



Journal of the Senate

ORGANIZATION SESSION

Tuesday, November 16, 1982

Journal of the Senate for the Organization Session of the Eighth Legislature to be convened under the Constitution of Florida, as revised in 1968, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, November 16, 1982, being the day fixed by the Constitution for the purpose.

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

The Secretary announced that The Honorable George Firestone, Secretary of State, had certified to the election of 40 Senators as follows:

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 Second day of November, A. D., 1982, as shown by the election returns on file in this office:

SENATE DISTRICT NUMBER

- 1 W. D. Childers, Pensacola
- 2 Pat Thomas, Quincy
- 3 Dempsey J. Barron, Panama City
- 4 Karen Thurman, Dunnellon
- 5 Bill Grant, Madison
- 6 George Kirkpatrick, Gainesville
- 7 Arnett E. Girardeau, Jacksonville
- 8 Joe Carlucci, Jacksonville
- 9 Mattox Hair, Jacksonville
- 10 Edgar M. (Ed) Dunn, Jr., Ormond Beach
- 11 Richard H. (Dick) Langley, Clermont
- 12 Curtis Peterson, Lakeland
- 13 Bob Crawford, Winter Haven
- 14 George Stuart, Jr., Orlando
- 15 Toni Jennings, Orlando
- 16 Clark Maxwell, Jr., Melbourne
- 17 John Vogt, Cocoa Beach
- 18 Jeanne Malchon, St. Petersburg
- 19 Gerald S. "Jerry" Rehm, Dunedin
- 20 Mary R. Grizzle, Indian Rocks Beach
- 21 Betty Castor, Tampa
- 22 Malcolm E. Beard, Seffner
- 23 Pat Frank, Tampa
- 24 Pat Neal, Bradenton
- 25 Warren S. Henderson, Venice
- 26 Harry A. Johnston, II, West Palm Beach
- 27 William G. "Doc" Myers, Hobe Sound
- 28 Don C. Childers, West Palm Beach
- 29 Peter M. Weinstein, Coral Springs
- 30 Tom McPherson, Ft. Lauderdale
- 31 Jim Scott, Ft. Lauderdale
- 32 Ken Jenne, Hollywood
- 33 John A. Hill, Miami
- 34 Joe Gersten, South Miami
- 35 Jack D. Gordon, Miami Beach
- 36 Carrie P. Meek, Miami
- 37 Gwen Margolis, Miami
- 38 Franklin B. (Frank) Mann, Ft. Myers
- 39 Lawrence H. "Larry" Plummer, Coral Gables
- 40 Roberta Fox, Coral Gables



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this 10th day of November, A. D., 1982.

George Firestone
SECRETARY OF STATE

As the certificate was read, the Senators indicated their presence. A quorum present—40.

The oath of office was administered by The Honorable James E. Alderman, Chief Justice, Supreme Court of Florida, to all Senators.

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

Heavenly Father, because you take seriously what happens to and on your planet earth and because you are aware of the affairs of men and governments, we would pause today in the Senate of Florida to acknowledge your interest and concern.

I pray that these Senators will take you up on your every offer to guide them, strengthen them, energize them, wisdomize them, to love them and thereby bless the people of Florida.

I pray they will turn down every offer to be less than moral, less than just, less than fair and less than ethical as they fill their high and holy office. More than expert opinion, Father, just favor them with good old common sense and decency.

May the still small voice of truth steady their nerve and their vote in the face of the crescendo of the market place for license. Give them courage to cut away the "fat" of personal opinion and find the "muscle" of what will work. Father, what we asked for yesterday, we wish we didn't have today, and what we cry out for today we won't find nearly as important tomorrow unless it is of truth and unless it is for the welfare of the people. So, Father, be in their lives and may this Senate be a monument to the fact that God did help them.

Bless their families in the face of criticism at home, in the experience of aloneness while mom or dad is away, be their help.

And I pray your blessing upon President Peterson and President Pro Tempore Gordon, and in a very special way bring wisdom and strength and health to them both. In this time, in this day, the "best of times" and the "worst of times", do so help them God.

I pray in the name of the God of Abraham, Isaac, Jacob and Jesus. Amen.

Senator D. Childers 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 pursuant to Rule 1.1 the Minority Party had certified the names of Senator Clark Maxwell as Republican Leader, Senator Toni Jennings as Republican Leader Pro Tempore and Senator Richard Langley as Republican Whip for the term November, 1982 to November, 1984.

