



Journal of the Senate

Journal of the Senate for the Organization Session of the Seventh Legislature to be convened under the Constitution of Florida, as revised in 1968, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, November 18, 1980, being the day fixed by the Constitution for the purpose.

ORGANIZATION SESSION

Tuesday, November 18, 1980

The Senate was called to order by Joe Brown, Secretary of the Senate, at 10:00 a.m.

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

- Tom Tobiasen—2nd District
- Pat Thomas—4th District
- Joe Carlucci—8th District
- Edgar M. (Ed) Dunn, Jr.—10th District
- Curtis Peterson—12th District
- George Stuart, Jr.—14th District
- Clark Maxwell, Jr.—16th District
- John T. Ware—18th District
- Mary R. Grizzle—20th District
- Malcolm E. Beard—22nd District
- Patrick K. Neal—24th District
- Harry A. Johnston, II—26th District
- Don C. Childers—28th District
- Van B. Poole—30th District
- Ken Jenne—32nd District
- Sherman Winn—34th District
- Paul B. Steinberg—36th District
- Bob McKnight—38th District
- Dick Anderson—40th District

The Secretary announced that The Honorable George Firestone, Secretary of State, had certified to the election of certain Senators and directed the clerk to read the following:

STATE OF FLORIDA)
 OFFICE OF SECRETARY OF STATE)

I, GEORGE FIRESTONE, Secretary of State of the State of Florida, do hereby certify that the following Members of the State Senate were elected at the General Election held on the Fourth day of November, A. D., 1980, as shown by the election returns on file in this office:

SENATE DISTRICT NUMBER

- 1 W. D. Childers, Pensacola
- 3 Dempsey J. Barron, Panama City
- 5 Sherrill "Pete" Skinner, Lake City
- 6 George Kirkpatrick, Gainesville
- 7 Dan Jenkins, Jacksonville
- 9 Mattox Hair, Jacksonville
- 11 Richard H. (Dick) Langley, Clermont
- 13 Alan Trask, Winter Haven
- 15 Toni Jennings, Orlando
- 17 John Vogt, Cocoa Beach
- 19 Gerald S. (Jerry) Rehm, Dunedin
- 21 David H. McClain, Tampa
- 23 Pat Frank, Tampa
- 25 Warren S. Henderson, Sarasota
- 27 Tom Lewis, Palm Beach
- 29 J. W. "Bill" Stevens, Parkland
- 31 Jim Scott, Ft. Lauderdale
- 33 John A. Hill, Miami
- 35 Jack D. Gordon, Miami Beach
- 37 Gwen Margolis, Miami Beach
- 39 Richard (Dick) Renick, Miami



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this 17th day of November, A. D., 1980.

GEORGE FIRESTONE
SECRETARY OF STATE

The oath of office was administered by The Honorable Alan C. Sundberg, Chief Justice, Supreme Court of Florida, to the recently elected Senators.

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

- | | | | |
|-----------------|-------------|----------|-----------|
| Anderson | Hair | Margolis | Skinner |
| Barron | Henderson | Maxwell | Steinberg |
| Beard | Hill | McClain | Stevens |
| Carlucci | Jenkins | McKnight | Stuart |
| Childers, D. | Jenne | Neal | Thomas |
| Childers, W. D. | Jennings | Peterson | Tobiasen |
| Dunn | Johnston | Poole | Trask |
| Frank | Kirkpatrick | Rehm | Vogt |
| Gordon | Langley | Renick | Ware |
| Grizzle | Lewis | Scott | Winn |

40. A quorum present.

Invocation by Reverend Philip D. Lykes, Pastor, Southside Baptist Church, Lakeland:

Our Father in Heaven, we give thanks to you for you are good, your loving kindness is everlasting, you bless those who keep justice, those who practice righteousness at all times.

Our Senators have gathered from the East and the West, from the North and the South of Florida to this place of government. They come at the invitation of the people to serve us. To enable us to be safe and strong and secure and right.

As they sift through the incredible number of bills and listen to the barrage of words, give your wisdom to each who seek it and chastisement tempered with mercy to those who do not and forgiveness to those who know not what they do. Give courage to those who pay the price for doing what they know is truth even when the folks back home don't understand.

Father, may the experience of these Senators as they serve the State of Florida now become a part of the precious memories in years to come with no regrets clouding the gratitude for the privilege of service.

Give them your light, your love, your leadership, your courage, give them yourself, your patience in their relationships with each other and the House, for only our way will work in your world.

Especially favor Senate President Childers and President Pro Tempore Peterson with grace as they lead this Senate.

Father, I make my prayer to you in Jesus' name. Amen.

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

The Senate proceeded to the organization of the Body.

The Secretary announced that the Minority Party had certified the names of Senator Jim Scott as Minority Leader and Senator Van B. Poole as Minority Leader Pro Tempore for the term November, 1980 to November, 1982.

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

The Secretary recognized Senator Barron who placed in nomination the name of Senator W. D. Childers of the 1st Senatorial District.

Senator Barron: Mr. Chairman, our friends who are with us today, members of the press, those of you who we still know. They have changed so many of them that they have to wear badges now to recognize one another, so be careful what you say, you know you might be amongst them.

