



Journal of the Senate

Number 1—Special Session

December 6, 1978

At a Special Session of the Florida Legislature convened under Article III, Section 3(c)(1) of the Constitution of the State, as revised in 1968, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

In pursuance of the Proclamation of Honorable Reubin O'D. Askew, Governor of the State of Florida, the Senate met in Special Session at 11:00 a.m. and was called to order by Senator Philip D. Lewis, President. A quorum present—39:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Vogt
Childers, W. D.	Holloway	Poole	Ware
Dunn	Jenne	Scarborough	Williamson
Fechtcl	Johnston	Scott	Winn
Frank	MacKay	Skinner	

Excused: Senator Trask, for the morning session

Prayer by Dr. Robert M. McMillan, Pastor, First Baptist Church, Tallahassee:

Almighty God, our Father, as we stand before your presence in prayer today we are aware that in this very act we stand on the edge of the sublime and yet, to the unbelieving heart, the ridiculous.

Your word has taught us that in relation to human reason faith may well be viewed as foolishness but to those who dare to believe, it is power.

You have taught us that you are mysteriously but genuinely involved in world affairs and government. This we believe even though people willfully and selfishly but temporarily thwart your purpose.

Minister in a special way to these senators who serve in this portion of your world vineyard. May they continue to labor well, not for themselves, but for you: For if they labor well for you they labor well for the people and themselves.

Hear us in the name of our Lord Jehovah. Amen.

Senator Don Childers led the Senate in the Pledge of Allegiance to the Flag of the United States of America.

By direction of the President, the Proclamation of the Governor convening the Legislature in special session was read:

PROCLAMATION

*State of Florida
Executive Department
Tallahassee*

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, on November 22, 1978, the Florida Supreme Court in Reubin O'D. Askew vs. Cross Key Waterways and Reubin O'D. Askew vs. Postal Colony Co., Inc., held that Section 380.05(1), Florida Statutes, and Section 380.05(2)(a) and (b), Florida Statutes, are constitutionally defective as unlawful delegation of legislative authority to an administrative body in violation of Article II, Section 3, Florida Constitution (1968), and

WHEREAS, this decision serves to invalidate not only the process by which Areas of Critical State Concern are desig-

nated but also those designations presently in effect in Monroe County/Florida Keys and the Green Swamp, and

WHEREAS, the absence of State regulation and oversight impairs the ability of Florida government to preserve and protect the natural resources and environment, to provide an adequate water management system, to insure water quality and optimum utilization of our limited water resources, to facilitate orderly and well-planned development and to protect the health and welfare, safety and quality of life for the residents of the State of Florida, and

WHEREAS, certain other pressing matters, as more particularly described below, have arisen since the adjournment of the last session of the Florida Legislature, and

WHEREAS, it is necessary and in the public interest of the citizens of Florida that the Legislature be convened in special session to consider the legislative business described in Section 2 hereof,

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Article III, Section 3c(1), Florida Constitution (1968), do hereby proclaim as follows:

Section 1.

That the Legislature of the State of Florida be and is hereby convened in Special Session pursuant to Article III, Section 3(1), Florida Constitution (1968), at the Capitol, Tallahassee, Florida, commencing at 11:00 o'clock a.m. on Wednesday, December 6, 1978 and extending through Friday, December 8, 1978.

Section 2.

That the Legislature is convened for the sole purpose of considering the following matters:

- (1) An amendment to Chapter 380, Florida Statutes (1977), adopting, approving and incorporating by reference portions of the Florida Administrative Code designating the Green Swamp and the Florida Keys as Areas of Critical State Concern and all regulations thereunder and establishing a commission to report to the 1979 Legislature.
- (2) Extending the effective date of the Florida Lighting Efficiency Code, Section 553.89, Florida Statutes (1977), and the Florida Thermal Efficiency Code, Sections 553.900-908, Florida Statutes (1977), until March 15, 1979.
- (3) An amendment to Chapter 917, Florida Statutes (1977), the Mentally Disordered Sex Offenders Act.
- (4) An amendment to Chapter 78-299, Laws of Florida (1978), to provide a definition for "new businesses".
- (5) Senate confirmation of pending gubernatorial appointees.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation convening the Legislature in special session, at the Capitol, this 1st day of December, 1978.

REUBIN O'D. ASKEW
GOVERNOR



ATTEST:
JESSE J. McCrARY, JR.
 Secretary of State

By the direction of the President, the following amended Proclamation of the Governor was read:

PROCLAMATION

State of Florida
Executive Department
Tallahassee

TO THE HONORABLE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, on the 1st day of December 1978, a Proclamation of the Governor was issued convening a special session of the Florida Legislature commencing on the 6th day of December 1978, and

WHEREAS, it is necessary and in the best interest of the State to amend the Proclamation of the Governor of December 1, 1978 in order to expand the call of the special session so that the Legislature may consider the additional legislative business set forth below.

NOW, THEREFORE, I REUBIN O'D. ASKEW, Governor of the State of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution (1968), do hereby proclaim as follows:

Section 1.

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- (3) An amendment to Chapter 917, Florida Statutes (1977), the Mentally Disordered Sex Offenders Act.
- (4) An amendment to Chapter 78-299, Laws of Florida (1978), to provide a definition for "new businesses."
- (5) Senate confirmation of pending gubernatorial appointees.
- (6) An amendment to Section 258.165(3)(b)3, Florida Statutes (1977), to correct the last sentence thereof by substituting the word "subparagraph" for the word "paragraph."
- (7) Changing the name of Florida Technological University to University of Central Florida.

Section 3.

Except as amended by this Proclamation, the Proclamation of the Governor dated December 1, 1978 is ratified and confirmed.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 5th day of December, 1978.

REUBIN O'D. ASKEW
 Governor

ATTEST:
JESSE J. McCrARY, JR.
 Secretary of State

INTRODUCTION

By Senator W. D. Childers—

SB 1-A—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08(5)(b), Florida Statutes, 1978 Supplement; exempting from the tax the purchase of industrial machinery and equipment to be used in a new business or expanded facilities or plants producing or fabricating a new product; providing a partial exemption from the tax for such purchases to be used in certain other expanded facilities or plants; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committees on Commerce; and Subcommittee D, Ways and Means.

By Senators Henderson and Thomas—

SB 2-A—A bill to be entitled An act relating to building construction standards; amending s. 553.89(2)(b), (3), (4), Florida Statutes; extending the effective date of the Florida Lighting Efficiency Code; amending ss. 553.903, 553.904, 553.905, 553.906, Florida Statutes; extending the effective date of the Florida Thermal Efficiency Code; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By Senators Vogt, Henderson, Anderson, Carlucci and Grizzle—

SB 3-A—A bill to be entitled An act relating to areas of critical state concern; designating the Green Swamp Area and the Florida Keys Area as areas of critical state concern; adopting the provisions of chapters 22F-5 through 22F-13, Florida Administrative Code, as the land development regulations applicable to such areas; creating a joint select committee for the study of the designation and regulation of such areas; providing an effective date and a repeal date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Myers—

SB 4-A—A bill to be entitled An act relating to Biscayne Bay Aquatic Preserve in Dade and Monroe Counties; amending s. 258.165(3)(b), Florida Statutes; providing that the restriction on the connection of upland canals to the waters of such preserve shall be limited to certain dredge and fill projects; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senators MacKay, Stuart and Gorman—

SB 5-A—A bill to be entitled An act relating to the State University System; amending s. 239.01(1), Florida Statutes, 1978 Supplement; changing the name of Florida Technological University; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Education.

By Senators MacKay, Skinner and Thomas—

SB 6-A—A bill to be entitled An act relating to mentally disordered sex offenders; amending s. 917.21, Florida Statutes; requiring a committing court to retain jurisdiction over such an offender for the purpose of approving participation by the offender in a work-release or community furlough program; amending s. 917.217, Florida Statutes; specifying those mentally

disordered sex offenders eligible for participation in such programs; requiring court approval of such participation pursuant to certain findings; authorizing the Department of Health and Rehabilitative Services to adopt certain rules; prohibiting release under a work-release or community furlough program until a specified date; providing for return of current participants in such programs to the committing court; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Judiciary-Criminal.

REPORTS OF COMMITTEES

Honorable Philip D. Lewis
President, The Florida Senate

Dear Mr. President:

Your Committee on Rules and Calendar respectfully recommends revisions of Senate Rules 1.1, 1.5, 2.2, 2.14, 2.18, 2.19, 3.9, 3.13, 4.6, 4.17, 6.2, 6.8, 6.9, 8.3, 9.1, 9.10, 10.6, and 11.3, attached hereto and by reference made a part of this report.

Respectfully submitted,
Dempsey J. Barron
Chairman

The last two sentences of Rule 1.1 are amended to read: ~~At the organization session, the~~ Minority Party shall by caucus elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary of the Senate *at the organization session*. All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur.

Rule 1.5 is amended to read:

Rule 1.5—Appointment of committees

The President shall appoint all standing committees, ~~and~~ standing subcommittees, *select committees, and the Senate members of as well as all* conference and *joint* select committees ~~that may be ordered by the Senate~~.

Following the first paragraph of Rule 1.5, insert:

Any member removed from a committee without his consent shall have the right to appeal such removal to the Rules Committee.

The first paragraph of Rule 2.2 is amended to read:

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 subject area; (b) to invite public officials, employees and private individuals to appear before the committee or subcommittees to submit information; ~~and~~ (c) *to enforce lobbying requirements contained in Rule 9 and in the Florida Statutes; and* (d) to request reports from departments performing functions reasonably related to the committees' jurisdictions.

On motion by Senator Johnston, by two-thirds vote the above recommended revision was deleted from the Report of the Committee on Rules and Calendar.

Following the first paragraph of Rule 2.14, insert:

Except by unanimous consent of those present, no bill shall be considered by the Senate after the 50th day of a regular session if the bill or a companion measure has not been first reported favorably by at least one Senate committee.

The last paragraph of Rule 2.18 is amended to read:

A prefiled bill introduced solely by a Senator who will not be a Senator at the next 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 to~~

determine possible sponsorship. Such an automatic report shall not preclude the introduction of another bill of identical substance.

The last paragraph of Rule 2.19 is amended to read:

After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said conferees, *and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.*

Rule 3.9 is amended to read:

3.9—Printing of bills

When introduced, bills not local in application and 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 shall be determined each year by ~~the contract for printing. The Secretary who 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 a measure at any stage of the legislative process.

