subcommittee for the purpose of submitting information and may require reports from departments performing functions reasonably related to the committee jurisdiction.

(b) In order to carry out its duties, each standing committee or standing subcommittee is empowered with the reasonable 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 the committee's duties, the chairman of each standing committee, standing subcommittee and select committee 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 required by such committee. The President may issue said process at the request of the committee chairman. Any member of such standing committee, standing subcommittee or select committee 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 require evidence.

### 2.3—Committee reports prior to session

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

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

Within thirty (30) days following sine die adjournment of a regular session, each standing committee shall prepare a report on the public business assigned to it since the regular session of the preceding year and submit same to the President.

### 2.4—Committee staffing

A committee, through its chairman, 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 as may be authorized by the President, and subject also to the pay and classification code of the Senate, provided that the President may authorize the joint utilization of personnel with the House of Representatives and may authorize the Senate to participate in the cost.

### 2.5—Committee utilization of federal funds

No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval by the Committee on Rules and Calendar is first obtained.

### 2.6—Notice of meetings

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, short title, and number of each bill to be considered.

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, with the number of each bill to be considered, stating date, time and place, shall be filed with the Secretary of the Senate at least fourteen (14) days prior thereto. The Secretary shall give notice to the membership at least seven (7) days prior to said meeting.

### 2.7—Bills recommitted

Any bill 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 is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

Any bill 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 was reported by the subcommittee. The subcommittee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

### 2.8—Notice of hearing; publication

For publication in the daily calendar, notice of standing committee or standing subcommittee meetings shall be delivered to the secretary's office in writing by 4:30 p.m. on the day preceding its intended publication, unless such day should be on a Friday, in which event such delivery shall be by 2:30 p.m. Hearing notices shall appear in the daily calendar.

### 2.9—Committee meetings; committee meetings after 50th day

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.

The Committee on Rules and Calendar shall with approval of the President, 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.

Unless approved by the Committee on Rules and Calendar, no committee shall meet after the fiftieth (50th) day of any regular session except the Committee on Rules and Calendar.

### 2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the Committee on Rules and Calendar 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 Committee on Rules and Calendar and the Sergeant at Arms for evening or other special meetings. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without the consent of the Senate.

### 2.11—Attendance by sponsor of bill

The introducer of a bill shall attend the meeting of the committee 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, unless a majority of the committee shall decide otherwise.

### 2.12—Order of business

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 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. 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.

### 2.13—Open meetings

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 referred to such committee upon a point of order made prior to final passage thereof.

### 2.14—Time for consideration of bills

A bill which has been introduced and referred to committee can be removed only upon motion of the sponsor and by a two-thirds (2/3) vote of the membership present and voting; provided, however, any bill which has been in committee fifteen (15) legislative days or more without an extension of time having been granted may be removed from committee upon motion of the sponsor. Such motion, when made, shall carry over for a period of five (5) legislative days to give the committee of reference time to meet. Failure of the committee to

meet and consider such bill within said time will permit the sponsor of the bill to remove it from committee upon a point of order; provided that no bill may be thus withdrawn from the Committee on Appropriations during the first thirty (30) days of a regular session.

#### 2.15—Standing committee duties in deliberation

It shall be the duty of standing committees to report all matters 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 (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the committee on the motion to report each bill or resolution. A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter upon the Journal the action of the committee, which shall not include that portion of the report required by items (e) and (f). Reports of committees shall be preserved pursuant to law.

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

A standing committee, in reporting a Senate measure, may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). A Senate committee may not recommend a Senate committee substitute for a House bill. The substitute measure must be accompanied by the original measure (or measures) 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 (or measures) 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 (or bills) 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 (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure. The introducer of the original measure (or measures) shall be shown by the committee secretary on the committee substitute unless the said introducer requests that his name be omitted. A committee substitute may be co-sponsored by any Senator whose signature is affixed to the original thereof.

All standing committee reports shall be signed by the chairman, or in his absence, the vice chairman, and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be typewritten in full on amendment forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

#### 2.16—Standing subcommittee reports

It shall be the duty of standing subcommittees to report all measures referred to them directly to the parent standing committee, which shall promptly certify a copy thereof to the Secretary of the Senate. 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, and (b) the vote of each member of the subcommittee on the motion to report each bill or resolution.