I bring you greetings from the far Northwest, the far, far Northwest, where just night before last it was ten below. It's always good to get back here because it's always warm here and it will be warmer in April and May, as it always is.

I come here today to nominate a friend to serve as President of the Senate for the ensuing two years.

In the words of John Kennedy, "Let us not be blind to our differences—but let us also direct attention to our common interests and the means by which those differences can be resolved. And if we cannot end now our differences, at least we can help make the world safe for diversity."

Many people are very much alike in their differences and I think of two today and I hope you will let me refer to how they are different and how they are alike.

Who could be more different from most of us than Jack Gordon. Who could be more different from anybody than Jack Gordon. He's highly educated, an outstanding businessman, outstanding in finance and banking, has a life-long commitment to human causes, sometimes called "liberal causes." He is urbane, articulate, intelligent, witty, a fiscal conservative in many ways, especially in the squandering of monies that should be set aside for the needy. He believes in human rights, he's cultured and polished, not very well kept, a great deal like another great liberal Clarence Darrow.

When Clarence Darrow and William Jennings Bryan were trying the Scopes case, now historic, William Jennings Bryan was always well dressed, good looking, on top of things, much like me; and Clarence Darrow looked a lot like Jack. One day the press asked him, "Mr. Darrow, why does Mr. Bryan look so well in his clothes and you look like you do?" Clarence Darrow said, "Well, I don't know, ask him. Ask him whether or not he sleeps in them." So that's maybe the reason that Jack looks that way.

Jack and I are good friends, he did me a great favor; permitted me to join him in the introduction of forward-looking legislation—very forward-looking in my district.

He called me about two days before the election and said, "I really need to come up there. I could come up there this afternoon at four o'clock or wait until tonight, or not come at all."

I suggested the latter, so he sent me money.

On the other hand we have W. D. Childers. He grew up in fishing villages and sawmill towns. He communicates just as well as Gordon, but in sawmill talk. His commitment, his ability, his sharp mind, his intelligence are second to no one in the Senate or no one in the Legislature. He is a fiscal conservative but he's also a liberal in his concern for people. He retains the traditional "Old South" courtesy, yet he is practical, pragmatic, direct and most of all quick—very, very quick. W. D. Childers invented the term "effectiveness"—and he demonstrates it, not in some far off vague future, but today and at all times. In every waking hour he gets things done.

He is a product of his experience, his reason, and his faith. He knows where he comes from, he knows where he has lived, where he's worked, he knows what he has learned, and he knows about life. W. D. comes from a broken family, which is not unusual in this country. He was reared by his beloved Aunt Bessie Lou.

He knows about education first hand. Because most of his relatives in North Florida, in the piney woods of North Florida, his grandmother, his mother, his father, his aunt and uncle were itinerant school teachers. So when they discuss education he knows about education and he knows about the needs for it.

He knows about the problems of working people. I'm not talking about factory workers in Detroit, alone. He knows about the problems of fishing and of loading and unloading cars of cement, as a carpenter's helper, and working on the docks. He knows about the necessity of government providing those things that are needed. He knows about the necessity of permitting those of little means to keep for themselves what government does not need.

He's the kind of man that does not talk about his own accomplishments. He went to Emory on a full scholarship in mathematics and soon thereafter he met his bride-to-be who was the valedictorian of her class, who also was reared by her aunt.

W. D. Childers is a man who is capable and well prepared to be President of the Florida Senate. He taught school. He taught mathematics. He taught science.

He is married and has a fine family: Gail, 25, Jeanna, 21, Karen, 17, Marvel, 13; all outstanding students. He is now a grandfather.

After teaching he branched out into the business world and he did well there. He did what Americans do best, he recognized the most important thing in the business world at the time.

He was in the merchandising business when the hula hoop came along. W. D. became the hula hoop king of America. He was sent to China for selling the most hula hoops in the world. He bought them by the train-load and that's when he became familiar with foreign affairs, but we're not in to that today.

Then, having mastered the fields of hard work, education, business, he decided that the government ought to be different and better and more responsive and he ran for public office and won by the biggest majority in the history of the world, I think.

He came here and it has never been the same since. He came on the floor of the Senate like a raging hurricane. He sat there where Pat is, I sat there where Tom is. Reubin had gone and left that place. Tom improved it some.

He learned the hard way. He served on the important committees with distinction: Natural Resources; Commerce; Rules; Subcommittee of Ways and Means, on which he frequently permitted the membership to vote, but not too frequently.

He's still about the smartest guy around, and about the toughest.

Although he doesn't talk about this either, he has been selected "Most Effective in Debate", "Most Effective in Committee" and "Most Effective Member" by all of you.

I don't know what kind of administration we will have, history will decide the kind of President that W. D. makes. There's only one thing that we can be assured of and that is it will be quick. Everything will move swiftly.

It is my judgment that he will bring to the presidency the same kind of commitment that he has brought through his life; the same kind of ability, to grasp the problems of the Senate and of Florida that he has displayed as he came from behind all of his life.