The Secretary announced that in addition to former Senate Presidents Dempsey J. Barron and W. D. Childers, who were reelected to the Senate, the Senate was honored by the presence of the following former Presidents: Randolph Hodges accompanied by his wife, Mildred; Mallory E. Horne; Louis de la Parte, Jr. accompanied by his son, Louis David de la Parte; Lew Brantley accompanied by his wife, Catherine; and Philip D. Lewis accompanied by his wife, Maryellen.

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 Thomas who placed in nomination the name of Senator Curtis Peterson of the 12th Senatorial District.

Senator Thomas: I can't remember when I've ever seen so many people here and it is certainly a compliment to our officers and to members of the Senate. Reverend Lykes, if you and I had known so many would have been here, we might have passed the plate. There's a good crowd today.

I struggled over something to say about Curtis Peterson. I kept telling him yesterday I really didn't know what I could say about him. My problem was I really didn't know how I could say enough about him.

In every generation there are born a few, who by their sensitivity for life, their depth of vision, their love of fellowman, their acts of courage and warmth of spirit, somehow touch the hearts and souls of those with whom they come in contact, and shape the destiny of things with which they are involved; as few people rarely ever have the opportunity to do.

It is no exaggeration to say that we have been blessed in the Senate for this past decade with one of those rare breed. For Curtis Peterson, with a record of achievement that is emblazoned like a cutting chisel on the legislative past, has certainly already left his mark on the pages of Florida's history. How can I describe a man whose tireless energy and countless hours of work have contributed so much to so many during this past decade.

Hard working habits were engrained in him from his early youth and frugal life. One of three sons who at an early age was admonished by his father, a retired railroad employee, "never promise more than to do your very best".

He worked at all types of odd jobs in the tough time of the 30's. Public service was nothing new to the Peterson family, however, when he started looking for the legislative service for himself. Throughout the pages of Florida history we found that his family had served in this legislature, county government, and his uncle, J. Hardin Peterson, for many, many years had served with great distinction in the Congress. Curtis, let me remind you today that as I researched your uncle's past, I found that when he got elected to the Congress it was by defeating a former President of the Florida Senate to get there.

Sandwiched between high school and World War II as a member of the Coast Guard in which he served, Curtis attended George Washington University and worked as messenger for the Congress. He stood on the floor of the joint session of Congress in December 1941 and heard President Franklin Roosevelt proclaim a declaration of war for these United States. That moment made a dramatic impact on his life and his approach to government. Curtis Peterson is a man who recognizes that, as a public official, you have a moral responsibility to exercise power for the public good — but forfeit that trust if you abuse it.

Serving in the military during a time of war was not a choice assignment, but for Curtis Peterson, it represented a tremendous second beginning of his life. For it was while there he met his precious wife, Ethel, whom we all love, persuaded her to be his bride and returned to the Sunshine State. He later graduated from Florida Southern in Lakeland, and continued to develop the nursery business that his father had begun upon his retirement from the railroad.

I was a freshman in the Florida Senate and I strongly suspect that I was like many of you, I was embarrassed to tell a lot of people how little I knew. I had the Dean of the Senate at that time as President. We had to pass a local bill and those of you — particularly the new ones who came from the House — you understand that is not the most difficult assignment. It had been passed in the House. It had come to the Senate, but I couldn't pass it in the Senate. Barron would not give me the time of day to worry about a local bill. I really didn't want to admit to him how little I knew. I went to Curtis and told him the plight I found myself in

and it had to do with the rules of the Senate. I don't know what all he did but he and I passed that local bill and it was certainly, sort of to me, an indication of the kind of person we find in him. He seems to go out of his way to help those who are in need of help in this body. He came here filling the same Senate seat formerly occupied by United States Senator Lawton Chiles. He has been an active leader. You have no more to do than visit his office to see the accolades that have flowed to him from not only this Senate through secret ballot—I think it was on two occasions he was recipient of the Allen Morris Award for "Most Effective in Committee" and more recently that same award as the "Most Effective Member of the Florida Senate"—but on and on and on from agriculture, mental health, education, transportation and just about every facet of society that concerns itself with what we do here from time to time has paused to recognize his leadership in what he has meant to all of us.