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 standing 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. Each report by a standing subcommittee must set forth the identifying number of the measure; if amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be typewritten in full on amendment forms, numbered serially and attached to the measure.

All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. 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 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 standing subcommittee is considered by the standing committee, no additional testimony 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. This rule shall also apply to reports on budgetary matters by the standing subcommittees of the Appropriations Committee for inclusion in the general appropriations bill.

#### 2.17—Quorum of committee

A committee or standing 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.

#### 2.18—Prefiled bills

(a) Upon receipt from the Secretary of each prefiled bill, in the event the President has not previously designated a standing subcommittee of reference, the chairman of a committee shall either refer to a standing subcommittee, refer to a select committee as otherwise provided in these Rules or 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 standing subcommittee, select committee, or of the standing committee thus possessing jurisdiction of a prefiled bill shall, with the concurrence of the President, determine the time and place for the hearing during which such bill is to be considered and notify the Secretary as required by these Rules.

(b) 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 Committee on Appropriations shall not be required to file such report of any prefiled bill defined in these Rules.

(c) 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.

#### 2.19—Conference committee in deliberation

Conference committees shall consider and report only 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.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill which was the subject of the conference or it may offer an amendment striking everything after the enacting clause of any such bill referred to the committee. Such amendments shall

accompany the conference committee report which shall be attached to the original measure submitted to conference. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House. Conference reports must be approved and signed by a majority of the managers on the part of each House.

There shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an 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.

After Senate conferees 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; further, during the 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 the Senate conferees shall have been appointed thirty-six (36) hours without having made a report.

## PART TWO—COMMITTEES—OFFICERS

### 2.20—Appointment of chairman and vice chairman

A chairman and a vice chairman of each standing committee shall be appointed by the President 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.

### 2.21—Calls committee to order

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.

### 2.22—Chairman's control

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.

### 2.23—Chairman's authority; appeals

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.

### 2.24—Chairman, Vice Chairman: vote

The chairman and vice chairman shall vote on all matters before such committee, provided that the name of the chairman shall be called last.

### 2.25—Temporary alternate to Chairman

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.

### 2.26—Vice Chairman duties

Upon the death, incapacitation or resignation of the chairman, the vice chairman shall perform the duties of the office until and unless the President shall appoint a successor. In the absence of the chairman, the vice chairman shall act as chairman. Upon the death, incapacitation or resignation of the chairman, the President shall appoint a new chairman.

## PART THREE—COMMITTEES—MEMBERS

### 2.27—Members' attendance, voting, proxy

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 question immediately concerning his private rights as distinct from the public interest.

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.

## PART FOUR—COMMITTEES—VOTING

### 2.28—Taking the vote

The chairman shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a vote, then upon a showing of hands by three (3) members, 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 member prior to consideration of other business, the chairman shall order a verification of a vote.

### 2.29—Pairing prohibited

No pairing shall be permitted by the committee.

### 2.30—No person votes for another

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 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.

### 2.31—Explanation of vote

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 retained as a part of the committee record and a copy thereof filed with the Secretary of the Senate.

## PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

## 2.32—Motions; how made, withdrawn

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.

## 2.33—Motions: Precedence

When a question is under debate, the chairman shall receive no motion except:

1. To rise
2. To take a recess
3. To reconsider
4. To limit debate
5. To temporarily pass
6. To postpone to a day certain
7. To commit to a select subcommittee
8. To amend

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.

When any motion is under consideration, but prior to the commencement of the vote thereon, a substitute motion shall be in order. Only one substitute shall be entertained and the substitute shall be in the same order of precedence.

## 2.34—Division of question

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.

## 2.35—Reconsideration generally

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 fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

## 2.36—Reconsideration; vote required

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

## 2.37—Reconsideration; debate allowed

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

## 2.38—Reconsideration; collateral matters

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.

## PART SIX—COMMITTEES—AMENDMENTS

## 2.39—Form, manner of consideration

Amendments shall be filed with the chairman on forms prescribed by the Secretary 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.

## 2.40—Sequence of amendments to amendments

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. (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.

## 2.41—Striking all after enacting clause

A proposal to strike out all after the enacting clause or the resolving clause of a bill or 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.

## 2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill or 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 shall be open for amendment.