Rule 3.13 is amended to read:

Rule 3.13—Fiscal notes

Upon being favorably reported by a *standing committee* ~~the Committee on Ways and Means~~, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. 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 *and shall also embrace the requirements of Section 11.075, F.S., relating to economic impact*. 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 Ways and Means~~ shall be responsible for preparing fiscal notes ~~except on those Fiscal notes on those bills affecting any state retirement system, which shall be prepared by the staff of the Committee on Personnel, Retirement and Collective Bargaining after consultation with an actuary who is a member of the Society of Actuaries and shall solicit the cooperation of appropriate state agencies for necessary data shall be solicited.~~

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~~.

If a bill or joint resolution ~~affecting revenues, expenditures or fiscal liability~~ is reported favorably by a ~~committee~~ *the Committee on Ways and Means* without a fiscal note, *as defined in this rule*, a Senator may raise a point of order on second reading, and the President shall order return of the bill or joint resolution to the ~~committee~~ *Committee on Ways and Means*. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion *for the purposes of point of order*.

Senator Dunn moved the following amendments to the amendment to Rule 3.13 which were adopted by two-thirds vote:

Amendment 1—Strike all of lines 27 and 28 and insert: *note or economic impact statement, as defined in this rule*, a Senator may *at any time* raise a point of order ~~on second reading~~, and the President shall order

Amendment 2—On line 10, after "11.075" insert: *and 11.076*

The last paragraph of Rule 4.6 is amended to read: [Substantial rewording]

All Senate bills filed for introduction after the eleventh day of the regular session (except for the general appropriations bill, local bills, and joint resolutions) shall be referenced, but shall be withheld from the committee or committees of reference until after adjournment sine die of such session.

A motion to waive this Rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory

recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule, and a recommendation shall be reported back to the Senate not later than the next legislative day. The Secretary shall number them to provide identity and control until a permanent number can be affixed. These bills shall be known as prefiled bills and considered in accordance with these Rules.

The first sentence of Rule 4.17 is amended to read:

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 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 on Rules and Calendar or his designee, the *vice-chairman of the Committee on Rules and Calendar or his designee*, the minority leader or his designee, and ~~two (2) one (1)~~ other members of the committee designated ~~daily~~ by the chairman shall on each day submit a Special Order Calendar determining the priority for consideration of bills.

The last sentence of the first paragraph of Rule 6.2 is amended to read:

A motion to discharge Senate conferees and to appoint or instruct conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

Rule 6.8 is amended to read:

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those 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. During the last five (5) calendar days allowed under the Constitution for a regular session and during any extensions thereof, *or during any special session*, the bills shall be immediately transmitted to the House. *Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.*

Rule 6.9 is amended to read:

Rule 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. A 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. *Motions to indefinitely postpone shall not be applicable to collateral matters.*

Rule 8.3 is amended to read:

Rule 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
5. a question of no quorum.

The presiding officer shall strictly enforce this Rule.

The first sentence of Rule 9.1 is amended to read:

9.1—Those required to register

All persons, (except members of the Florida Legislature, or duly authorized aides designated in writing by such members, *or those persons excepted by Rule 9.3*), who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate *or Clerk of the House*.

The last sentence of Rule 9.10 is amended to read:

No ~~committee member~~ ~~committeeman~~ shall knowingly permit an unregistered lobbyist to be heard.

A new Rule 10.6 is created to read:

10.6—Gallery

No food or beverages shall be allowed in the gallery at any time.

Rule 11.3 is amended to read:

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. Consideration of such 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 those 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.~~

On motion by Senator Barron, the report of the Committee on Rules and Calendar, as amended, was adopted.

On motion by Senator Barron, the following rules were adopted as the 1978-80 Rules of the Senate:

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 a regular 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), and their names shall be certified to the Secretary of the Senate. The Minority Party shall by caucus elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary of the Senate at the organization session. All elected officers are to hold 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 established by the Senate at the last session. On the appearance of a quorum, the President 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. If there is a disturbance, he may clear the area.

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. As necessary, the President is authorized to incur travel and per diem expenses for the next session of the legislature. 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 in transacting the financial business of the Senate as authorized.

1.5—Appointment of committees

The President shall appoint all standing committees, standing subcommittees, select committees, and the Senate members of conference and joint select committees.

Any member removed from a committee without his consent shall have the right to appeal such removal to the Rules Committee.

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) If for any reason he is absent and fails to name a Senator, 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) Should the President resign, he may, prior to his 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

A Secretary of the Senate 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. The Secretary shall be the enrolling and engrossing clerk of the Senate and 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 session

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. Pending the election of a President or a President Pro Tempore, the Secretary shall 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 keep a correct daily Journal of the proceedings of the Senate, and this Journal shall be numbered serially from the first day of each session of the legislature and shall be distributed by the Secretary for the information of the legislature and the public. 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 with proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

1.11—Prepares daily calendar

The Secretary shall prepare a daily calendar that 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. The Secretary shall distribute the daily calendar for the information of the legislature and the public.

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 on 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 where they may be held a maximum of two days for research and summary. Special notice of the summaries shall be given to each senator.

The Secretary shall advise the President when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate.

1.19—Sergeant at Arms; election and duties.

A Sergeant at Arms of the Senate 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. 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

Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sessions 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 the excused absence shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a session of the Senate or its committees and having in his possession papers relating to the business of the Senate shall leave such papers with the Secretary before leaving the Capitol.

1.23—Members deemed present unless excused

A Senator who answers roll call at the opening of a 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

If a seat in the Senate is contested, notice stating 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 the contest shall be determined by majority vote as soon as 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 facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

1.27—Transition from office

A Senator who will not be a Senator at the next ensuing regular session of the legislature because of failure to be re-elected at the polls shall be entitled to a two-week amicable transition period in which to close out the affairs of his office. The transition period shall begin at the expiration of a Senator's term. A former Senator shall not be entitled to salary during the transition period, but shall receive a pro rata portion of the monthly allowance for office rental and expenses during such period. A former Senator's staff shall be entitled to a pro rata salary during such period, provided said staff performs all transitional duties assigned by the former Senator. The Secretary of the Senate shall provide a former Senator with necessary forms with which to apply for transitional funds provided pursuant to this rule, the expenditure of which shall be from Senate funds and which shall be considered for a public purpose. Upon proper application by the aide of a deceased Senator, a two-week transitional period with pro rata salary for the staff may be approved by the President to close out the deceased's Senate office affairs.

PART THREE—EMPLOYEES OF THE SENATE

1.28—Dismissal of employees; services of spouse

The President shall resolve disputes involving the competency or decorum of a Senate employee or attache, except those officers elected by the Senate, and may terminate the services of an employee or attache for just cause. At his discretion, he may refer the matter to the Committee on Rules and Calendar for its recommendation. The pay of an employee so terminated shall stop on the termination date. A Senator's spouse or immediate relatives may serve in any authorized position, however, they shall not receive compensation for services performed.

1.29—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 duties that may be properly delegated to a Senator's aide.

1.30—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 shall 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. Part-time employees and Senator's personal aides shall observe hours that are prescribed by their department heads.

1.31—Absence without permission

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

1.32—Political activity

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

1.33—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.

1.34—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

1.35—Legislative conduct

Every Senator shall 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.

1.36—Improper influence

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

1.37—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.

1.38—Undue influence

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

1.39—Disclosure and disqualification

A Senator shall disclose any personal, private, or professional interest in a bill that 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.

1.40—Senate employees and conflicts

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

1.41—Advisory opinions

All questions relating to the interpretation and enforcement of these Rules concerning 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.

1.42—Penalties for violations

Separately from any prosecutions or penalties otherwise provided by law, a 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, on recommendation of the Committee on Rules and Calendar. The Committee, before making a recommendation shall conduct a hearing after giving reasonable notice to the Senator alleged to have violated this Rule and grant the 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
- Commerce
- Corrections, Probation and Parole
- Economic, Community and Consumer Affairs
- Education
- Executive Business
- Governmental Operations
- Health and Rehabilitative Services
- Judiciary-Civil
- Judiciary-Criminal
- Natural Resources and Conservation
- Rules and Calendar
- Transportation
- Ways and Means
 - Subcommittee A
 - Subcommittee B

Subcommittee C

Subcommittee D (Finance, Taxation and Claims)

Subcommittee E (Personnel, Retirement and Collective Bargaining).

Each standing committee or the chairman thereof may appoint 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 on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules of Procedure regulating standing subcommittees, except that select subcommittees shall exist only for the time necessary to complete their assignments and report to their standing committees, and not to exceed thirty days. 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 of those present.

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 subject area; (b) to invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information; and (c) to request reports from departments performing functions reasonably related to the committees' jurisdictions.

In order to carry out its duties, each standing committee or standing subcommittee has 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.

In order to carry out the committee's duties, the chairman of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, 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 a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—Committee reports prior to session, availability of records and reports

Before a regular session of the legislature convenes, 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.

Before a regular session of the legislature convenes, 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 provide information on the public business assigned to it since the regular session of the preceding year.

The records and reports of standing committees and the subcommittees thereof shall be available in the same manner as the reports and records of state agencies. Provided, however, that this rule shall not affect legislative records specifically protected by law, and activities undertaken pursuant to Rule Twelve, Part One. Records of oversight investigations of state agencies and other units of government may be excluded from this rule until a report is filed.

2.4—Committee staffing

A committee, through its chairman, shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall be also subject to the pay and classification code of the Senate. The President may authorize joint

utilization of personnel with the House of Representatives and may authorize the Senate to share 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 is obtained from the Committee on Rules and Calendar.

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 until proper notice is 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 that 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.

At least fourteen (14) days prior to the meeting of a standing committee or standing subcommittee, while the legislature is not in session, a notice of the meeting, stating the number of each bill to be considered, date, time, and place, shall be filed with the Secretary of the Senate. The Secretary shall give notice to the membership at least seven (7) days prior to the meeting.

2.7—Bills recommitted

A bill reported by a standing committee without proper publication of notice in the daily calendar shall be recommitted to the committee reporting the same on 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.