During the course of his career, those serving with him have been impressed by the fact that Curtis has never been viewed as a political opportunist — never pursuing the political course of least resistance. He has demonstrated his loyalty to that which best serves the people of Florida, adhering to the dictates of an active, keen mind and a very sensitive conscience and a deep religious conviction.

He will be the architect of that bridge that we must cross in this state to meet the enormous problems that will confront us in the years ahead — as well as those that have already been visited upon us.

I know that many of you observed as I did at the very outset of his administration, he had to make some very tough decisions as the incoming President — those that he did not care to make, but to set the tone of a budget he did come to Tallahassee and made decisions that it was not his desire to make but responding to the leadership role that he finds himself and I have no doubt that he at all times will effectively demonstrate that strong leadership.

This legislature is a process in which diverse views and differing opinions, through discussion and debate are compromised and resolved. It is a fragile process here which, like democracy itself, is easily corrupted and abused.

It's rather comforting to find in Curtis Peterson the likes of an Abraham Lincoln who said, "I desire to so conduct the affairs of this administration that if at the end when I come to lay down the reins of power, I have lost every friend on earth, I shall at least have one friend left and that friend shall be bound inside of me."

The 12th chapter of Luke, 48th verse often quoted:

"Those to whom much is given much is required."

I feel that when his term of office has run its course and history sits in judgment upon his deeds, we will have been proud of the trust we place in him today. We will have been proud to proclaim that here is a good man in the truest sense of that word — a man who symbolizes all those things that we like to think of as fine and good in public life; a man for whom all of us can be proud to stand up and say — he is one of us. Indeed, we like to think that his character, his sense of public service, represents the feelings, the aspirations, the goals, of all of us in public life.

In John F. Kennedy's inaugural address he stated, and I quote: "So let us begin anew — remembering on both sides that civility is not a sign of weakness, and sincerity is always subject to proof. Let us never negotiate out of fear. But let us never fear to negotiate."

Let both sides explore what problems unite us instead of belaboring those problems which divide us."

Mr. President, with great privilege, I submit the name of Curtis Peterson as President of the Florida Senate.

The Secretary recognized Senator Johnston who seconded the nomination of Senator Peterson.

Senator Johnston: Mr. Secretary, I rise to second the nomination of the man that I chose to nominate at the democratic caucus in this chamber, last June. We are going to hear glowing reports about Curtis this morning. I am surprised that we didn't have him being born in a log cabin, walking through the snow to Lakeland High School and splitting rails for his father, but I would like to digress and remind us of that trite but true statement that "behind every great man there's even a greater woman". Some people have said "behind every great man there's a surprised mother-in-law", but the great woman of whom I speak is, of course,

Ethel Peterson. Ethel, as we've all come to know, is very devoted to Curtis. She's also very devoted to the Florida Senate, and through her unyielding dedication to Curtis and to the Senate, I am sure that we are going to have a fair helmsman in the next two years. Ethel met Curtis thirty-nine years ago when they both served in the Coast Guard, and they have stood by each other for the last thirty-nine years. They have two sons, two grandchildren. Ethel in addition to being a mother and a wife, is quite a civic leader, in her church, in her school, and in the community. She's also quite a politician. She has served on the Democratic Executive Committee in Polk County for the last ten years. The only office that she ran for she won when she was at the mini convention of the Democratic convention in Kansas City. She ran and she won. Ethel's devotion to Curtis, I am sure, has in great measure sustained him in the last decade in the Florida Senate. It is my great pleasure to place in nomination the man who had the foresight to marry Ethel — Curtis Peterson. Thank you very much.

The Secretary recognized Senator Hair who further seconded the nomination of Senator Peterson.

Senator Hair: Members of the Senate, ladies and gentlemen. Through the years that I have served with Curtis Peterson in the Senate, particularly when I worked with him on the educational funding subcommittee, I came to know him as a man of great ability, and unquestioned integrity, a man who can make difficult decisions based on one consideration — what is best for the people of Florida. His capacity for work, and his thorough study of all sides of an issue are legend in this body. He's unfailingly courteous and friendly, yet he stands as a tower of strength. He brings out the best in all of us. It has been said that never in the history of the Florida Senate, has this body been more in need of healing and unity. Never have I had greater confidence in the ability of a new president to provide the kind of leadership that will do both. It has been said that the Senate presidency is an awesome responsibility. Never have I had greater confidence in the ability of a new president to discharge that responsibility fairly and impartially, and for the greatest good of the people of Florida. If any man can bring this Senate together in a spirit of unity, cooperation and harmony in a year when many hard decisions are going to have to be made, that man is Curtis Peterson. It is with that knowledge that I am proud to pledge my wholehearted support and cooperation and to second the nomination of Curtis Peterson for Senate President. Thank you.