## 2.43—Senate amendments to House bills

Any House bill may be amended in the same manner as a Senate bill.

## PART SEVEN—COMMITTEES—DECORUM AND DEBATE

## 2.44—Decorum and debate

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.

## 2.45—Chairman's power to recognize

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

## 2.46—Interruptions: when allowed

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.

## 2.47—Speaking rights

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; if the question he desires to raise is entitled to precedence, the mem-

ber 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.

The member making a debatable motion or the primary introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.48—Time for debate

No Senator shall speak for any longer period of time than ten (10) minutes without yielding the floor, except by consent of a majority of the Senators present.

2.49—Limitation on debate

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.

2.50—Priority of business

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

2.51—Questioning right to vote

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.

2.52—Appeals

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 before debate has concluded 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; 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.

2.53—Appeals debatable

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.

RULE THREE

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Form of measure

(a) General Form. All bills shall be typewritten, double spaced, in a type size of pica or larger, of black type, without erasure or interlineation, on plain white bond paper of a common legal size. The copies must be exact duplicates of the original. The top margin shall be at least one and one-half (1 1/2) inches. All bills shall be on paper with thirty-one (31) numbered spaces, the first beginning not less than eight (8) nor more than ten (10) spaces from the top of the page, and vertical guidelines as prescribed by the Secretary of the Senate, with the words "A bill to be entitled" appearing on the first numbered space of the first page. These requirements may be waived by the Secretary of the Senate as to the general appropriations bill, but in such event shall be in a form approved by the Secretary. The first page shall be aligned on the page substantially according to the following form:

A bill to be entitled

An act \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(TRIPLE SPACE)

Be It Enacted by the Legislature of the State of Florida:

(TRIPLE SPACE)

Section 1 \_\_\_\_\_

Section 2 \_\_\_\_\_

(b) Bill backing and number of copies. The original must be backed in a folder-jacket signed by the sponsor(s), with six (6) exact copies, four (4) of which are backed with jackets prescribed by the Secretary. On these jackets shall be inscribed the name and district number of the introducers and any co-introducers or the introducing committee and its chairman, enough of the title for identification, and clearly stamped on the jacket, one of each at the space provided for the number, "Duplicate", "Third Copy", "Fourth Copy", "House Copy". The remaining two (2) unbacked copies shall be attached inside the original bill.

(c) New and Deleted Matter. Bills which propose to amend existing provisions of the Florida Statutes (as described in section 11.242, F.S.) or the Laws of Florida shall contain the full text of the section, subsection or paragraph to be amended. Joint resolutions which propose to amend the Florida Constitution shall contain the full text of the section to be amended.

As to general bills and joint resolutions which propose to amend existing provisions of the Florida Statutes or of the Florida Constitution, new words shall be inserted in the text underlined, and words to be deleted shall be lined through with hyphens.

In the event the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, 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 text of the provision being amended: "Substantial rewording of section. See Section . . . , F.S., for present text." When such notation is used it shall be underlined.

The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

No portion of a bill shall be typed with underlining, except as provided by this rule.

3.2—Form of bills

All bills (as distinguished from resolutions and memorials) shall be introduced in an original (1) and (6) exact copies. They shall contain a proper title, as defined in article III, section 6 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". Standard rules of capitalization shall apply.

3.3—Form of local bills

As required by article III, section 10 of the Constitution, all local bills must either embody provision for 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 may be obtained from the Secretary of the Senate. 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.

3.4—Form of joint resolutions

All joint resolutions shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. 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. . .".

**3.5—Form of memorials**

All memorials shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:".

**3.6—Form of resolutions, Senate and concurrent**

All Senate resolutions and all concurrent resolutions shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. Senate resolutions shall read, "Be It Resolved by the Senate of the State of Florida:". Concurrent resolutions shall read, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:". 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.

**3.7—Introduction during session**

To facilitate processing and committee referencing all bills shall be delivered to the Secretary of the Senate no later than 12:00 noon of the fourth day (excluding Saturday and Sunday) preceding the day of 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.

Between regular sessions of the legislature, bills may be prefiled by delivery to the Secretary of the Senate.