A bill reported by a standing subcommittee to its standing committee without proper publication of notice in the daily calendar shall be recommitted to the subcommittee reporting same on 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. If such day is a Friday, 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 the public business assigned to it as expeditiously as possible and proper. To facilitate this, the President shall group the standing committees and subcommittees to provide each with an opportunity to meet without conflicting with the meetings of other committees.

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. However, this 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 Secretary of the Senate 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 majority of the Senate present.

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 having written permission to speak for the bill. Unless a majority of the committee members present shall decide otherwise bills shall be considered when reached on the committee agenda notwithstanding the absence of the sponsor or anyone authorized by these Rules to appear on his behalf.

2.12—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 shall be considered out of its order on the committee calendar on unanimous consent of those present obtained in the following manner: Prior to consideration of the motion, the Senator moving for unanimous consent of those present shall orally give the committee not less than fifteen (15) minutes' notice of his intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his purpose, and unanimous consent of those present shall 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 on a point of order made prior to final passage thereof.

2.14—Time for consideration of bills

A bill that has been introduced and referred to committee can be removed only on motion of the sponsor and by a two-thirds (2/3) vote of those present. However, any bill that has been in committee fifteen (15) legislative days or more without an extension of time having been granted may be removed from committee on 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 on a point of order, providing no bill may be thus withdrawn from the Committee on Ways and Means during the first thirty (30) days of a regular session.

Except by unanimous consent of those present, no bill shall be considered by the Senate after the 50th day of a regular session if the bill or a companion measure has not been first reported favorably by at least one Senate committee.

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 in the Journal the action of the committee, but 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; 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 those present in session.

In reporting a Senate measure, a standing committee 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 a favorable report. 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 on 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 of 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 name of 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 it be omitted. A committee substitute may be co-sponsored by a Senator whose signature is affixed to the original.

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 except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second 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 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 (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the subcommittee on the motion to report each bill or resolution.

In reporting a bill to the parent standing committee, a standing subcommittee may 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 a favorable report.

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. On 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 on vote of two-thirds (2/3) of the standing committee members present before final action is taken; however, debate by members of the standing commit-

tee shall be allowed. This Rule shall also apply to reports on budgetary matters by the standing subcommittees of the Ways and Means 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 recommitted by the President when it is called to his attention by a Senator.

2.18—Prefiled bills

On receipt from the Secretary of each prefiled bill and if 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 place on the agenda for a meeting of the standing committee. In any event, the chairman shall concurrently notify the Secretary of the Senate of his action on 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.

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 Ways and Means shall not be required to file such report of a prefiled bill defined in these Rules.

A prefiled bill introduced solely by a Senator who will not be a Senator at the next regular session of the legislature shall be reported unfavorably without notice or hearing.

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 that 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.

Each report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on 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 the measure as the Senate may determine.

After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said conferees, and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege. 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 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—Calling 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. On 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. If there is a disturbance or disorderly conduct in the committee room, he may clear the room.

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 and the 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. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. The chairman may, or on the vote of a majority of the committee members present 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, providing 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 if 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

On 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. On 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 on the disposition of any bill or other matter considered by the committee.

The chairman may excuse any Senator for just cause from attendance at meetings of his committee for any stated period, and this excused absence shall be noted on the committee's records.

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 by a show of hands by three (3) members the chairman shall count the yeas and nays. When the committee shall be equally divided, the question shall be lost.

A Senator may request to (a) change his vote or (b) vote before the results of a roll call are announced. After the results have been announced, a Senator with unanimous consent of those present may change his vote or vote. If the vote alters the final action of the committee, no change of vote or vote shall be valid until the measure has been recalled to the committee for further consideration. On 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—Casting vote for another

No Senator shall cast a 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 as the Senate may deem proper. Also, 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.

2.31—Explanation of vote

No Senator shall be permitted to defer or explain his vote during a roll call, but may submit his explanation in writing and file it with the chairman. This explanation shall be kept as part of the committee record and a copy 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. On request of the chairman, a Senator shall submit his motion in 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 members present. The mover may withdraw a motion, except a motion to reconsider at any time before the same has been amended, or before a vote shall have 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 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 a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one substitute shall be considered and the substitute shall be in the same order of precedence.

2.34—Division of question

A 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 may move for reconsideration of the question. Also when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move. 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 of those present. 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 affirmative votes of a majority of the committee present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question is debatable. When debate on motion to reconsider is in order, no Senator shall speak thereon more than once nor 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 after 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 that have been filed with the chairman but have not been formally moved for adoption 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 on 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 to 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, in recognizing Senators for the purpose of moving the adoption of amendments, shall 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

A 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 a Senator desires to speak or deliver a matter to the committee, he shall 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. A Senator shall 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, the chairman may permit the person rising to state why he desires the floor. If the question he desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. He is then entitled to resume the floor.

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 longer than ten (10) minutes without yielding the floor, except by consent of a majority of those present.

2.49—Limitation on debate

When a measure is under debate by the committee, a Senator may move to limit debate, and the motion shall be decided without debate. The introducer of the measure shall have five (5) minutes to discuss the motion, and he may divide his time with, or waive it in favor of, some other member. If the question is decided in the affirmative by a two-thirds (2/3) vote of those present, the 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 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 from which it arose was not debatable.

RULE THREE

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Form of measure

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 (1½) 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 the form shall be 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 _____

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 introducer 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.

New and Deleted Matter. Bills that 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 that propose to amend the Florida Constitution shall contain the full text of the section to be amended.

In general bills and joint resolutions that 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.

When 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 six (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 referenda (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 that 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:." Only the Secretary of the Senate shall prepare copies of Senate resolutions that are to be furnished any person after the resolution's adoption.

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 on unanimous consent of those present, but the motion shall not be entertained until the movant notifies 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 receiving 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, in anticipation 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 mail regularly 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.

After having been considered by a committee and a report made to the Secretary at least seven (7) days preceding a regular session, each bill 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.

If 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, if a prefiled bill has 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, a 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 a committee. This motion may be adopted by a two-thirds (2/3) vote of those present.

3.9—Printing of bills

When introduced, bills not local in application and 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 shall be determined each year by the Secretary who shall furnish the copy for printing. The absence of a printed copy shall not delay the progress of a 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 mark the original copy of each measure to insure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by machines as used in banks for validating or cancelling checks or other documents, or made by any other device to accomplish the purpose of this Rule. Such device 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

When a Senate bill is reached on the calendar of the Senate for consideration, either on second or third reading, and there is 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 of those present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the rules by two-thirds (2/3) vote of those present 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, 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 Ways and Means.

3.13—Fiscal notes

Upon being favorably reported by a standing committee, all general bills or joint resolutions affecting revenues, expendi-

tures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures, the present and future fiscal implications of the bill or joint resolution and shall also embrace the requirements of Sections 11.075 and 11.076, F. S., relating to economic impact. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

Fiscal notes on those bills affecting any state retirement system, shall be prepared after consultation with an actuary who is a member of the Society of Actuaries and the cooperation of appropriate state agencies for necessary data shall be solicited.

Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate.

If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this rule, a Senator may at any time raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule adopted by the Committee on Rules and Calendar and approved by the President. This schedule shall set forth hours to convene and adjourn.

4.2—Quorum

A majority of the Senate shall constitute a quorum, 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. A 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 distribute, 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 on 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, President Pro Tempore, or member of the Senate designated by the pre-

siding 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" (including House measures received by the Senate for first reading). 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.

Except when the Senate is voting on a proposition, reports of committees of conference shall always be in order.

4.4—Committee of the Whole

By a majority vote of those present, the Senate may, resolve itself into a Committee of the Whole and, 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 those present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only on two-thirds (2/3) vote of those present. Such 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 on 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 on 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 a separate paper by the Secretary of the Committee of the Whole. 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 a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second reading the vote shall be on 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 on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

4.6—Reference generally; final day for introduction of bills

All bills, including those that 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. Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the sponsor. In the event of extended absence of the President or his disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

If 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 the chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for consideration. If subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report this reference and the time allowed for consideration to the Secretary of the Senate on forms provided for the purpose. The reference of a bill that is local in nature shall be to the Committee on Rules and Calendar to determine 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. When the Committee on Rules and Calendar has determined a bill is in fact and law a local bill, it shall be reported and referred to the calendar on local bills.

All Senate bills filed for introduction after the eleventh day of the regular session (except for the general appropriations bill, local bills, and joint resolutions) shall be referenced, but shall be withheld from the committee or committees of reference until after adjournment sine die of such session.

A motion to waive this Rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule, and a recommendation shall be reported back to the Senate not later than the next legislative day. The Secretary shall number them to provide identity and control until a permanent number can be affixed. These bills shall be known as prefiled bills and considered in accordance with these Rules.

4.7—Reference to more than one committee; effect

In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, 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 those present. 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 Ways and Means Committee

All bills authorizing or substantially affecting appropriations or tax revenue shall be referred to the Committee on Ways and Means. A bill that is amended to substantially affect appropriations or tax revenue shall, before being placed before the Senate for final passage, be referred along with all amendments to the Committee on Ways and Means for its review and recommendation to the Senate which review during the last ten days of a regular Session shall be accomplished within twenty-four hours.

Claim bills shall be first referred to a Senate Special Master on Claims who shall conduct a hearing in accordance with the Rules of the Senate having the strictest requirement of notice. The Special Master shall administer an oath to all witnesses, preserve a recording of proceedings (but withhold the transcription 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. On receipt of the Master's report and recommendation, the President shall refer each claim bill with the report attached to the Committee on Ways and Means, the provisions of the first paragraph of this Rule to the contrary notwithstanding.

4.9—Reference of resolutions and veto messages

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office. These may be considered on motion and adopted at time of introduction without reference. All veto messages shall be referred to the Committee on Rules and Calendar.

4.10—Reference to different committee or removal

When the President has referred a bill, a Senator may, no later than under the Order of Business of "Motions Relating to Committee Reference" on the following legislative day on

which the Senate meets, move for reference to a different committee or for removal from any committee. This motion may be adopted by a two-thirds (2/3) vote of those present.

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 there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those present.

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 on final passage unless two-thirds (2/3) of those 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) separate readings on two (2) separate days previous to a voice vote on adoption, unless two-thirds (2/3) of those present decide otherwise. If the reading on the second day is dispensed with by this waiver, the concurrent resolution or memorial may be read the second time by title only.