It is my total knowledge that as he looks at the State of Florida, he will look at it not from Pensacola, or from Orlando, or from Miami, but he will look at it from above Florida.

I know that he has spent more hours in trying to fairly assign the committee work. I know that he has spent more hours in trying to understand and use the talent of the members of the Senate, as he sees it, than anyone that I have ever seen desiring to serve or about to serve as President of the Senate. I know that you will be satisfied with the product that he brings you, when he brings it to you although I know not what it is.

It is my great pleasure to place in nomination, Mr. Chairman, the name of a very close friend and a very able senator, Senator W. D. Childers.

The Secretary recognized Senator Johnston who seconded the nomination of Senator W. D. Childers.

Senator Johnston: Mr. Chairman, members of the Senate and honored guests, I rise to second the nomination of Senator W. D. Childers as President of the Florida Senate.

Two years ago Senator Buddy MacKay made an interesting observation, that the thing wrong with looking in a mirror is that you cannot tell what you look like when you're not looking in a mirror; and that if society wanted to know what it looked like when it was not looking in a mirror, it should look at its legislature.

The legislature is an accurate reflection of the people of the State of Florida. We have broad differences, differences of opinion, differences of priority, and differences of value. But these differences are an accurate reflection of the broad differences among our constituents throughout Florida.

Senator Childers has a tough act to follow. But one of the biggest legacies left by Senator Phil Lewis was emphasized in his farewell address—the protection of the process by which we operate.

It is a fragile process which, like democracy itself, can be abused and corrupted. As members of this body, we are responsible for the success or the failure of this process for the next

two years. In the long run the reputation of the Senate will depend not so much on the results that we achieve, or that we reach, as the process by which we reach them.

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

Senator W. D. Childers has committed to the process, to put it ahead of the result, to uphold the reputation of the Florida Senate for fairness, respect for the minority, and equal treatment of all members.

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

The Secretary recognized Senator Gordon who further seconded the nomination of Senator W. D. Childers.

Senator Gordon: Mr. Chairman, fellow Senators, for ten years the Senator from the First District has very ably held the seat that was vacated by former Senator and Governor Askew. He has demonstrated to his constituents that he is an effective representative of their interests. He has shown the membership of this body, during his tenure, that he is a valuable floor leader, an able committeeman, and an able committee chairman. For four years he gave us distinguished leadership, as chairman of the Commerce Committee. He served us well as a member of Ways and Means and chaired one of the subcommittees, and his experience on the Rules Committee has certainly sharpened his parliamentary skills to help him successfully direct this body for the coming two years.

The Senator from the First has carried forward conscientiously every assignment that was delegated to him. Today we will bestow upon him the ultimate responsibility that we can bestow on any Senator. With this duty comes power and I know that it is going to be discharged fairly and judiciously. I think that is exceptionally important because the power of the President of this Body is an exceptional power and the commitment to deal honorably and fairly with that power is, I think, what all of us are interested in having as the ultimate quality in the person that leads us.

In Senator Childers, also, we find as Senator Barron has pointed out, a cluster of the traditional values that we like to think are shared values of our state and of our society. He is a very dedicated family man, his concern for children and his childrens' education is something that I'm sure that we all admire. He has strong religious convictions. He is intensely loyal to his friends and that speaks well of any man. He enjoys the traditions and beauty of the outdoors which is a significant part of his life and the life of so many of us.

It is important to note that he is a good listener; he is a good listener not just in this parliamentary situation, not just in the legislative situation, but I think if I were to single the characteristic that marks Senator Childers and maybe sets him apart from so many of us, is his very real ability to understand and know what the average person is thinking about, how he will think about an issue. I know of no one, and I know lots of people in here who pride themselves on the way in which they manage to stay attuned to their district, but I know of no one in this body who is closer to the people in his area and who has the ability to understand better the needs and desires and aspirations of the average Floridian. You may well

ask, as in effect Senator Barron was pointing out, "Can a man from a largely rural background lead this body where state-wide problems and particularly those of urban areas need the utmost attention."

I can tell you simply that business and community leaders as well as the Dade delegation were most impressed with the effort that Senator Childers made and the conversations that he had with us during a recent visit. We feel very comfortable in his understanding of the kind of problems that exist in the largest urban area of the state.

It has been the history of the presidency that once the vote is over, the perspective on the issues by the President is no longer the perspective of his district but the perspective of the entire state.

I know I speak for my fellow delegation members, and I am sure I speak for all of the members of this body, that we know and have confidence that Senator Childers will guide this body fairly with a total understanding of the variety of needs that often clash that need to be taken care of within our work. It is for these reasons that I rise to second the nomination of our next President, W. D. Childers.

The Secretary recognized Senator Frank who further seconded the nomination of Senator W. D. Childers.

Senator Frank: Mr. Chairman, fellow senators, friends, in February of 1979, it was my pleasure to second the nomination of W. D. Childers as my Democratic colleagues' selection as nominee for the presidency of this body.