**3.8—Prefiled bills**

A prefiled bill complying with these rules shall, anticipatory of the next regular session, 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 withheld 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 shall be provided each Senator. The Secretary shall regularly mail to each Senator a calendar of all prefiled bills, including the referencing data for each bill, and 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 prior to 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.

**3.9—Printing of bills**

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 printing. This printing of bills shall be independent of the legislative process, and the absence of a printed copy shall not delay the progress of any measure at any stage of the legislative process.

**3.10—Identification of bills**

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 is prohibited.

**3.11—Companion measures**

Whenever any Senate bill 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 measure. 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 substantially the same and identical as to specific intent and purpose 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 measure then on the Calendar.

**3.12—Introducers of bills**

Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original. The general appropriations bill shall be introduced by the Committee on Appropriations.

**3.13—Fiscal notes**

All general bills or joint resolutions affecting revenues, expenditures or fiscal liability shall be accompanied by a fiscal note upon being favorably reported by the Committee on Appropriations. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures and the present and future fiscal implications of the bill or joint resolution. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

The staff of the Committee on Appropriations shall be responsible for preparing fiscal notes and shall solicit the cooperation of appropriate state agencies for necessary data.

Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate in the same manner as printed bills.

In the event that any bill or joint resolution affecting revenues, expenditures, or fiscal liability is reported favorably

by the Committee on Appropriations without a fiscal note, it shall be the right of any Senator to raise a point of order on second reading and the President shall order return of the bill or joint resolution to the Committee on Appropriations. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion.

## RULE FOUR

### ORDER OF BUSINESS AND CALENDAR

#### 4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule adopted from time to time by the Committee on Rules and Calendar and approved by the President, which shall set forth hours of convening and adjournment.

#### 4.2—Quorum

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
3. Reports of committees
4. Motions relating to committee reference
5. Messages from the Governor and other executive communications
6. Messages from the House of Representatives
7. Matters on reconsideration
8. Special Order as determined by the Committee on Rules and Calendar
9. Consideration of bills on third reading
10. Consideration of bills on second reading
11. Correction and approval of Journal

The Secretary of the Senate shall prepare and cause to be distributed, on each legislative day, a calendar corresponding to the Daily Order of Business; 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.

Certain messages from the House of Representatives may be withheld from the daily order of business pursuant to Rule 1.18 or upon order of the President.

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 or President Pro Tempore or member of the Senate designated by the presiding officer 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 and Calendar 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 article III, section 7 of the Constitution of the State of Florida as pertains to the first reading of a bill.

Reports of committees of conference shall, except when the Senate is voting on any proposition, always be in order.

#### 4.4—Committee of Whole

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 applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of the members present, upon any bill or question not formally introduced in the Senate and any bill upon which all standing committees of reference have rendered a favorable report. A bill upon which 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 only upon two-thirds (2/3) vote of the Senators present, which vote shall also be required to favorably report any such bill 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 having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill 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.

#### 4.5—Conference Committee Report

The report of any committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and upon the completion of the second reading the vote shall be upon the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once.

The report must be acted upon as a whole, being adopted or rejected, and there shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

#### 4.6—Reference generally; final day for introduction of bills

All bills, including those which are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to appropriate committees or standing subcommittees thereof. The President may refer a bill introduced by a standing committee to the Calendar. In the event the President has not previously designated a standing subcommittee of reference, the chairman of the standing committee shall promptly 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 local in nature shall be to the Committee on Rules and Calendar for the sole purpose of determining whether such measure is in fact and function local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects no more than one county. Upon the determination by the Committee on Rules and Calendar that a bill is in fact and law a local bill, it shall forthwith be reported and referred to the calendar on local bills.

Senate general bills and joint resolutions, except for the general appropriations bill, filed for introduction after the eighteenth (18th) day of the regular session shall be ref-

erenced, but delivery thereof shall be withheld from the committee or committees of reference until after adjournment sine die of such session. The Secretary shall not assign a current session number to such bills but shall otherwise number same so as to provide identity and control until a permanent number for the next ensuing regular session be affixed. 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 and Calendar for a hearing and its advisory recommendations 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.

#### 4.7—Reference to more than one committee; effect

In case of multiple reference of a bill, said bill 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 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.