4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read by title only and 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

On the third reading of a bill or joint resolution, it shall not be committed (except to the Committee on Ways and Means) or amended (except a corrective or title amendment) without consent of two-thirds (2/3) of those present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those present obtained in the following manner: Prior to the consideration of the motion, the Senator moving for unanimous consent of those present shall orally give the membership not less than fifteen (15) minutes' notice of his intention to move and shall specify the number of the bill or joint resolution and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his purpose, and unanimous consent of those present shall 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 directed by the membership of the legislature as permitted under the Constitution, the Chairman of the Committee on Rules and Calendar or his designee, the Vice-Chairman of the Committee on Rules and Calendar or his designee, the Minority Leader or his designee, and two (2) other members of the committee designated by the chairman shall on each day submit a Special Order Calendar determining the priority for consideration of bills. During the first fifty (50) days of a regular session, except for the first day, each Special Order Calendar shall be for the second succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for special order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of the 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 those present shall be required to establish a Special Order except as provided in this Rule. Notice of time and place for the establishment of the special order shall be published in the daily calendar; provided, during the last ten (10) days of each regular session notice of time and place may be given by announcement from the floor.

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 is designated, all bills appearing on the consent calendar shall be considered in their order of appearance. However, if an objection by any member shall cause such bill to be temporarily passed, it retains its order on the regular calendar. A Senator may designate only a bill that 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 considered only at such time as 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 a bill that 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 considered 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. Amendments filed with the Secretary, the adoption of which have 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 a show of hands, the President shall take the vote 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 shall have the force and effect of a roll call taken as provided in these Rules. Also this system may be used to determine the presence of a quorum. When the Senate is ready to vote on 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 in the Journal the result. When the Senate is 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 of those present 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 the 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. On request of a Senator before considering other business, the President shall order a verification of a vote.

5.3—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall a person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, a Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, a 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.

5.4—Pairing

Pairing shall be permitted only on the absence of a Senator excused from attendance and shall specifically state, in writing, 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 submit his explanation in writing and file it with the Secretary. This explanation shall be entered in 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 is 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. On request of the President, a Senator shall submit his motion in 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 the vote shall have commenced.

6.2—Motions; precedence

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

1. To adjourn
 - (a) Instantly
 - (b) At a time certain
2. Questions of privilege
3. To take a recess
4. To proceed to the consideration of executive business
5. To reconsider
6. To limit debate
7. To temporarily pass
8. To postpone to a day certain
9. To commit to the Committee of the Whole
10. To commit to a standing committee
11. To commit to a select committee
12. To amend
13. To postpone indefinitely

which 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 a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

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

When a motion is under consideration, but prior to the commencement of the vote, 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

A 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, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets. If the question has been decided by voice vote, any Senator may so move. Such motion may be made pending a motion to adjourn or if it is time to adjourn. 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, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those present. 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 those 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 of those present is necessary for adoption or passage, any Senator may move for reconsideration.

6.5—Reconsideration; vote required

A majority of the affirmative votes of those present shall be required to adopt a motion to reconsider.

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. When the question is debatable no Senator shall speak thereon more than once nor 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 considered on the same day on which it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those 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. During the last five (5) calendar days allowed under the Constitution for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

6.9—Motion to indefinitely postpone

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. A 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. Motions to indefinitely postpone shall not be applicable to collateral matters.

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 after sponsors gain recognition from the President to move their adoption, except that the chairman of the committee (or, in his absence, the vice-chairman or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary of the Senate but have not been formally moved for adoption 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 of those present and on third reading by a two-thirds (2/3) vote of those present. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those present 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 on before the substitute is taken up. Only one amendment to the amendment is in order. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to 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, in recognizing Senators for the purpose of moving the adoption of amendments, shall 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 taken up by the Senate unless withdrawn 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

A 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 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, (2) concur in the House amendment, (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 of those present.

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, (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 of those present.

RULE EIGHT

DECORUM AND DEBATE

8.1—Decorum and debate

When a Senator desires to speak or deliver a matter to the Senate, he shall rise at his seat and 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. A Senator shall 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
5. 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, the presiding officer may permit the person rising to state why he desires the floor. If the question he desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. He then is entitled to resume the floor.

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 longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those present.

8.6—Limitation of debate

When a measure is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the measure shall have five (5) minutes to discuss said motion. If, by two-thirds (2/3) vote of those present, the question is decided in the affirmative, debate shall be limited accordingly.

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 in-

quiry 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

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly 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 from 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 that 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: (1) those that relate to the privilege of the entire body and are known as questions of "privilege of the house", and (2) those that relate to a member, and 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, or those persons excepted by Rule 9.3), who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate or Clerk of the House. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with a 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, and his legislative interests. The Secretary or a deputy in the Office of the Secretary is authorized to acknowledge the oath of those registering in person.

The Secretary shall publish 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 on the floor of the Senate while it is in session.

9.3—Registration, exception

A 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, as long as he remains a registered 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 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—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 will 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 and on 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 on 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 shall report violations. No committee member 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 session except present members of the Senate, 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 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 consent of the majority of those present. 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.

10.6—Gallery

No food or beverages shall be allowed in the gallery at any time.

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 on 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. The 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. 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.

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

When 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. 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 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 information on which the bans of secrecy were 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 unseating the offending Senator.

PART TWO—SUSPENSIONS AND REMOVALS

12.7—Procedure

(a) Except as otherwise herein provided, on receipt by the Senate of appointments, removals, or suspensions on 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. Either one shall make inquiry or investigation and advise the President and the Senate of its recommendation and of the necessity for deliberating the 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 may 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. When 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 that is challenged in a court shall be referred to the Committee on Executive Business or Special Master. Such shall be held in suspense and shall not be considered by the Senate until the pending charges have been dismissed, until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, including the exhaustion of appellate remedies.

In a 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 the suspension.

(e) The committee or Special Master may provide for a pre-hearing 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 that will be relied on by the parties at the hearing. Each shall state to the committee what each expects to prove 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. If a suspension order is referred to the committee or Special Master but is held in suspense in accordance with Rule 12.7(b), 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 on the recommendations of the committee or Special Master within thirty (30) days after the report of such recommendations to the Senate. 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 on 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 evidence introduced by such party. After the expiration of sixty (60)

days, the committee or Special Master may dispose of such exhibits or other evidence.

12.8—Special Master; appointment

Upon recommendation of the Committee on Executive Business, 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 1.28, 1.29, 1.30, 1.31 or 1.32.

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 to present and explain his report and answer questions as to the law and facts involved.

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 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 to testify on matters 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 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 posting a 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 of those present. Any bill on which no committee report is filed may be withdrawn from such committee and calendared on point of order. 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 a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, on the completion of the second reading, the vote shall be on 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 on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on 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 that 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 a 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 have been appointed for thirty-six (36) hours and have failed to make a report, it is 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 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".

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate

The Secretary of State on June 5, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Colleen L. Bevis, Tampa, Member of the Board of Trustees of Hillsborough Community College, for term ending May 31, 1982

Hilman F. Bowden, Plant City, Member of the Board of Trustees of Hillsborough Community College, for term ending May 31, 1982

Joseph Martin Crevasse, Jr., Gainesville, Member of the Career Service Commission, for term ending November 22, 1979

The Secretary of State on June 6, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Isabella P. Grimes, Pensacola, Member of the Civil Service Board of the County of Escambia, for term ending February 15, 1979

The Secretary of State on June 7, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Robert J. Huckshorn, Boca Raton, Member of the Florida Elections Commission, for term ending December 5, 1981

Benjamin A. Johnson, Jacksonville, Member of the Florida Elections Commission, for term ending December 10, 1981

Anne E. Kelley, Temple Terrace, Member of the Florida Elections Commission, for term ending December 10, 1981

Wilbur U. Zeller, Inverness, Member of the Withlacoochee River Basin Board of the Southwest Florida Water Management District, for term ending June 30, 1980

Clarence L. Morrison, Crawfordville, Member of the Board of Trustees of Tallahassee Community College, for term ending May 31, 1982

The Secretary of State on June 19, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

John L. Hundley, Pahokee, Member of the South Florida Water Management District, for term ending July 1, 1979

The Secretary of State on June 28, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

J. Jackson Walter, Tallahassee, Secretary of the Department of Business Regulation, to serve at the Pleasure of the Governor

The Secretary of State on June 29, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Billy Vessels, Coral Gables, Member of the Board of Business Regulation, to serve at the Pleasure of the Governor

The Secretary of State on June 30, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Howard Jay Friedman, Tallahassee, Member of the State Retirement Commission, for term ending December 31, 1981

The Secretary of State on July 5, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Berryman T. Longino, Sarasota, Member of the Governing Board of the Southwest Florida Water Management District, for term ending June 30, 1982

The Secretary of State on July 7, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Joan W. Jennewein, Tampa, Member of the Historic Tampa/Hillsborough County Preservation Board, for term ending November 1, 1981

Phil Ashler, Secretary of Commerce, to serve at the Pleasure of the Governor

The Secretary of State on June 10, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Robert H. Carswell, Panama City, Member of the Florida Barbers' Board, for term ending June 30, 1979

Edward W. Chance, Palmetto, Member of the Florida Barbers' Board, for term ending June 30, 1982

Emory O. Edenfield, Jacksonville, Member of the Florida Barbers' Board, for term ending June 30, 1979

Beno L. English, Pensacola, Member of the Florida Barbers' Board, for term ending June 30, 1982

L. R. Smith, Tallahassee, Member of the Florida Barbers' Board, for term ending June 30, 1980

Paul C. Perkins, Orlando, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1981

The Secretary of State on July 14, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Robert W. Padrick, Ft. Pierce, Member of the South Florida Water Management District, for term ending July 1, 1982

The Secretary of State on July 18, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Donald M. Middlebrooks, Key Biscayne, Member of the Commission on Ethics, for term ending June 30, 1980

The Secretary of State on July 21, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Patricia Waterman, Odessa, Member of the Historic Tampa/Hillsborough County Preservation Board, for term ending November 1, 1981

The Secretary of State on July 24, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Sol Fleischman, Jr., Tampa, Member of the Historic Tampa/Hillsborough County Preservation Board of Trustees, for term ending November 1, 1981

The Secretary of State on July 25, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Betty Wood McNabb, Panama City, Member of the State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1981

The Secretary of State on July 28, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Nelson A. Italiano, Tampa, Member of the Game and Fresh Water Fish Commission, for term ending January 6, 1983