The Secretary recognized Senator Neal who further seconded the nomination of Senator Peterson.

Senator Neal: Members of the Senate, ladies and gentlemen. Last night I took a little time with myself to review, for myself, the qualities that I considered when I chose to second the nomination of Curtis Peterson to be President of the Senate last April. In my judgment, there are three characteristics which have framed my choice of Curtis Peterson, whose nomination I wish to second, Mr. Secretary. The first characteristic is character, the trait of honesty to one's self combined with the respect for the right of others to disagree. Curtis Peterson, with the help and dedication of his wife Ethel, has and has had the moral strength to lead this Senate. He has proven his respect for this institution, the purpose which it serves and the proper role of each one of its members. Second in my evaluation, is the characteristic of knowledge. Curtis Peterson is familiar with the issues which have faced this Senate for the last 12 years and the policies which we have followed in the past. In my view, even more important, is the knowledge which he has, which few members of this body have, in the appropriations process which in my judgment is primary in his role as Senate President in guiding the policy making in this body. There is no member in this chamber more qualified by experience or knowledge to serve as Senate President than Curtis Peterson. And third, is his ability to lead people, the capacity to frame issues, to articulate positions and probably more important to mold consensus, so that this body can come up with a set of goals, ideas and policies that's consistent and properly articulated to serve this state. Curtis Peterson has shown that he can bind together for common purpose a chamber representing no particular regional interest, both political parties and a diversity of differing political philosophies. He has over the past 18 months, held this Senate together, through a period of turmoil and divisiveness. Curtis Peterson has shown, Mr. Secretary, that he can lead. In my view there is no member of this body more qualified either by experience or knowledge to serve as Senate President. It is with great pleasure that I further second the nomination of Curtis Peterson for President of the Florida Senate.

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

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

Yeas—40

Barron	Gersten	Johnston	Neal
Beard	Girardeau	Kirkpatrick	Peterson
Carlucci	Gordon	Langley	Plummer
Castor	Grant	Malchon	Rehm
Childers, D.	Grizzle	Mann	Scott
Childers, W.D.	Hair	Margolis	Stuart
Crawford	Henderson	Maxwell	Thomas
Dunn	Hill	McPherson	Thurman
Fox	Jenne	Meek	Vogt
Frank	Jennings	Myers	Weinstein

Nays—None

Senator Curtis Peterson was unanimously elected President of the Senate.

On motion by Senator Barron that a committee be appointed to escort Senator Curtis Peterson to the bar of the Senate and then to the rostrum, the Secretary appointed Senators Meek, Beard, Crawford, Grant and Scott. Senator Peterson was escorted to the bar of the Senate where The Honorable James E. Alderman, Chief Justice, Supreme Court of Florida, administered the oath of office to him, and then to the rostrum where he was seated.

On motion by Senator Grizzle that a committee be appointed to escort Mrs. Ethel Peterson, wife of the President, to the rostrum, the Secretary appointed Senators Grizzle, Hill, Carlucci, McPherson and Thurman. Mrs. Peterson 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: son, Dr. Curtis Peterson and his wife, Brenda; grandchildren, Noah and Abigail; son, Peter Peterson and his wife, Barbara; brother, Howell Peterson and his wife, Charlene; nieces, Karen and Barbara and nephew, Howie; aunt, Mrs. Mary Merritt and her daughter, Sara Catherine Hodges; cousin, J. Hardin Peterson, Jr. and his wife, Nancy; and cousin, Ann Myers and her husband, Corneal.

The Secretary also presented former Senator Ben Hill Griffin, a close friend of the President.

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 Margolis who placed in nomination the name of Senator Jack D. Gordon of the 35th Senatorial District.

Senator Margolis: Mr. President, and members of the Senate: It is with a great deal of pride as a Dade Countian and as a woman, that I rise to place the name of Jack D. Gordon in nomination for President Pro Tempore of the Florida Senate. In his ten years of service in this body, he has demonstrated time after time the depth of his commitment to human rights and civil liberties. He has stood alone on many occasions chiding us to do what was right—not political. And he has stood on more occasions, providing insight and leadership in complex issues.