#### 4.8—Reference to Appropriations and Finance, Taxation and Claims Committees; claim bills

All bills authorizing or substantially affecting appropriations shall be referred to the Committee on Appropriations. All bills substantially affecting tax revenue shall be referred to the Committee on Finance, Taxation and Claims. A bill not referred to the Committees on Appropriations or Finance, Taxation and Claims by operation hereof, but which is subsequently amended so as to reasonably respond to criteria enunciated herein may, at the discretion of the President, be referred to the Committee on Appropriations or the Committee on Finance, Taxation and Claims.

Claim bills shall be first referred to a Senate Special Master on Claims who shall expediently conduct a hearing in accordance with the Rules of the Senate having the strictest requirement of notice. Such Special Master shall administer an oath to all witnesses, preserve a recording of proceedings (but withhold the transcription thereof until ordered to transcribe by the President) and prepare a final report containing his recommendations based on findings of fact and conclusions of law. The report shall be signed by the Master who shall be available to report orally to committees or the Senate. Upon receipt of the Master's report and recommendation the President shall refer each claim bill with the report attached to the Committee on Finance, Taxation and Claims, the provisions of the first paragraph of this Rule to the contrary notwithstanding.

#### 4.9—Reference of resolutions

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.

#### 4.10—Reference to different committee or removal

When the President has referred a bill, 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.

#### 4.11—Papers of miscellaneous nature

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.

#### 4.12—Reading of bills and joint resolutions

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. (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.")

#### 4.13—Reading of concurrent resolutions and memorials

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

#### 4.14—Reading of Senate resolutions

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

#### 4.15—Referral or postponement on third reading

Upon the third reading of any bill or joint resolution, it shall not be committed (save to the Committee on Appropriations) or amended, except a corrective or title amendment, 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.

#### 4.16—Consideration out of regular order

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

#### 4.17—Special Order Calendar, Consent Calendar

Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension thereof directed by the membership of the legislature as permitted under the Constitution, the Committee on Rules and Calendar, or when designated by the committee, the chairman of the committee or his designee, the minority leader or his designee and one (1) other member of the committee designated daily by the chairman shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate, except that any bill appearing on this calendar may be stricken therefrom by a two-thirds (2/3) vote of the Senators present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of such Special Order Calendar by the same vote. All bills set as special order for consideration at the same hour shall take precedence in the order in which they were given preference.

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

The Committee on Rules and Calendar, with the approval of the President, may submit a consent bill calendar to be held in

conjunction with the Special Order Calendar. When such a day be designated, all bills appearing on the consent calendar shall be considered in their order of appearance, provided, however, that an objection by any member shall cause such bill to be temporarily passed, retaining its order on the regular calendar. A Senator may designate only a bill which he sponsors or a House bill for the consent calendar. A committee chairman may designate a committee bill sponsored by his committee. All consent calendar bills must have appeared on the printed Senate calendar.

#### 4.18—Calendar of local bills

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 Committee on Rules and Calendar or its designees and approved by the President.

#### 4.19—Order after second reading

The order of disposition of any bill 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 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 succeeding legislative day. 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. An amendment filed with the Secretary, the adoption of which has not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for 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.

#### 4.20—Enrolling

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

## RULE FIVE

### VOTING

#### 5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a vote by showing of hands, the President shall take the sense of the Senate by yeas and nays or electrical roll call. When taking 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—Change of vote

After the result of the vote has been announced by the President, 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. Records of such requests shall be available at the Secretary's desk through the session. If no objections are raised before the close of business that day, requests will be accepted.

The original roll call shall not be altered but late votes and change of votes shall be recorded under the original roll call in the Journal. Upon request of a Senator prior to consideration of other business, the President shall order a verification of a vote.

#### 5.3—No Senator to vote for another

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

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—Explanation of vote

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

#### 5.6—Election by ballot

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 PRECEDENCE

#### 6.1—Motions: how made, withdrawn

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—Motions: Precedence

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

1. To adjourn
2. To take a recess
3. To proceed to the consideration of executive business
4. To reconsider
5. To limit debate
6. To temporarily pass
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. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is declared to be a motion of the highest privilege.

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

When any motion is under consideration, but prior to the commencement of the vote thereon, a substitute motion shall be in order. Only one substitute shall be entertained and the substitute shall be in the same order of precedence.

### 6.3—Division of question

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.