The Secretary of State on July 31, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Nancy Kelley Wittenberg, Tallahassee, Secretary of Professional and Occupational Regulation, to serve at the Pleasure of the Governor

The Secretary of State on August 7, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

William R. Butler, Miami, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1981

The Secretary of State on August 10, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Erward Porter, Miami Beach, Member of the State Board of Independent Colleges and Universities, for term ending August 25, 1979

The Secretary of State on August 11, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Claussion P. Lexow, Hollywood, Member of the State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1981

John E. McCaskill, DeFuniak Springs, Member of the Board of Trustees of Okaloosa-Walton Junior College, for term ending May 31, 1982

Rowena E. Rodgers, Clermont, Member of the Board of Examiners of Nursing Home Administrators, for term ending December 28, 1981

The Secretary of State on August 14, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Garnett Lanham, Tallahassee, Member of the State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1981

The Secretary of State on August 16, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Ronald T. Giddens, Jacksonville, Member of the Board of Funeral Directors and Embalmers, for term ending July 18, 1982

The Secretary of State on August 18, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Irene E. Williams, Tampa, Member of the State Board of Cosmetology, for term ending August 9, 1982

The Secretary of State on August 21, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Edythe H. Martin, Wildwood, Member of the Board of Trustees of Lake-Sumter Community College, for term ending May 31, 1982

Joan S. O'Shea, Jacksonville, Member of the State Board of Cosmetology, for term ending June 27, 1981

Crawford P. Rice, Tampa, Member of the Florida State Fair Authority, for term ending July 1, 1982

The Secretary of State on August 22, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Bruce M. Robbins, Jr., Tampa, Member of the Florida State Fair Authority, for term ending July 1, 1982

The Secretary of State on August 24, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Charles P. Lykes, Tampa, Member of the Florida State Fair Authority, for term ending July 1, 1982

The Secretary of State on August 28, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes,

a certificate subject to confirmation by the Senate had been prepared for the following:

Lenora W. Mobley, Sanford, Member of the Florida Barbers' Board, for term ending August 10, 1982

The Secretary of State on September 1, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

J. Elisabeth Middlebrooks, Miami, Member of the Board of Funeral Directors and Embalmers, for term ending August 9, 1982

The Secretary of State on September 6, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Parke Wright, III, Tampa, Member of the Florida State Fair Authority, for term ending July 1, 1982

The Secretary of State on September 12, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

George H. Gage, Jr., Tampa, Member of the Florida State Fair Authority, for term ending July 1, 1982

Isaac Simon, Baker, Member of the Board of Trustees of Okaloosa-Walton Community College, for term ending May 31, 1982

The Secretary of State on September 15, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Charles M. Davis, Tampa, Member of the Florida State Fair Authority, for term ending July 1, 1982

The Secretary of State on September 18, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Hisetta S. Dyson, West Palm Beach, Member of the Board of Trustees of Palm Beach Junior College, for term ending May 31, 1982

The Secretary of State on September 19, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Mary Call Collins, Tallahassee, Member of the Historic Saint Augustine Preservation Board of Trustees, for term ending August 31, 1982

The Secretary of State on September 26, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Raynell E. Sloan, Tampa, Member of the State Board of Independent Post-Secondary Vocational, Technical, Trade and Business Schools, for term ending July 1, 1979

The Secretary of State on September 27, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Emmett S. Roberts, Tallahassee, Secretary of the Department of Health and Rehabilitative Services, to serve at the Pleasure of the Governor

The Secretary of State on October 2, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Grace H. Dansby, Tallahassee, Member of the State Board of Independent Colleges and Universities, for term ending August 31, 1981

Mary Christine Williams, Tallahassee, Secretary of the Department of Labor and Employment Security, to serve at the Pleasure of the Governor.

The Secretary of State on October 9, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Phil Ashler, Tallahassee, Secretary of the Department of Commerce, to serve at the Pleasure of the Governor

Anthony D. Bosetti, Fort Lauderdale, Member of the Florida Board of Massage, for term ending January 1, 1982

Charles E. Canfield, Sorrento, Member of the Florida Board of Massage, for term ending January 1, 1980

Susan F. Harris, Miami, Member of the Florida Board of Massage, for term ending January 1, 1982

The Secretary of State on October 10, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Annie Lee Keyes, Orange Park, Member of the Board of Trustees of Saint Johns River Community College, for term ending May 31, 1981

A. Noody Lewis, Jacksonville, Member of the Board of Trustees of Florida Junior College at Jacksonville, for term ending May 31, 1982

Susan Uhl Wilson, South Miami, Member of the Environmental Regulation Commission, for term ending July 1, 1981

The Secretary of State on October 11, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Max Register, Brooksville, Member of the Pithlachascootee River Basin Board of the Southwest Florida Water Management District, for term ending June 30, 1981

The Secretary of State on October 13, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Oswald P. Bronson, Daytona Beach, Member of the State Board of Independent Colleges and Universities, for term ending August 24, 1981

Wesley C. Paxson, Jacksonville, Member of the Jacksonville Transportation Authority, for term ending May 31, 1982

The Secretary of State on October 16, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Robert Roy Meador, Jr., Leesburg, Member of the Board of Trustees of Lake-Sumter Community College, for term ending May 31, 1982

The Secretary of State on October 17, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Edward J. Brogan, Tampa, Member of the Florida Board of Massage, for term ending January 1, 1982

The Secretary of State on October 23, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Clifton A. Stephens, Clearwater, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1982

Wm. O. Stubbs, Jr., Dade City, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1982

The Secretary of State on October 25, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Robert K. Carbaugh, Tavares, Member of the Board of Trustees, Lake-Sumter Community College, for term ending May 31, 1982

The Secretary of State on October 31, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Ronald B. Lambert, Wauchula, Member of the Governing Board of the Southwest Florida Water Management District, for term ending July 1, 1982

The Secretary of State on November 1, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Patsy J. Ware, St. Petersburg, Member of the Board of Examiners of Nursing Home Administrators, for term ending July 7, 1980

The Secretary of State on November 3, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Sallie K. Spearman, Tallahassee, Member of the Board of Examiners of Nursing Home Administrators, for term ending October 17, 1982

The Secretary of State on November 6, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Alva Dean Christie Pritchard, Jacksonville, Member of the Board of Trustees, Florida School for the Deaf and the Blind, for term ending November 19, 1980

Robert Harry Spiro, Jacksonville, Member of the State Board of Independent Colleges and Universities, for term ending August 18, 1979

Mary B. Steddom, Ocala, Member of the Board of Trustees, Central Florida Community College, for term ending May 31, 1982

The Secretary of State on November 8, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Agnes Elizabeth Craighead, Harbour Heights, Member of the Board of Trustees, Edison Community College, for term ending May 31, 1982

Holland T. Salley, Naples, Member of the Board of Trustees, Edison Community College, for term ending May 31, 1982

Benjamin L. Mathis, Ocala, Member of the Board of Trustees, Central Florida Community College, for term ending May 31, 1981

The Secretary of State on December 1, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Joseph P. Cresse, Tallahassee, Member of the Florida Public Service Commission, for term ending January 1, 1983

The Secretary of State on December 4, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Gerald L. Gunter, Titusville, Member of the Florida Public Service Commission, for term ending January 1, 1983

—which were referred to the Committee on Executive Business.

VETOED BILLS 1978 REGULAR SESSION

Honorable Philip D. Lewis
President of the Senate

December 6, 1978

Dear Mr. President:

In compliance with the provisions of Article III, Section 8(b), of the State Constitution, I am transmitting to you for consideration of the Senate the following vetoed bills, 1978 Regular Session, with the Governor's objections attached thereto:

- CS for
- SB 415 Relating to public school personnel
- SB 827 Relating to local price controls on rent for luxury apartments
- SB 845 Relating to the excise tax on documents
- SB 912 Relating to the sales and use tax
- SB 1185 Relating to the tax exemption for totally and permanently disabled persons
- SB 1250 Relating to transportation.

Sincerely,
Jesse J. McCrary, Jr.
Secretary of State

Honorable Bruce A. Smathers
Secretary of State

June 21, 1978

Dear Mr. Secretary:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Committee Substitute for Senate Bill 415, enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978, and entitled:

"An act relating to public school personnel; amending s. 231.40(3), Florida Statutes, and the introductory paragraph of said section; adding s. 231.40(4), Florida Statutes; deleting provision which limits amount of compensation for certain personnel when on sick leave; authorizing any school board to establish policies and prescribe standards to permit certain participating employees to pool accrued sick leave days for disbursement to any participating employee who is in need of sick leave in excess of amount he has accrued; providing an effective date."

Committee Substitute for Senate Bill 415 authorizes any school board to establish policies to permit certain participating employees of the teaching staff or fulltime employees of a school system to pool accrued sick leave days for disbursement to any participating employee in need of sick leave in excess of the amount he or she has accrued. The thought behind this proposal—a group of employees seeking to help a fellow worker in time of need—is certainly commendable. But this bill has some serious practical problems. It provides no guidelines and allows each school board to adopt its own plan for pooling accrued sick leave of its employees.

Section 112.20, Florida Statutes, establishes policies to provide terminal "incentive" pay for unused sick leave for state employees upon termination, retirement or death of the employee as an incentive for remaining in state employment and making judicious use of sick leave time. Section 231.40(1)(c), Florida Statutes, allows school boards to establish policies to provide terminal pay which provides the same type incentive. The provisions of this bill would tend to void such incentives.

What constitutes "need" to be eligible for sick leave pool use appears difficult to determine. The Personnel Rules and Regulations provide that such leave is for the employee's personal illness, and a deviation from that concept for one

group of public employees could adversely affect the overall policy on leave credits and benefits and have ramifications for collective bargaining agreements.

Without more specific details on how such a program would operate, approval of the concept cannot be considered. For example, the benefits could be considerable for a new employee or for one who for years has abused sick leave benefits. Such employee might terminate shortly after such use, meaning the employee has been paid for time off never earned.

This bill also does not establish any maximum number of days an employee could draw from the sick leave pool, leaving that determination to the various school districts, and does not establish the length of time an employee would have to be employed before becoming eligible to participate. Without such a provision, a school district's plan could allow a new employee to be off on paid sick leave for months and subsequently leave the employment of the school district without ever returning to work after having been on sick leave with no obligation to repay in any way the expense to the taxpayers.