Today, as Senator Childers is about to assume the mantle of leadership of the Florida Senate, I think that it is appropriate to reflect on the words of President John F. Kennedy:

"Of those to whom much is given, much is required. And when at some future date the high court of history sits in judgment on each one of us—recording whether in our brief span of service we fulfilled our responsibilities to the state—our success or failure, in whatever office we may hold, will be measured by the answers to four questions. Were we truly men and women of courage? Were we truly men and women of judgment? Were we truly men and women of integrity? Were we truly men and women of dedication?"

When Senator Childers completes his term of office, as President of the Florida Senate, I am certain that the answer to each of these questions will be "yes".

Therefore, Mr. Chairman, it is with great pleasure that I second, further, the nomination of Senator W. D. Childers as President of the Florida Senate for the term 1980-82 and move that the nominations be now closed for presidency of the Senate.

On motion by Senator Frank, nominations for President were closed.

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

Yeas—39

Anderson	Henderson	Maxwell	Steinberg
Barron	Hill	McClain	Stevens
Beard	Jenkins	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gordon	Langley	Renick	Ware
Grizzle	Lewis	Scott	Winn
Hair	Margolis	Skinner	

Nays—None

Senator W. D. Childers was unanimously elected President of the Senate.

On motion by Senator Tobiassen that a committee be appointed to escort Senator W. D. Childers to the bar of the Senate and then to the rostrum, the Secretary appointed Senators Tobiassen, Beard, Carlucci, McClain and Stuart. Senator W. D. Childers was escorted to the bar of the Senate where The Honorable Rhea Grossman, Circuit Judge, 11th Judicial Circuit, administered the oath of office to him, and then to the rostrum where he was seated.

On motion by Senator Skinner that a committee be appointed to escort Mrs. Childers, wife of the President, to the rostrum, the Secretary appointed Senators Skinner, Grizzle, Steinberg and Poole. Mrs. Childers was escorted to the rostrum where she was received by the Secretary, presented to the Senate and seated beside the President.

The Secretary presented the following members of the President's family: The President's daughters, Gail, Karen and Marvel; his stepmother, Mrs. Ivy Childers; his aunts, Mrs. Nellie J. Bourkard and Mrs. Bessie Lou Gillman and his cousin, Mr. Bruce Childers, a friend, Mr. Byron Lindsey.

The following relatives and friends were also introduced: Mr. and Mrs. Pete Leathers, Mr. and Mrs. Odis Brill and their son, Mr. Cecil Sakalarios, Mr. and Mrs. Fred Levin, Mr. and Mrs. Fred Johnson, Mr. Melvin Edmondson, Mr. Bert Locklin, Mr. and Mrs. E. V. Stanton, Jr., Mr. and Mrs. Ed Duce, Mr. and Mrs. Jake Horton, Mr. and Mrs. Cooper Yates, Mr. and Mrs. Wayne Jernigan, Judge Donald O. Hartwell, Mr. and Mrs. Danny Childers, Mr. and Mrs. Bobby Snellgrove, Mr. Neal Cobb, Mr. and Mrs. Dowling Phillips, Mr. and Mrs. Jack Fiveash and Jack, Jr., Mr. E. W. Hopkins, Mr. J. B. Hopkins, Mr. Tommy Ray, Mr. and Mrs. Mike Moreno and children, Mr. and Mrs. Paul Phillips and Mr. Barney Burkes.

The Secretary then introduced the following members of the President's staff: Mrs. Helen Sakalarios, Mrs. Faye Connell, Mrs. Mary Ann Hartwell and Mrs. Elizabeth Ray.

Other distinguished guests recognized by the Secretary were: Immediate past President of the Senate Philip D. Lewis and his wife Mary Ellen, past President Lew Brantley and his wife Catherine, Judge Gerald Kline, former Senator and former Secretary of the Senate, Elmer Friday, former Senators Lynwood Arnold, W. C. Herrell and J. B. Rogers.

The Secretary presented the gavel to the President.

The President Presiding

The President announced that nominations would now be received for President Pro Tempore for a term of two years, and recognized Senator Thomas who placed in nomination the name of Senator Curtis Peterson of the 12th Senatorial District.

Senator Thomas: Mr. President, members of the Senate, distinguished guests, former members, I rise to nominate one of the Senate's most respected and loved Senators as your President Pro Tempore.

Public service and government is not new to Curtis Peterson's family. Many of his relatives had distinguished careers in the Florida House and Senate and his uncle, J. Hardin Peterson, served Florida admirably in the U. S. Congress for 18 years.

Senator Peterson arrived here in the Senate in 1972. Those of you who are just coming into this Body will soon find him to be one of the real work horses, one of the real responsible people, one of the people who makes this Body work.

In 1977 and again in 1980, by secret ballot, those who knew him best selected him as the "Most Effective Member of a Committee". And that is where the action is. Long, tough hours

he would labor at his work. If you haven't seen him at a conference table with House members, when money is short you should. You would see a man who knows how to take care of your money.

His stewardship has not been confined to a single interest; in his office the walls are just full of plaques and certificates of appreciation from those various groups around this state who have been the beneficiaries of his hard work including the Association of Community Colleges, the Florida Farm Bureau, the Nurseryman's and Growers Association, Citrus Mutual, and Retarded Children's Association. More important to him though is his love for this institution, this Senate, and the people that serve here.