### 6.4—Reconsideration generally

When a main question, (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) 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 Senate when it next meets on a 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 reconsider or, upon reconsideration, 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.

### 6.5—Reconsideration: vote required

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

### 6.6—Reconsideration: debate

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 is in order, no Senator shall speak thereon more than once nor for a period longer than five (5) minutes.

### 6.7—Reconsideration: collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be taken up and considered on the same day on which it is made.

### 6.8—Reconsideration: Secretary to hold for period

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

### 6.9—Motion to indefinitely postpone

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—General form; manner of consideration

Amendments shall be filed with the Secretary on forms prescribed by him 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. An amendment 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—Adoption

Amendments may be adopted, on second reading by a majority vote and on third reading by a two-thirds (2/3) vote. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote on third reading.

#### 7.3—Sequence of amendments to amendments

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 upon. (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—Striking all after enacting clause

A proposal to strike out all after the enacting clause or the resolving clause of a bill or 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—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill 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 in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

#### 7.6—Printing in Journal

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—Senate amendments to House bills

Any House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket containing same before it is reported to the House.

#### 7.8—House amendments to Senate bills

After the reading of a House amendment to a Senate bill, the Senate may: (1) amend the House amendment, or (2) concur in the House amendment, or (3) refuse to concur in the House amendment and ask the House to recede, or (4) request a conference committee. The adoption of all the foregoing motions shall be by majority vote.

**7.9—House refusal to concur in Senate amendment**

If the House shall refuse to concur in a Senate amendment to a House bill, 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. The adoption of any of the foregoing motions shall be by majority vote.

**RULE EIGHT****DECORUM AND DEBATE****8.1—Decorum and debate**

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—Presiding officer's power of recognition**

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

**8.3—Interruptions; when allowed**

No Senator shall be interrupted by another without the consent of the Senator who has the floor, except:

1. by rising to a question of privilege
2. by rising to a point of order requiring an immediate ruling
3. by appeal from the decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision)
4. a parliamentary inquiry requiring an immediate reply or a question of no quorum.

The presiding officer shall strictly enforce this Rule.

**8.4—Senator speaking, rights**

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. The Senator making a debatable motion or the primary introducer of a bill shall have five (5) minutes in order to close debate.

**8.5—Limit on speaking**

No Senator shall speak 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—Limitation of debate**

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 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—Points of order, parliamentary inquiry, definitions**

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. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

**8.8—Questioning right to vote**

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.

**8.9—Appeals**

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 before debate has concluded 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.

**8.10—Appeals, debatable**

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.

**8.11—Questions of privilege**

Questions of privilege shall be: first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and second, the rights, reputation, and conduct of Senators individually, in their representative capacity only. These shall have precedence over 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.

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—Those required to register**

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

**9.2—Method of registration**

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.

The Secretary shall publish in the Journal, 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—Registration, exception

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.

#### 9.4—Obligations of lobbyist

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.

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—Periodic reports required

A lobbyist shall submit to the Secretary of the Senate within thirty (30) days following a regular session of the legislature a signed and certified statement listing all lobbying expenditures and sources from which funds for making such expenditures have come. Lobbying expenditures shall not include personal expenses for lodging, meals and travel. Thereafter each lobbyist, so long as he remains so registered as a lobbyist, and every person who registers as a lobbyist, shall submit to the Secretary of the Senate no later than Friday of the first week of each regular session a like signed and certified statement of all interim lobbying expenditures including expenditures at special sessions, if any. Said statements shall be rendered in the form provided by the Secretary of the Senate and shall be open to public inspection. A statement shall be filed even if there have been no expenditures during a reporting period.

#### 9.6—Ethics Committee advisory opinions

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 and Calendar and may appear in person before said committee.

The Committee on Rules and Calendar 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—Compilation of opinions; list of lobbyists

The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules and Calendar 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—Penalties for violations

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 and Calendar. The Committee on Rules and Calendar, 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—Secretary to provide forms

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 to be diligent

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 shall knowingly permit an unregistered lobbyist to be heard.

## RULE TEN

### CHAMBER OF THE SENATE

#### 10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is in daily session except present members of the Senate and all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. A special section of the gallery shall be reserved for members of the families of Senators. Also entitled to admission are the Governor or one (1) representative designated by him, 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—Exception

None of the persons entitled to admission shall be admitted if registered pursuant to Rule 9.