Jack Gordon has always been a leader in this deliberative body. In his tenure as chairman of Health and Rehabilitative Services, he guided the reorganization of that massive agency so that no HRS client would fall through the bureaucratic cracks. Throughout his legislative career, the Senator from the 35th has become well known as the leading advocate for the elderly, the handicapped and the disadvantaged. As chairman of the Appropriations Committee, he moved landmark legislation and backed it with dollars to implement programs striving for quality throughout the entire public education system. The Eminent Scholars bill and writing skills program are noteworthy among his accomplishments. He has served this body well as a conferee in many areas of Health, Education, Finance and Taxation and Appropriations.

Dade Countians are proud of Jack Gordon, a respected civic leader, a successful businessman who fulfills his community responsibilities through public service. Spending eight years on the Dade County School

Board in the sixties, his sincere concern for children provided an improved standard of education for all students regardless of race or cultural background. As a woman, I am particularly proud to nominate Jack Gordon. He fought the battle of the Equal Rights Amendment, along with the women of this state who dared to want to be treated equally under the law.

As a man of high principles, Jack Gordon has never hesitated to speak out on volatile and philosophical issues. People from all walks of life show great wisdom in electing and re-electing this perceptive man. When claiming victory after his most recent election, he announced he will run again in 1984, a statement that brought cheers throughout our community and, indeed, throughout the state. For all the soul searching and soul stirring that he does, it would be hard for me to imagine a Florida Senate without Jack Gordon.

From his peers and admirers, his awards are numerous, but I believe his greatest pride, his greatest reward is the success of his children — Andrew, Vicki, Deborah and Jonathan, who have joined him here today. That's the private side of Jack Gordon which we rarely see.

Senators, it is for all these reasons, along with my special admiration for Jack Gordon, that I proudly place his name in nomination for President Pro Tempore of the Florida Senate and urge your unanimous support. Thank you.

The President recognized Senator Henderson who seconded the nomination of Senator Gordon.

Senator Henderson: Back in 1972, prior to that election, I had the privilege of serving with a predecessor to Jack. He was from Dade County, Florida, and this man was described to me. Often those things we perceive of an individual before we meet, are different than we find him as a man and as a Senator. He was described to me as crafty, shifty, conniving, mean-natured, penurious, belligerent, contemptuous, and bellicose. Philosophically, it was also described that he would never take a right turn. He would go a block farther and take three lefts. But when Jack got here — and in this decade that we've had a chance to get to know one another — I've found him to be gentle, and kindly, a considerate man and soft-spoken, deeply devoted, humane, loving, and loveable, and a genuinely able and effective legislator. For that reason I am proud to second the nomination of Jack Gordon for President Pro Tempore, Florida Senate, 1982-84.

The President recognized Senator Jenne who further seconded the nomination of Senator Gordon.

Senator Jenne: Senators, I think we all know Jack Gordon. We've all enjoyed his presence here, representing the 35th district. I would also like to commend to you Jack Gordon for your consideration. I think we know that any legislative body that is a truly representative institution, needs someone who has the courage and the foresight to stand up and speak for unpopular issues and speak against popular issues. I know in this body that Jack Gordon and I have debated a few issues on law enforcement, and Jack has not always taken the popular side of an issue, but it has been Senator Gordon who has tried to bring consistency to this body and a philosophic integrity that sometimes in the rush of things we miss. It is Jack Gordon who has consistently reminded us that we can truly maintain a religious thought throughout this body while still respecting the religious beliefs and aspirations of others. He maintains a personal life and a religious life that we can respect, no matter where we're from or what our beliefs might be. Jack Gordon in many ways is the epitome of what a legislator should be, because he does have the courage to speak out, to say his piece on issues that speak for his community, that consider the rest of our state as a true community. So it is with a great deal of pride that I can further second the nomination of my neighbor from the south, Jack Gordon.

On motion by Senator Jenne, 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 "Jack Gordon". The vote was:

Yeas—40

Mr. President	Carlucci	Childers, W.D.	Fox
Barron	Castor	Crawford	Frank
Beard	Childers, D.	Dunn	Gersten

Girardeau	Jenne	Margolis	Rehm
Gordon	Jennings	Maxwell	Scott
Grant	Johnston	McPherson	Stuart
Grizzle	Kirkpatrick	Meek	Thomas
Hair	Langley	Myers	Thurman
Henderson	Malchon	Neal	Vogt
Hill	Mann	Plummer	Weinstein

Nays—None

On motion by Senator Gersten that a committee be appointed to escort Senator Gordon to the bar of the Senate and to the rostrum, the President appointed Senators Gersten, Castor, Girardeau and Kirkpatrick. The committee escorted Senator Gordon to the bar of the Senate where the oath of office was administered to him by Chief Justice Alderman, and to the rostrum where he was received by the President and seated.