He has a great and abiding faith in his fellowman and in his religion. Time and again we have enjoyed the religious sustenance he has provided as a great substitute for the Chaplain.

His public record has always been commendable. His agenda has always included those priorities of this state, not just his district. It is impossible to exaggerate the tremendous energy that he has and the amount of time he devotes to his work here. He is constantly trying to find an adequate solution to the array of problems we find before us, whether it be the over-crowded and understaffed classrooms of this state—primarily in the urban area—or the economic development needs of an area that Dempsey Barron and I represent.

This kind and generous, sensitive and thoughtful, strong man with great intellectual capacity and uncanny ability has always been available to those who would seek out his help. The President of this country has sought his help, and time and again the Governor of Florida has called on him.

When I was a freshman we had a tremendous little problem in our district. Senator Barron and I share a multi-member district, but he had been here twenty-odd years and he was President of the Senate, so I went to Curtis Peterson and told him the local people were depending on me to handle the problem with a local bill, but we have this rule that you have to have it advertised 30 days in advance or you have to have a public hearing. He took me around the corner and we sat for about an hour finding a bill that was germane to what I had to do and he told me about the amendatory process. I'm probably not the only one in this body that could tell you that this is the spirit of Curtis Peterson; never too busy, regardless of how small your problem might be to give you a helping hand.

Two weeks ago the people of this country and this state spoke out loud and clear about their government. They said they wanted the government to confine itself to that which is necessary, to that which is efficient, to those things that are responsible. They called out for wisdom and good judgment to be exercised here in our legislative hallways. Few, if any, members of this Senate, can express that philosophy to, and on behalf of, a President of the Senate better than our highly respected colleague, Senator Curtis Peterson. It is with great pride that I place in nomination his name as President Pro Tempore of the Florida Senate.

The President recognized Senator Winn who seconded the nomination of Senator Peterson.

Senator Winn: Mr. President, I am very proud to rise to second the nomination of a dear friend of mine with whom I have served since 1972. I had the privilege of holding that office under the leadership of Senator Brantley and I know it will be very meaningful to Senator Peterson.

I really didn't know Senator Peterson very well until he sent me flowers one day and that did it. I found out where he

came from. He is a man that has a tremendous amount of compassion and a man that has served this Senate well. I had the pleasure of serving with him when he was the chairman of the Committee on Education. He took care of Dade County in those days and I am sure he will take care of Dade County when he is President Pro Tempore. Not to belabor this any further, I would just like to, at this time, second the nomination of my dear friend and colleague, Senator Curtis Peterson as our President Pro Tempore.

The President recognized Senator Trask who further seconded the nomination of Senator Peterson.

Senator Trask: Mr. President, Senators,

Curt Peterson's my friend,
and I'd like to bend

your ear
and let you hear,

the reasons I know
why we should show,

good sense.
Let's dispense

with more conversation
and further nominations.

I've known Curt longer
and probably feel stronger,

than anyone here
'bout this friend so dear.

This simple man
who loves his land

worships his Lord
by living His word.

It's plain to y'all
He doesn't stand tall,

but if you look inside,
where the secrets hide

You'll find a giant of a man,
Who says . . . I can!!

You'll find strength and compassion
and intense dedication.

A person so fair
He almost seems square.

I love him a lot
'Cause I know he's got

the qualities he'll need
as he helps to lead

The Florida Senate
With all of us in it.

So now let's close
this horrible prose

And also nominations
and by proclamation

Vote that he
Our Pro Tem shall be.

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

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

Yeas—39

Mr. President	Hair	Margolis	Steinberg
Anderson	Henderson	Maxwell	Stevens
Barron	Hill	McClain	Stuart
Beard	Jenkins	McKnight	Thomas
Carlucci	Jenne	Neal	Tobiassen
Childers, D.	Jennings	Poole	Trask
Dunn	Johnston	Rehm	Vogt
Frank	Kirkpatrick	Renick	Ware
Gordon	Langley	Scott	Winn
Grizzle	Lewis	Skinner	

Nays—None

On motion by Senator D. Childers that a committee be appointed to escort Senator Peterson to the bar of the Senate and to the rostrum, the President appointed Senators D. Childers, Jenne, Dunn and Henderson. The committee escorted Senator Peterson to the bar of the Senate where the oath of office was administered to him by Chief Justice Sundberg, and to the rostrum where he was received by the President and seated.

On motion by Senator McKnight that a committee be appointed to escort Mrs. Peterson, wife of the President Pro Tempore, to the rostrum, the President appointed Senators McKnight, Hill, Renick and Maxwell. The committee escorted Mrs. Peterson to the rostrum where she was received by the President, presented to the Senate and seated.

The President introduced the following members of the family of the President Pro Tempore and Mrs. Peterson: Mr. Peter K. Peterson, their son; Mr. Howell Peterson and Mrs. Charlene Peterson, his brother and sister-in-law.