#### 10.3—Admission of press by President

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.

#### 10.4—Recognition of guests

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.

#### 10.5—Attire

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.

## RULE ELEVEN

### CONSTRUCTION AND WAIVER OF RULES

#### 11.1—Interpretation of Rules

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—Waiver and suspension of Rules**

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

**11.3—Changes in Rules**

All proposed actions touching the Rules and order of business in the Senate shall be first referred to the Committee on Rules and Calendar, which shall report as soon as practicable thereafter. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this rule may be amended by a two-thirds (2/3) vote of the members present, and provided further that any report made during the first 7 legislative days of the 1977 regular session may be amended by majority vote of the members present.

**11.4—Majority action**

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

**11.5—Uniform construction**

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—General**

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. Except where specifically provided otherwise, the use of the word "bill" or "measure" means a bill, joint resolution, concurrent resolution, resolution or memorial.

**RULE TWELVE****EXECUTIVE SESSIONS, APPOINTMENTS,  
SUSPENSIONS AND REMOVALS****PART ONE—EXECUTIVE SESSIONS****12.1—Executive session: authority**

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—Executive session: purpose**

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—Executive session: vote required**

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

**12.4—Work product confidentiality**

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.

**12.5—Separate Journal**

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.

**12.6—Violation of Rule**

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.

**PART TWO—SUSPENSIONS AND REMOVALS****12.7—Procedure**

(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 the Committee on Executive Business, or to a Special Master appointed by the President, 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 the committee or the Special Master appointed pursuant hereto are advisory only and shall be made to the Senate President. The report of the committee or the Special Master shall be privileged and confidential. The President of the Senate may order the report presented to the Senate in either open or executive session, or he may refer it to the Committee on Rules and Calendar for its consideration and report. At the time the report is presented to the Senate in open session or received by the Committee on Rules and Calendar, the report shall lose its privileged and confidential character.

(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, or an executive suspension of a public official which is in any manner challenged in a court shall be referred to the Committee on Executive Business or Special Master but shall be held in suspense by such committee or Special Master and shall not be considered by the Senate until the pending charges have been dismissed or until final determination of the criminal charges at the trial court level, or in the case of a court challenge, until the final determination of the challenge, including the exhaustion of appellate remedies.

In any suspension case in which the indictment or criminal charge is not for the alleged commission of a felony the committee, the Master and the Senate may proceed if the written consent of counsel for the Governor and for the suspended official is obtained.

(c) The Governor and the suspended official shall be given reasonable notice of any hearing before the committee or Special Master.

(d) When it is advisable, the committee or Special Master may request that the Governor file a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such statement by the suspended officer, he shall file with the committee or Special Master a response to the Governor's statement. Such response shall admit or deny the facts or circumstances set forth in the Governor's statement, and may further make such representation of fact and circumstance as may bear on the matter of his suspension.

(e) The committee or Special Master may provide for a prehearing conference with counsel for the Governor and for the suspended official to narrow the issues involved in the suspension matter. At such conference, both the Governor and the suspended official shall set forth the names of witnesses, the nature of their testimony, and all evidence which will be relied on by the parties at the hearing, and each shall state to the committee what each expects to show by such testimony and evidence.

(f) Subject to the limitations of Rule 12.7(b) the committee or Special Master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. In the event that a suspension order is referred to the committee or Special Master but is held in suspense in accordance with Rule 12.7(b), then the committee or Special Master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(b). The Senate shall act upon the recommendations of the committee or Special Master within thirty (30) days after the report of such recommendations to the Senate; provided, however, if the Senate shall order further consideration and a supplemental recommendation, the Senate shall act within thirty (30) days after the receipt of such supplemental recommendation.

(g) Within sixty (60) days after the Senate shall have acted upon the recommendation of the committee or Special Master, any party to the suspension matter may recover, at that party's expense, any exhibit, document or other evidentiary matter introduced by such party. After the expiration of sixty (60) days, the committee or Special Master may dispose of such exhibits or other evidence in such manner as it deems advisable.

#### 12.8—Special Master: appointment

The Senate President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to suspensions and removals as he shall prescribe. The Special Master shall not be an employee or attache under Senate Rule One, Part Three, Sections 1.27, 1.28, 1.29, 1.30 or 1.31.