While I am aware of the general personnel practice in both the public and private sectors of employees earning and accumulating sick leave for their personal use at a later time as the need arises, granting such leave in advance of its being earned by the individual employee, with no assurance that the public will benefit from the services of that individual employee, is too much of a questionable practice to place on taxpayers of this state.

One approach that could be acceptable would be to use sick leave in advance for catastrophic illness with the requirement that such leave be eventually paid back through accumulation as a result of employment time served after the illness, by cash or some other method. This approach would encourage the judicious use of such leave and provide the taxpayer with the protection from payment of services never rendered.

For the above reasons, I am withholding my approval of Committee Substitute for Senate Bill 415, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto same.

Sincerely,
REUBIN ASKEW
Governor

Honorable Bruce A. Smathers
Secretary of State

June 14, 1978

Dear Mr. Secretary:

By authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 827 enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978 and entitled:

"An act relating to local price controls on rent for luxury apartments; amending ss. 125.0103(4), 166.043(4), Florida Statutes; prohibiting certain local price controls on rents charged for dwelling units in luxury apartment buildings; defining luxury apartment building; providing an effective date."

Senate Bill 827 violates Article III, Section 11(b), Florida Constitution (1968) which provides:

"In the enactment of general laws on other subjects, political subdivisions or other governmental entities may be classified only on a basis reasonably related to the subject of the law."

The only discussion concerning interpretation of this section is contained in 1969 Op. Att'y Gen. Fla. 069-17 (March 25, 1969) wherein it was stated:

"Under ss. 11(b), Article III, population acts on subjects not listed in ss. 11(a) may, as in the past, be enacted if there exists a reasonable relationship between the subject of the law and the population classification made by such law."

The opinion further relied upon *State v. Mason*, 172 So.2d 225 (Fla. 1964) which held that a general law which fails to operate uniformly throughout the State is invalid unless it

contains a classification predicated upon a reasonable basis. See also *Yoo Kun Wha v. Kelly*, 154 So.2d 161 (Fla. 1964) and *Crandon v. Hazlett*, 157 Fla. 574, 26 So.2d 638 (1946), and *Vance v. Ruppel*, 215 So.2d 309 (Fla. 1968).

Senate Bill 827 would amend Section 125.0103(4) and 166.043(4), F.S. to exempt dwelling units in luxury apartment buildings from rent controls. A luxury apartment building is defined as:

"For the purpose of this section, a luxury apartment building is one wherein on January 1, 1977 the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds \$190 for counties having a population less than 600,000 as of the most recent decennial census and \$250 for counties having a population of 600,000 or more as of the most recent decennial census."

The 1970 census would include only two counties within these population ranges - Broward and Dade. Limitation to these counties appears unreasonable in light of the fact that two neighboring counties (Palm Beach and Monroe) not meeting the population requirements suffer from housing rentals at least as high as those in Dade and Broward. In fact, Monroe County has been found to have the highest cost of living in the State.

Last year I reluctantly allowed Senate Bill 403 relating to price and rent controls to become law without my signature. I still feel that legislation of this nature places a broad limitation on local government action even when it may be necessary and justifiable. At any rate, I do not feel the attempt to set two standards of definition is constitutionally permissible.

For the above reasons, I am withholding my approval of Senate Bill 827, Regular Session of the Legislature commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

Honorable Bruce A. Smathers
Secretary of State

June 16, 1978

Dear Mr. Secretary:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 845 enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978, and entitled:

"An act relating to the excise tax on documents; creating s. 201.24, Florida Statutes, exempting political subdivisions of the state from the tax on notes, mortgages, and bonds under certain circumstances; renumbering s. 201.23(2), (3), Florida Statutes, and adding a new subsection (2) to said section; exempting certain evidences of indebtedness of public utilities from the tax imposed by s. 201.08, Florida Statutes; providing an effective date."

This bill exempts from the excise tax on documents any note made by, mortgage made by, or bond issued by, a political subdivision of the state. This original portion of the bill would cost general revenue an estimated \$500,000 in 1978-79.

This bill was amended on the floor of the House to provide an exemption from the excise tax on documents, mortgages, trust deeds, security agreements or other evidences of indebtedness *entered into outside the state* and filed and recorded in the state by public utilities including natural gas pipeline transmission companies, rural electric cooperatives and municipal utilities. This amendment increases the cost of the bill to \$1,100,000 in the general revenue fund.

While I have no particular objection to the original form of the bill, the amendment reverses, for the specified businesses, the tax on out-of-state executions enacted in Chapter 77-414, Laws of Florida. In that law we closed a major loophole in the documentary stamp tax law by extending the levy of the tax to documents recorded in the state no matter where they were executed. Reenactment of an exemption for out-of-state transactions, which is patently unfair to Florida financial institutions, is an unjustified precedent in documentary stamp taxation.

Policy issues of this magnitude need full discussion and debate available only through the committee process and exemptions to the documentary stamp tax should not discriminate between Florida and non-Florida financial institutions.

For the above reasons, I am withholding my approval of Senate Bill 845, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

Honorable Bruce Smathers
Secretary of State

June 19, 1978

Dear Secretary Smathers:

By authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 912 enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1973, and entitled:

"An act relating to the sales and use tax; adding paragraph (1) to s. 212.08(7), Florida Statutes; exempting from the tax articles of typography, artwork, photoengravings, mats, stereotypes, compositions, lithographs, or electrotypes sold to a person engaged in printing if such products are to be used in producing certain materials for resale; providing an effective date.

This bill provides an exemption from the sales tax for specific items used in printing and lithography sold to printers if these items are to be used by the printer in productions or reproductions of written or graphic matter for sale. Sales of these items are taxable under current law because they do not become a component or ingredient of the finished product.

The sales tax on sales of items of tangible personal property should be levied on the final consumer of such items. In the case of business purchases of items of tangible personal property the transaction should be viewed as exempt only if purchased for resale or if it becomes a component or ingredient of the finished product. If the use of the item does not meet this criteria the business is viewed as the final consumer and the transaction is taxable. This principle of taxation is applied in Florida and most states in administration of the state sales tax.

Under Senate Bill 912 this principle of retail sales taxation would be violated for the printing and lithography industry at a cost of \$275,000 to the State general revenue fund. All manufacturers, fabricators, and processors of tangible personal property for sale use materials and supplies in their operations that do not become a component or ingredient of the finished product. To grant this exemption to the printing and lithography industry would be unfair to all other industries in the State. The preferred course of action would be to either retain the principle that transactions of items of tangible personal property are taxable unless such items become a component or ingredient of the finished product or exempt all supplies which do not become an ingredient of the finished product. To provide an exemption exclusively for the printing industry and for no other would not provide equity to the other sectors of industry in Florida.

For the reasons stated, I am withholding my approval of Senate Bill 912, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

Honorable Bruce A. Smathers
Secretary of State

June 27, 1978

Dear Mr. Secretary:

By authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 1185 enacted by

the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978, and entitled:

"An act relating to the tax exemption for totally and permanently disabled persons; amending ss. 196.012(10), 196.101(2), (3), (5), Florida Statutes; providing additional requirements with respect to persons defined as being totally and permanently disabled for purposes of such exemption; amending the form of the Physician's Certification of Total and Permanent Disability accordingly; providing an effective date."

Present law requires certification by two doctors of medicine as to total and permanent disability. This bill would allow osteopathic physicians and chiropractic physicians to certify such disability, however, only one of the two certifying physicians may be a chiropractor and he can only certify those disabilities that are within his practice as defined by law.

I feel that it is in the public interest that at least one of the physicians certifying the disability be a doctor of medicine. I have no objection to one of the two physicians being an osteopathic physician, but I have concerns about returning to the period prior to the 1976 revisions of Chapter 196, Florida Statutes, when chiropractors could certify disability. In addition, allowing chiropractors to certify disability goes against precedent established by such groups as the Veterans Administration, Workman's Compensation, and Vocational Rehabilitation programs.

I would not be persuaded to veto this bill if these were my only objections. This bill, however, removes the complete exemption from persons who are legally blind and persons who are hemiplegics or paraplegics who are not legally blind or confined to a wheelchair.

The history of this bill indicates that as initially passed by the Senate, the bill clarified current law regarding the total exemption given the legally blind, and removed the wheelchair requirement for persons who are totally and permanently disabled. The bill was then amended on the floor of the House to replace the wheelchair requirement for persons who are totally and permanently disabled. In so doing, the amendment removed the exemption for the legally blind and placed the wheelchair requirement on hemiplegics and paraplegics. Policy decisions of this magnitude deserve committee action and it is my opinion that upon careful reading of the bill as finally passed many legislators would change their votes that removed these exemptions.

The sponsor of this bill, Senator John Vogt, concurs in my veto of this bill and agrees that we should not eliminate the current exemption for the blind, hemiplegics and paraplegics.

For the above reasons, I am withholding my approval of Senate Bill 1185, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

Honorable Bruce A. Smathers
Secretary of State

June 27, 1978

Dear Mr. Secretary:

By authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 1250 enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978, and entitled:

"An act relating to transportation; creating s. 334.215, Florida Statutes; providing for the creation of a metropolitan planning organization within each urbanized area in the state where a planning organization is necessary to meet federal requirements for obtaining and expending federal transportation funds; providing for operation under s. 163.01, Florida Statutes, Florida Interlocal Cooperation Act of 1969; providing for the invalidity of provisions of this act which are in conflict with federal requirements; requiring the full operation of all metropolitan planning organizations by July 1, 1979; providing an effective date."

Currently, the members of the 15 Metropolitan Planning Organizations are appointed by the Governor. According to this bill, the Governor would no longer appoint the Metropolitan Planning Organization membership. Instead the Governor would apportion the membership among the various governmental entities within each of the 15 urban areas on the basis of population and geographic factors. The governing body of each governmental entity so designated would appoint the appropriate members.

The shift in appointment power provided by this bill may not allow for the proper consideration of the interface between local transportation problems and statewide problems. Decisions made to achieve local political advantage could cause disputes between the Department of Transportation and local governments.

If the Governor retains his authority to appoint all Metropolitan Planning Organization members plus has direct administrative authority over the State Department of Transportation, critical transportation decisions can be made expeditiously. This important management control will assure that Florida will not experience the serious stoppages and slow-downs that many states throughout the nation have faced in their federal aid urban programs.