The following relatives and friends were also introduced: Rev. Philip Lykes, his pastor, and Mrs. Lykes, Mr. and Mrs. Charles Criss, Mr. and Mrs. Charles Dunn, Dr. and Mrs. John Glotfelty, Mr. and Mrs. Dudley Griner, Mr. and Mrs. T. E. Holcom, Mr. and Mrs. Halwin Jones, Mr. and Mrs. Carroll Lamb, Mr. Jose Llanaeza and Dr. Lidu Llanaeza, Mr. and Mrs. Fount May, Mr. and Mrs. J. B. Smith, Mr. and Mrs. Thomas Williams and Ms. Jane Hayman; Mrs. Enid Swanson and Mrs. Gloria Harvard, members of his staff.

The President Pro Tempore addressed the Senate as follows:

Thank you very much Mr. President, Mr. Chief Justice, fellow Senators, friends and relatives, and people of Florida. Let me thank each one of you for your confidence and for your vote. My friend and colleague, the distinguished Senator from the Fourth District, Senator Thomas, you were very flattering and I appreciate very much the nomination and the gracious remarks that you made. The kind words and generous statements of the senior Senator from the 34th, Senator Winn; and as always the unusual statements of my senior Senator, the Senator from the 13th, Senator Trask, who both honor me.

Looking back on several campaigns, I made only one promise to the people of District 12; and this promise has been faithfully kept. This promise was made because I knew how to keep it. I was taught from my earliest boyhood by my parents, my mother and dad, that whatever personal shortcomings I might have there is no excuse for not working hard at anything that was assigned to me. So I have only made one campaign promise, a promise to work hard. During earlier campaigns it was the promise to work hard for agriculture and for education and to work hard to control spending in the State of Florida.

During later campaigns I expanded that also, to promise to work hard in business and commerce. I have associated with the great leader of the Commerce Committee, finance and

taxation and accountability in state government here in Florida. I have kept that promise and I have worked hard in all of these areas for the people of my district and for the people of Florida.

Now I make this same promise to you. To you President Childers, I promise to work hard for your legislative program during your term of office. And to those of you with whom I will serve on committees I promise to work hard to decide what should be state policy and on the goals that we can support with success for that policy. And to the Florida Senate, I promise to work hard to provide effective and responsible legislation for the people of Florida.

And to those with whom I disagree, I promise to work just as hard to defeat your measures. We need to fully engage ourselves with all of our personal abilities and all of our resources in these times that we have today to resolve the great questions that face us and all of the substantive problems that we have that concern us and concern the people of Florida. So I promise to you and to the people of Florida to work hard to constitute and achieve here in Florida effective government for you. I thank you very much for the honor.

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

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

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

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

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

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

On motion by Senator Margolis that a committee be appointed to notify the House of Representatives that the Senate was convened for the purpose of organization, the President appointed Senators Margolis, Lewis, Jennings, Langley, Kirkpatrick, Rehm, Stevens and Jenkins. The committee was excused to perform its duty.

On motion by Senator Vogt that a committee be appointed to notify the Governor that the Senate was convened for the purpose of organization, the President appointed Senators Vogt, Anderson, Scott, Hair and Ware. The committee was excused to perform its duty.

A committee from the House of Representatives consisting of Representatives Gene Hodges, Ward, Upchurch, Dyer and Martinez informed the Senate that the House of Representatives was convened for the purpose of organization.

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

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

Senator Scott, Senate Minority Leader, announced that Senator Clark Maxwell had been elected Minority Whip by the Minority Party.

Senator Barron moved that the Rules of the Senate which existed at the end of the 1980 regular session be adopted with the following amendments:

On page 9, the first paragraph of Rule 2.1 is amended to read:

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

On page 14, the last sentence of the first paragraph of Rule 2.14 is amended to read:

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 Appropriations Ways and Means during the first thirty (30) days of a regular session.

On page 16, the last sentence of the last paragraph of Rule 2.16 is amended to read:

This Rule shall also apply to reports on budgetary matters by the standing subcommittees of the Appropriations Ways and Means Committee for inclusion in the general appropriations bill.

On page 16, the second paragraph of Rule 2.18 is amended to read:

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

On page 29, the last sentence of Rule 3.12 is amended to read:

The general appropriations bill shall be introduced by the Committee on Appropriations Ways and Means.

On page 31, the fifth paragraph of Rule 4.3 is amended to read:

First reading of bills shall be accomplished by publication of the title thereof in the journal pursuant to Article III, Section 7 of the Florida Constitution as amended, effective January 6, 1981.

At 8:30 a.m. every legislative day, the President, President Pro Tempore, or member of the Senate designated by the presiding officer shall call the Senate to order for the sole purpose of conducting the order of business of "Introduction and reference of Resolutions, Memorials, Bills, and Joint Resolutions" (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.

On page 34, the first paragraph of Rule 4.8 is amended to read:

4.8—Reference to the Committees on Appropriations, and Finance, Taxation and Claims Ways and Means Committee; claims bills

All bills authorizing or substantially affecting appropriations or tax revenue shall be referred to the Committee on Appropriations Ways and Means. All bills authorizing or substantially affecting tax revenue shall be referred to the Committee on Finance, Taxation and Claims.

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 Appropriations or the Committee on Finance, Taxation and Claims, as appropriate 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.