#### 12.9—Special Master: floor privilege

With consent of the Senate President, the Special Master may have the privilege of the Senate floor during any open or executive session for the purpose of presenting and explaining his report and answering questions as to the law and facts involved in the report.

#### 12.10—Issuance of subpoenas, etc.

The Committee and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum and other necessary process as in the case of standing committees under Rule 2.2. The committee chairman and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear for the purpose of testifying in any matter pending before the committee or Special Master.

## RULE THIRTEEN

### SPECIAL SESSION

#### 13.1—Applicability of Senate Rules

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—Sessions of the Senate

The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule adopted from time to time by the Committee on Rules and Calendar and approved by the President.

#### 13.3—Committee meetings: schedule; notice

Committee meetings shall be coordinated and scheduled by the Committee on Rules and Calendar, 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—Delivery for introduction

All bills and other measures for introduction may be delivered to the Secretary of the Senate at any time.

#### 13.5—Committee reports

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 Appropriations 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—Conference Committee Report

The report of any committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, upon the completion of the second reading, the vote shall be upon the adoption or rejection thereof and final passage of the measure as recommended. During the last two (2) days of a special session the report shall be read only once.

The report must be acted upon as a whole, being adopted or rejected, and there shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

Conference committees shall consider and report only 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.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill which was the subject of the conference, or it may offer an amendment striking everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an 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.

After Senate conferees shall have been appointed for thirty-six (36) hours 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.

#### 13.7—Reconsideration

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

#### 13.8—Special Order Calendar

The Committee on Rules and Calendar may from time to time submit a Special Order Calendar determining the time and priority for consideration of bills.

## RULE FOURTEEN

### SEAL AND INSIGNIA

#### 14.1—Seal and Insignia

There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill and scroll. At

the top of the field of flags shall be the word: "Seal". At the bottom shall be the date: "1838". The perimeter of the seal shall contain the words: "Senate" and the "State of Florida".

There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate".

Pursuant to Rule 2.20, the President announced the appointment of a chairman and vice-chairman of each standing committee and a chairman of each standing subcommittee:

#### AGRICULTURE

Senator Trask, Chairman; Senator Skinner, Vice-Chairman

#### APPROPRIATIONS

Senator Lewis, Chairman; Senator Gordon, Vice-Chairman

*Subcommittee A:* Senator W. D. Childers, Chairman

*Subcommittee B:* Senator Peterson, Chairman

*Subcommittee C:* Senator Plante, Chairman

#### COMMERCE

Senator W. D. Childers, Chairman; Senator MacKay, Vice-Chairman

#### CORRECTIONS, PROBATION AND PAROLE

Senator P. Thomas, Chairman; Senator Renick, Vice-Chairman

#### ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS

Senator Vogt, Chairman; Senator Firestone, Vice-Chairman

#### EDUCATION

Senator Peterson, Chairman; Senator Ware, Vice-Chairman

#### EXECUTIVE BUSINESS

Senator Poston, Chairman; Senator D. Childers, Vice-Chairman

#### FINANCE, TAXATION AND CLAIMS

Senator Gordon, Chairman; Senator Lewis, Vice-Chairman

#### GOVERNMENTAL OPERATIONS

Senator Barron, Chairman; Senator Zinkil, Vice-Chairman

#### HEALTH AND REHABILITATIVE SERVICES

Senator J. Thomas, Chairman; Senator D. Childers, Vice-Chairman

#### JUDICIARY-CIVIL

Senator Hair, Chairman; Senator Wilson, Vice-Chairman

#### JUDICIARY-CRIMINAL

Senator Dunn, Chairman; Senator Holloway, Vice-Chairman

#### NATURAL RESOURCES AND CONSERVATION

Senator Spicola, Chairman; Senator Renick, Vice-Chairman

#### PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING

Senator Scarborough, Chairman; Senator Johnston, Vice-Chairman

#### RULES AND CALENDAR

Senator Gallen, Chairman; Senator Plante, Vice-Chairman

#### TRANSPORTATION

Senator Myers, Chairman; Senator Gallen, Vice-Chairman

On motion by Senator Plante, the Senate in Organization Session adjourned sine die at 12:18 p.m.