The transportation needs in the 15 urbanized areas are great and must be met as efficiently and effectively as transportation resources will allow. The State Department of Transportation has primary responsibility for the administration of the ongoing federal/state transportation programs. The Metropolitan Planning Organizations, in their new partnership role, must be injected into this complex transportation process without serious disruption to the program. It is, therefore, in the best interest of Florida that the Governor have the authority, through his appointments, to direct that a workable transition occur, as elected officials of local government begin to play an even greater role in the definition and priority setting of transportation system improvements throughout Florida.

For the above reasons, I am withholding my approval of Senate Bill 1250, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

VETOED BILL 1978 SPECIAL SESSION

Honorable Philip D. Lewis
President of the Senate

December 6, 1978

Dear Mr. President:

In compliance with the provisions of Article III, Section 8(b), of the State Constitution, I am transmitting to you for consideration of the Senate the following vetoed bill, 1978 Special Session, with the Governor's objections attached thereto:

SB 12-D Relating to education.

Sincerely,
Jesse J. McCrary, Jr.
Secretary of State

Honorable Bruce A. Smathers
Secretary of State

June 27, 1978

Dear Mr. Secretary:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 12-D enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Special Session of 1978, and entitled:

"An act relating to education; amending s. 228.195, Florida Statutes, relating to administration and funding of school food and nutrition programs; providing an effective date."

Senate Bill 12-D deletes the requirement and authority for State Board of Education rules governing the administration of

the school food service programs. This is at variance with federal statutes and regulations and would cause Florida to risk losing \$100 million dollars in federal School Food Program Funds during the 1978-79 school year.

United States Department of Agriculture Regulations for the National School Lunch Program, School Breakfast and Nonfood Assistance Programs and State Administrative Expenses, and for determining eligibility for free and reduced price meals and milk in schools require that responsibility for the administration of these school programs shall rest with the State education agency. In Florida's case, that would be the Department of Education. Should Senate Bill 12-D become law, it would repeal in subsections (2) and (3) of Section 228.195, Florida Statutes, the current provisions granting authority to the State Board of Education to adopt regulations for the administration of school food service programs in the schools. As a result, the legal authority for the State Board of Education to administer the Federal School Lunch and Child Nutrition Programs could be challenged on the ground that Senate Bill 12-D removed from the State Board of Education the authority to adopt the necessary rules.

My staff has discussed this bill with its primary sponsor, Senator Betty Castor, and she advises that deleting State agency responsibility for the administration of school food service programs was not the intent of Senate Bill 12-D. The disputed language was the result of an oversight. She would, therefore, concur in my not approving this legislation.

The Department of Education requested the Legislature to enact this bill during the regular 1978 session to amend subsection (4) of Section 228.195, Florida Statutes, to remove a conflict with Federal regulations. Subsection (4) of Section 228.195, Florida Statutes, provided that state funds shall be used to make up the difference between the per meal cost and the income from federal and other sources. Federal regulations require that federal funds shall be allocated to make up the difference between per meal cost and the amount of funds available from state and local sources.

While it is desirable to clear up the conflict between state and federal requirements in subsection (4), I do not feel this is as essential as making certain there is no question about the authority of the State Board of Education to adopt rules necessary for the State to be eligible to continue to receive Federal School Food and Child Nutrition funds.

I am firmly convinced that the Legislature should take another look at this area. The Department of Education has committed itself to work with members of the Legislature, and the staff of the U.S. Department of Agriculture on the wording of a bill to be considered by the 1979 session of the Legislature to correct the conflict in subsection (4) of Section 228.195, Florida Statutes, without creating potentially a much greater problem than the one being corrected.

For the above reasons, I am withholding my approval of Senate Bill 12-D, Special Session of the Legislature, commencing on June 7, 1978, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

The bills together with the Governor's objections thereto were referred to the Committee on Rules and Calendar.

On motion by Senator Barron, the Senate recessed at 11:22 a.m. to reconvene at 4:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 4:00 p.m. A quorum present—40:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fecht	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for December 6, 1978:

SB 3-A
SB 4-A
SB 2-A
SB 5-A
SB 6-A

Respectfully submitted,
Dempsey J. Barron
Chairman

EXECUTIVE BUSINESS

The Honorable Philip D. Lewis December 6, 1978
President, The Florida Senate
Room 409, The Capitol
Tallahassee, Florida 32304

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate:

Office and Appointment	For Term Ending
1. Secretary, Department of Business Regulation Appointee: Walter, J. Jackson	Pleasure of Governor
2. Board of Business Regulation, Member Appointee: Vessels, Billy	Pleasure of Governor
3. Secretary, Department of Commerce Appointee: Ashler, Phil	Pleasure of Governor
4. Secretary, Department of Health and Rehabili- tative Services Appointee: Roberts, Emmett S.	Pleasure of Governor
5. Secretary, Department of Professional and Occupational Regulation Appointee: Wittenberg, Nancy Kelley	Pleasure of Governor
6. Public Service Commission, Members Appointees: Cresse, Joseph P. Gunter, Gerald L.	1/1/83 1/1/83

As required by Rule 12.7(a), the Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the Committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee — by a separate vote as to each appointee — respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1978 Special Session.
- (3) That there is no necessity known to the Committee for the deliberations on said appointments to be held in executive session.

Respectfully,
Sherman S. Winn, Chairman
James A. Scott, Vice Chairman
Joe Carlucci
Pat Frank
Paul Steinberg

On motions by Senator Winn, the report of the committee was adopted and the Senate confirmed the appointments identified in the foregoing report, to the offices and for the terms indicated, in accordance with the recommendations of the committee.

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 2-A

The Committee on Natural Resources and Conservation recommends the following pass: SB 3-A with 1 amendment, SB 4-A

The Committee on Education recommends the following pass: SB 5-A

The Committee on Judiciary-Criminal recommends the following pass: SB 6-A

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Commerce recommends the following pass: SB 1-A

The bill was referred to Subcommittee D, Committee on Ways and Means under the original reference.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Gordon, by two-thirds vote SB 1-A was withdrawn from Subcommittee D, Committee on Ways and Means and by two-thirds vote placed on the Special Order Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed—

HB 1-A HB 2-A

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative J. W. Lewis and others—

HB 1-A—A bill to be entitled An act relating to the Florida Thermal Efficiency code; amending ss. 553.903, 553.904, 553.905 and 553.906, Florida Statutes, to delay the effective date of the code; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By Representative J. W. Lewis and others—

HB 2-A—A bill to be entitled An act relating to the Florida Lighting Efficiency Code; amending s. 553.89(2)(b), (3), and (4), Florida Statutes, to delay the effective date of the code; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Thomas, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Thomas, by two-thirds vote House Bills 1-A and 2-A were withdrawn from the Committee on Economic, Community and Consumer Affairs.

SPECIAL ORDER

SB 3-A—A bill to be entitled An act relating to areas of critical state concern; designating the Green Swamp Area and the Florida Keys Area as areas of critical state concern; adopting the provisions of chapters 22F-5 through 22F-13, Florida Administrative Code, as the land development regulations applicable to such areas; creating a joint select committee for the study of the designation and regulation of such areas; providing an effective date and a repeal date.

On motion by Senator Vogt, by two-thirds vote SB 3-A was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was moved by Senator Vogt and adopted:

Amendment 1—On page 2, strike all of lines 1-7 and insert: joint select committee for the purpose of studying those provisions of chapter 380, Florida Statutes, and the laws, boundaries, rules, regulations and procedures governing the designation, regulation and protection of areas of critical state concern. The persons appointed shall designate one member of the committee to serve as chairman, and the committee shall meet at the call of the chairman. Members of the committee shall receive no compensation, but shall be entitled to receive reimbursement for travel expenses and per diem as provided in s. 112.061, Florida Statutes. The committee in conducting its study shall not be limited in its inquiry to current designations or designation procedures but rather may consider alternative concepts and processes to protect critical areas of the state. The committee shall prepare recommendations and present them to their respective houses on or before March 15, 1979.

On motion by Senator Vogt, by two-thirds vote SB 3-A as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gordon	Maxwell	Steinberg
Anderson	Gorman	McClain	Stuart
Barron	Grizzle	McKnight	Thomas
Carlucci	Hair	Myers	Tobiassen
Chamberlin	Henderson	Neal	Trask
Childers, D.	Hill	Poole	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Jenne	Scott	Williamson
Fechtcl	Johnston	Skinner	Winn
Frank	MacKay	Spicola	

Nays—1

Peterson

Explanation of Vote

Although I have been opposed to the arbitrary designation of the "Green Swamp" as an area of critical state concern without compensation to property owners, the tremendous number of unanswered questions regarding the current designation of areas of critical state concern can best be answered by the procedure outlined in SB 3-A.

Alan Trask

My yea vote on SB 3-A is based on my confidence that the legislative joint committee will act more conscientiously to protect private property rights, better identify the water recharge areas of the Florida Aquifer, and bring a more appropriate resolution to the technical and philosophical conflicts regarding water resource protection.

I am confident with the amendment offered by me in the Committee on Natural Resources and Conservation to expand the scope of the study committee, and our successful efforts to organize this committee as a pure legislative branch committee rather than the Governor's Committee as originally proposed insures the citizens of Florida a more equitable and appropriate solution to this complex and crucial issue.

Vince Fechtel

SB 4-A—A bill to be entitled An act relating to Biscayne Bay Aquatic Preserve in Dade and Monroe Counties; amending s. 258.165(3)(b), Florida Statutes; providing that the restriction on the connection of upland canals to the waters of such preserve shall be limited to certain dredge and fill projects; providing an effective date.

On motions by Senator Myers, by two-thirds vote SB 4-A was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	Myers	Thomas
Anderson	Gorman	Neal	Tobiassen
Barron	Grizzle	Peterson	Trask
Carlucci	Hair	Poole	Vogt
Chamberlin	Henderson	Scarborough	Ware
Childers, D.	Hill	Scott	Williamson
Childers, W. D.	Holloway	Skinner	Winn
Fechtcl	Jenne	Steinberg	
Frank	McClain	Stuart	

Nays—5

Johnston	Maxwell	McKnight	Spicola
MacKay			

On motions by Senator Henderson, by two-thirds vote House Bills 1-A and 2-A were placed on the Special Order Calendar and taken up in lieu of SB 2-A.