On page 34, the last sentence of the second paragraph of Rule 4.8 is amended to read:

On receipt of the Master's report and recommendation, the President shall refer each claim bill with the report attached to the Committee on Finance, Taxation and Claims Ways and Means, the provisions of the first paragraph of this Rule to the contrary notwithstanding.

On page 35, Rule 4.15 is amended to read:

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 Appropriations or the Committee on Finance, Taxation and Claims 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.

The motion by Senator Barron was adopted and the Rules read as follows:

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 Committee on Rules and Calendar.

1.6—The President's vote

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

1.7—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 the 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 Legal Research and Drafting 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. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time set by the President and shall make a report as defined in Rule 2.15. Favorable committee reports and accompanying measures shall be placed on the calendar.

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 110.233, 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 ($\frac{2}{3}$) 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
- Apportionment
- Appropriations
 - Subcommittee A
 - Subcommittee B
 - Subcommittee C
- Commerce
- Corrections, Probation and Parole
- Economic, Community and Consumer Affairs
- Education
- Executive Business
- Finance, Taxation and Claims
- Governmental Operations
- Health and Rehabilitative Services
- Judiciary-Civil
- Judiciary-Criminal
- Natural Resources and Conservation
- Personnel, Retirement and Collective Bargaining
- Rules and Calendar
- Transportation

Each standing committee or the chairman thereof may appoint 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 or the Special Order Calendar designees provided for in Rule 4.17 shall, with approval of the President, provide a schedule of days, hours, and places for the meeting of committees for the regular session 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 ($\frac{2}{3}$) 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 Appropriations 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 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 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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) of the standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed. This Rule shall also apply to reports on budgetary matters by the standing subcommittees of the Appropriations Committee for inclusion in the general appropriations bill.

2.17—Quorum of committee

A committee or standing subcommittee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. Any bill or resolution reported in violation of this Rule shall be 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 Appropriations 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 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 a 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.

2.44—Amendments by another committee

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall physically remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE

2.54—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.

2.45—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.

2.46—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.

2.47—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.

2.48—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.

2.49—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.

2.50—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 ($\frac{2}{3}$) vote of those present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chairman.

2.51—Priority of business

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

2.52—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.

2.53—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.

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 ($1\frac{1}{2}$) inches. All bills shall be on paper with thirty-one (31) numbered spaces, the first beginning not less than eight (8) nor more than ten (10) spaces from the top of the page, and vertical guidelines as prescribed by the Secretary of the Senate, with the words "A bill to be entitled" appearing on the first numbered space of the first page. These requirements may be waived by the Secretary of the Senate as to the general appropriations bill, but in such event 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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) 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 Appropriations.

3.13—Fiscal notes

Upon being favorably reported by a standing committee, 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, 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.

First reading of bills shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the Florida Constitution as amended, effective January 6, 1981.

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 ($\frac{2}{3}$) 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 sub-reference 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, through staff analysis, has determined a bill is in fact and law a local bill, it shall be reported and referred to the calendar on local bills. When the Committee on Rules and Calendar, through staff analysis, determines a bill is not local in nature, a report stating the reasons therefor shall be furnished to the President of the Senate who shall refer such bill to an appropriate standing committee for hearing. Such determination and report shall be made within fifteen (15) legislative days from date of reference.

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. 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 the Committees on Appropriations, and Finance, Taxation and Claims; claim bills

All bills authorizing or substantially affecting appropriations shall be referred to the Committee on Appropriations. All bills authorizing or substantially affecting tax revenue shall be referred to the Committee on Finance, Taxation and Claims.

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 Appropriations or the Committee on Finance, Taxation and Claims, as appropriate for 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 Finance, Taxation and Claims, 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; provided the publication of its title in the journal of a house shall satisfy the requirement for the first reading in that house. 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 Appropriations or the Committee on Finance, Taxation and Claims) 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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) 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) Instanter
 - (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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) 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 inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—Questioning right to vote

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

8.9—Appeals

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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) 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 ($\frac{2}{3}$) of those present", "two-thirds ($\frac{2}{3}$) vote", "two-thirds ($\frac{2}{3}$) of the

Senate", "two-thirds ($\frac{2}{3}$) of those voting", etc., these shall all be construed to mean two-thirds ($\frac{2}{3}$) of those Senators present, except that two-thirds ($\frac{2}{3}$) 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 Special 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 circumstances 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 attaché 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".

The President addressed the Senate as follows:

I really appreciate the remarks that Senator Barron, Senator Johnston, Senator Gordon and Senator Frank made about me today. I especially appreciate my good friend Senator Barron—I think he is the toughest, most humane person in the world—getting out of the hospital in order to share this moment with me and my family.

I want to particularly pay tribute to my wife Ruth, who has taken care of the family problems, been mother and father to my children, has helped me to maintain my sanity and has given me strength throughout my political career and most especially the past few months.

I want to thank my daughters—Gail, Jeanna, Karen and Marvel—they stood by and with me when I needed them. My family is the most important thing in the world to me. It's more important to me than the Florida Senate. It's more important to me than being President of the Florida Senate and I've made a new commitment not to neglect my family in the future as I have in the past. And I commit to you Senators that you are not going to have to neglect your families by being away on graduation day; not being home on anniversaries and birthdays.

The other members of my family that are here also are entitled to great tribute—Aunt Nellie, Ivy, Aunt Bessie Lou, Bruce and the friends that have come to be with me today as I take over as President of the Florida Senate.

I wish my parents could be here to enjoy this moment. My dad, were he living, would be the proudest man in the world.

I want to help you solve some of the problems we have in Florida. I think that having been a part of the problem, it's easier for me to help with the solution.

I know that as President of Senate, I am going to make a lot of people mad because I'm prepared to say "no" when the answer needs to be "no".

On November 4th, the people of Florida spoke loud and clear. And I can tell you that their message will not fall on deaf ears. The people said they were tired of too much government; that they were fed up with government not solving the problems that government ought to be solving. That message has been heard by the Florida Senate.

I have a commitment that I want to make to you, my colleagues. You did not elect me President of the Florida Senate to preside over legislative action which will assure the largest turnover on the next election day that this body has ever suffered. It's time now for us to address legitimate problems of government. There are no problems in government that cannot be solved. There are some difficult problems to which we have not yet found a solution—but we're going to try.

A serious problem has been caused by the influx of refugees in South Florida. I know, I went there, I rode through the streets and talked to the people of Dade County. I cruised the waterfront. The federal government has failed. And when the federal government doesn't handle the problem it's up to us.

Narcotics is a problem that concerns us all. It's embarrassing to the people of Florida that our largest industry is drug traffic. Again, the federal government has failed. And when the federal government doesn't handle the problems, it's up to us.

The Governor of Florida has asked the Legislature to extend the Statewide Grand Jury to include drugs. I recommend unanimous passage in the Florida Senate of that bill this afternoon. At this very moment 60,000 pounds of marijuana is being confiscated in Perry, Florida by the Florida Department of Law Enforcement. This is an example of what we can do.

Our economy is a great concern to everyone, particularly those who are living on fixed incomes and those who do not make an adequate wage—our young people who are graduating from high school and college and cannot find meaningful employment.

I have had an opportunity to travel the State of Florida and I submit to you that everywhere, everyone wants economic development. Maybe in the past we have gone about it in the wrong way. Maybe we've made it too difficult for industry to come into Florida. Maybe we need to streamline state government even more than we did in the past session to assist industry when they select Florida as their new home.

Environmental issues are going to create a virtual battleground in the next two years. The people are crying for a reasonable balance on environmental issues.

People are getting their tax bills just like you and I and they know some of the reasons that the taxes have skyrocketed. They feel like they're being "trimmed". We should revisit past actions.

We are not going into reapportionment this year. That will be in 1982. Therefore, we will have time to address some of the problems to which I have just referred. The question of where to find the money to handle these problems will be solved by the Florida Legislature working with the Governor. We will meet the needs of Florida.

But my strong belief is that to tax is not the solution to government waste.

We must make 90 Sundown decisions. We are over-governed. Unless there is a need, a true need, for a board or council to be continued, it's ridiculous for us to interfere with people and their livelihoods.

We have too many bills filed in the legislature. Last session nearly 1400 bills were filed in the Florida Senate. Only about twenty percent ever received a committee hearing. This is absurd and it's costly, both in time and money. Let me encourage you to think before you file a bill. Can it pass? Should it pass? Unless you can answer both those questions in the affirmative, then please don't file the bill. I will not look kindly on a bill which has as its only purpose revenge for an enemy or reward for a friend.

I'm going to encourage daylight committee meetings and if we don't file 1400 bills in the Senate, we can have committee meetings in the sunshine and the public will know what we are doing and have the opportunity to be heard.

I am committing to the people of Florida that unless there is an absolute public necessity—which I do not foresee at this

time—the people of Florida will not be burdened with additional taxes.

I've worked tirelessly over the past few weeks trying to determine what's best for the State of Florida in selecting committee memberships.

I want to be sure that we have geographical balance and that the ability and talents of each member are utilized to the highest and greatest potential. I feel that it is necessary to consult with my President Pro Tempore, Senator Peterson, and other members of the Senate in the selection of committee memberships. Therefore, at this time, I am not going to announce committee appointments. I want to have an opportunity to discuss with individual senators their requests and to place every Senator in the position that he or she can best serve the State of Florida.

Our task will not be easy. It won't be pleasant for me or for you but I'll help you. I'll take the heat and I'll say "no" because, you see, I'm going to conduct the office of President of the Florida Senate as though I were never going to run for public office again. Thank you.

On motion by Senator Barron, the address by the President, the remarks by the President Pro Tempore and all nominating and seconding speeches for President and President Pro Tempore were ordered printed in the Journal.

On motion by Senator Barron, the Senate in Organization Session adjourned sine die at 12:16 p.m.

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages numbered from 1 to 26, 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 Organization Session, convened at 10:00 a.m. on the 18th day of November, 1980, adjourned at 12:16 p.m. on the 18th day of November, 1980.

JOE BROWN
Secretary of the Senate

Tallahassee, Florida
November 18, 1980