HB 1-A—A bill to be entitled An act relating to the Florida Thermal Efficiency code; amending ss. 553.903, 553.904, 553.905 and 553.906, Florida Statutes, to delay the effective date of the code; providing an effective date.

On motions by Senator Henderson, by two-thirds vote HB 1-A was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Nays—None

HB 2-A—A bill to be entitled An act relating to the Florida Lighting Efficiency Code; amending s. 553.89(2)(b), (3), and (4), Florida Statutes, to delay the effective date of the code; providing an effective date.

On motions by Senator Henderson, by two-thirds vote HB 2-A was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Maxwell	Thomas
Anderson	Gorman	McClain	Tobiassen
Barron	Grizzle	McKnight	Trask
Carlucci	Hair	Neal	Vogt
Chamberlin	Henderson	Peterson	Ware
Childers, D.	Hill	Poole	Williamson
Childers, W. D.	Holloway	Scarborough	Winn
Dunn	Jenne	Skinner	
Fechtcl	Johnston	Spicola	
Frank	MacKay	Steinberg	

Nays—1

Stuart

Votes after roll call:

Yea—Scott
Nay to Yea—Stuart

SB 2-A was laid on the table.

On motion by Senator MacKay, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed—

HB 4-A HB 8-A HB 9-A
—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives J. W. Lewis and Hector—

HB 4-A—A bill to be entitled An act relating to the Biscayne Bay Aquatic Preserve; amending s. 258.165(3)(b), Florida Statutes, providing that the restriction on connection of upland canals to the waters of the preserve shall be limited to certain dredging and filling projects; providing an effective date.

—was determined by the President to be within the purview of the Governor's call and read the first time by title.

By Representative Batchelor and others—

HB 8-A—A bill to be entitled An act relating to the State University System; amending s. 239.01(1)(h), Florida Statutes, 1978 Supplement, changing the name of the Florida Technological University to the University of Central Florida; providing an effective date.

—was determined by the President to be within the purview of the Governor's call and read the first time by title.

By Representative Crawford—

HB 9-A—A bill to be entitled An act relating to mentally disordered sex offenders; amending s. 917.21, Florida Statutes; requiring a committing court to retain jurisdiction over such an offender for the purpose of approving participation by the offender in a work-release or community furlough program; amending s. 917.217, Florida Statutes; specifying those mentally disordered sex offenders eligible for participation in such programs; requiring court approval of such participation pursuant to certain findings; authorizing the Department of Health and Rehabilitative Services to adopt certain rules; prohibiting release under a work-release or community furlough program until a specified date; providing for return of current participants in such programs to the committing court; providing an effective date.

—was determined by the President to be within the purview of the Governor's call and read the first time by title.

On motions by Senator MacKay, the rules were waived and by two-thirds vote House Bills 4-A, 8-A and 9-A were placed on the Special Order Calendar.

SPECIAL ORDER, continued

SB 5-A was taken up and on motion by Senator MacKay—

HB 8-A—A bill to be entitled An act relating to the State University System; amending s. 239.01(1)(h), Florida Statutes, 1978 Supplement, changing the name of the Florida Technological University to the University of Central Florida; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator MacKay, by two-thirds vote HB 8-A was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Fechtler	Johnston	Spicola
Anderson	Frank	MacKay	Steinberg
Barron	Gordon	McClain	Thomas
Carlucci	Gorman	McKnight	Tobiassen
Chamberlin	Hair	Myers	Trask
Childers, D.	Hill	Peterson	Ware
Childers, W. D.	Holloway	Scarborough	Winn
Dunn	Jenne	Skinner	

Nays—8

Grizzle	Maxwell	Poole	Vogt
Henderson	Neal	Scott	Williamson

Vote after roll call:

Yea—Stuart

SB 5-A was laid on the table.

SB 6-A was taken up and on motion by Senator MacKay—

HB 9-A—A bill to be entitled An act relating to mentally disordered sex offenders; amending s. 917.21, Florida Statutes; requiring a committing court to retain jurisdiction over such an offender for the purpose of approving participation by the offender in a work-release or community furlough program; amending s. 917.217, Florida Statutes; specifying those mentally disordered sex offenders eligible for participation in such programs; requiring court approval of such participation pursuant to certain findings; authorizing the Department of Health and Rehabilitative Services to adopt certain rules; prohibiting release under a work-release or community furlough program until a specified date; providing for return of current participants in such programs to the committing court; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator MacKay, by two-thirds vote HB 9-A was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gordon	Maxwell	Steinberg
Anderson	Gorman	McClain	Stuart
Barron	Grizzle	McKnight	Thomas
Carlucci	Hair	Myers	Tobiassen
Chamberlin	Henderson	Neal	Trask
Childers, D.	Hill	Peterson	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Jenne	Scott	Williamson
Fechtler	Johnston	Skinner	Winn
Frank	MacKay	Spicola	

Nays—None

Vote after roll call:

Yea—Poole

SB 6-A was laid on the table.

HB 4-A—A bill to be entitled An act relating to the Biscayne Bay Aquatic Preserve; amending s. 258.165(3)(b), Florida Statutes, providing that the restriction on connection of upland canals to the waters of the preserve shall be limited to certain dredging and filling projects; providing an effective date.

On motions by Senator Myers, by two-thirds vote HB 4-A was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Frank	McClain	Thomas
Anderson	Gordon	Myers	Tobiassen
Barron	Gorman	Neal	Trask
Carlucci	Hair	Peterson	Vogt
Chamberlin	Henderson	Scarborough	Ware
Childers, D.	Hill	Scott	Winn
Childers, W. D.	Holloway	Skinner	
Dunn	Jenne	Spicola	
Fechtler	MacKay	Stuart	

Nays—4

Grizzle Johnston Maxwell McKnight

Votes after roll call:

Yeas—Poole, Steinberg, Williamson
Yeas to Nays—MacKay, Spicola

SB 1-A—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08(5)(b), Florida Statutes, 1978 Supplement; exempting from the tax the purchase of industrial machinery and equipment to be used in a new business or expanded facilities or plants producing or fabricating a new product; providing a partial exemption from the tax for such purchases to be used in certain other expanded facilities or plants; providing an effective date.

On motions by Senator W.D. Childers, by two-thirds vote SB 1-A was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Grizzle	Maxwell	Stuart
Anderson	Hair	McClain	Thomas
Barron	Henderson	Myers	Tobiassen
Carlucci	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Gorman	MacKay	Skinner	Winn

Nays—8

Chamberlin	Frank	McKnight	Spicola
Childers, D.	Gordon	Neal	Steinberg

On motion by Senator Vogt, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3-A and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative J. W. Lewis and others—

HB 3-A—A bill to be entitled An act relating to environmental land and water management; designating the Green Swamp Area and the Florida Keys Area as areas of critical state concern; adopting specified provisions of the Florida Administrative Code as the land development regulations applicable to such areas; creating a committee for the study of the method of designation of such areas; providing for a report to the Legislature; providing an effective date and an expiration date.

—was determined by the President to be within the purview of the Governor's call and read the first time by title.

On motions by Senator Vogt, the rules were waived and by two-thirds vote HB 3-A was placed on the Special Order Calendar.

HB 3-A was taken up and on motion by Senator Vogt, by two-thirds vote was read the second time by title.

Senator Vogt moved the following amendment:

Amendment 1—On page 1, line 16, strike everything after the enacting clause and insert: Section 1. The Green Swamp Area, the boundaries of which are described in chapter 22F-5, Florida Administrative Code, is hereby designated an area of

critical state concern. Chapters 22F-5, 22F-6, and 22F-7, Florida Administrative Code, are hereby adopted and incorporated herein by reference and shall be the land development regulations applicable to the area for the duration of this act.

Section 2. The Florida Keys Area, the boundaries of which are described in chapter 22F-8, Florida Administrative Code, is hereby designated an area of critical state concern. Chapters 22F-8 through 22F-13, Florida Administrative Code, are hereby adopted and incorporated herein by reference and shall be the land development regulations applicable to the area for the duration of this act.

Section 3. The presiding officer of each house of the Legislature shall, on or before January 1, 1979, designate four members of each house of the Legislature to serve on a joint select committee for the purpose of studying those provisions of chapter 380, Florida Statutes, and the laws, boundaries, rules, regulations and procedures governing the designation, regulation and protection of areas of critical state concern. The persons appointed shall designate one member of the committee to serve as chairman, and the committee shall meet at the call of the chairman. Members of the committee shall receive no compensation, but shall be entitled to receive reimbursement for travel expenses and per diem as provided in s. 112.061, Florida Statutes. The committee in conducting its study shall not be limited in its inquiry to current designations or designation procedures but rather may consider alternative concepts and processes to protect critical areas of the state. The committee shall prepare recommendations and present them to their respective houses on or before March 15, 1979.

Section 4. This act shall take effect upon becoming a law and shall stand repealed on July 1, 1979.

Senator Vogt moved the following amendment to Amendment 1 which was adopted:

Amendment 1-A—On page 2, line 2, after the period insert: At least one member from each house shall be a member of the minority party.

Amendment 1 as amended was adopted.

Senator Vogt moved the following title amendment which was adopted:

Amendment 2—On page 1, strike all the title and insert: An act relating to areas of critical state concern; designating the Green Swamp Area and the Florida Keys Area as areas of critical state concern; adopting the provisions of chapters 22F-5 through 22F-13, Florida Administrative Code, as the land development regulations applicable to such areas; creating a joint select committee for the study of the designation and regulation of such areas; providing an effective date and a repeal date.

On motion by Senator Vogt, by two-thirds vote HB 3-A as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Nays—None

Vote after roll call:

Yea to Nay—Peterson

On motion by Senator Barron, the Senate recessed at 5:06 p.m., awaiting the call of the President.

The Senate was called to order by the President at 6:08 p.m.
A quorum present—40:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtel	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed HB 3-A, as amended.

Allen Morris, Clerk

On motion by Senator Barron, the Senate in Special Session adjourned sine die at 6:10 p.m.

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages numbered from 1 to 32, both inclusive, are and constitute a complete, true and correct Journal and record of the proceedings of the Senate of the State of Florida, in Special Session, convened at 11:00 a.m. on the 6th day of December, 1978, adjourned at 6:10 p.m. on the 6th day of December, 1978.

JOE BROWN
Secretary of the Senate

Tallahassee, Florida
December 6, 1978