On motion by Senator Fox that a committee be appointed to escort Senator Gordon's daughter, Deborah Gordon, to the rostrum, the President appointed Senators Fox, Rehm, Malchon and Weinstein. The committee escorted Deborah 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: Andrew and Vicki Simons Gordon, son and daughter-in-law; Jonathan Gordon, son; and Ann Kramer and Harvey Kramer, sister and brother-in-law.

The President Pro Tempore addressed the Senate as follows:

Senator Gordon: I want to thank each and every one of you for your vote. It really feels wonderful to stand here and recognize your acknowledgment of both regard and affection. I think that one of the things that those of us who have served here for a number of years have come to find about this changing group is that everyone really tries to understand everyone else and be helpful within the range of their political or personal abilities and I certainly understand, as Senator Henderson so eloquently pointed out, that on more than one occasion this has required more than the average amount of affection, concern and regard for me and it feels very good and I thank you very much for it.

In starting a new biennium with a new Senate, in the sense that even those of us who have served here before are now representing a somewhat different geographical area, I think it is a good time to pause and examine fundamental factors which are going to govern our actions and put limits on our ability to accomplish all of the changes that any one of us would like to see happen.

I came to Florida in 1940 when the population of the state was about 1,900,000 people. Today that is the estimated population of Dade County — which back in 1940 had all of about 267,000 people. Some of you have lived here in Florida longer than I have and have seen that kind of population change, the magnitude of which is probably unequalled in any other state in the union. We have more than five persons living in Florida today for every one that lived here just forty short years ago. One of the things that happens in accommodating to that rate of change is the tremendous burden on various governments to provide minimum public services to keep up with the growth. It is very hard to concern yourself with quality improvement when you are overwhelmed by sheer numbers. But we have had to deal with quality improvement in a number of areas and we ought to be proud of our response to that kind of change. When there are five times as many people occupying the same space you don't just get an arithmetical increase in problems but you get a much greater increase in many social problems. The more crowded conditions under which people live means that we have to deal with an awful lot of deviant social behavior and we don't have the community support to take care of many of these problems.

The mere fact that there are five times as many people means that there are a great many more strangers, strangers to each other and the sense of community that is the backbone of both American small town life and long-standing urban neighborhoods is very difficult to find in Florida because of these new people coming in all the time.

When we thought of schools in 1940, we did what most children did when we went to school. We came home at three o'clock and our mothers were there and there was some neighborhood supervision of play. Today, more than half of the married women in this country are working and the kind of school and after-school arrangements that made sense then simply are not workable now, and while we may regret that fact, we have to

deal with it. What we are going to have to do in so many cases is deal with problems which we don't think really ought to exist because we would rather the world was different than the way it is. But the one thing you learn is that you cannot legislate the past to re-occur.

We are dealing with a great rate of social change and a great rate of technological change. We are educating ourselves about computers that we didn't know about when we went to school and we are educating our children for a post-computer age, one that we don't at all know what it's even going to look like.

At the same time, we are living politically in a two-year cycle, really broken into one-year cycles, so that we have taken on a job as elected officials in which we need to cope with change over very long periods of time but are willing to be judged by the electorate for very short-term accomplishments. It is very difficult to take the long-term perspective and still make it politically viable against an opponent, or possible opponent, who is only going to say, "well, you only passed three bills or six bills," rather than looking at what was your contribution to the State of Florida and to the institution of the Senate and to its ability to function as a totality.

I would hope that we could agree, all of us, on an agenda for the next two years that would relate to all the substantive questions such as the ones that I know the President is going to speak about but which, in themselves, are not substantive matters.

First, I think it is important that we emphasize in this country and in this state the importance of public service, particularly the kind of elected public service that we are performing for the people of Florida. I think it is crucial that none of us demean that service. That none of us takes his role so hypocritically as to give the impression, or for that matter, believe that every action we take has little meaning. A democratic society cannot survive if serving in its legislative bodies is ridiculed and demeaned so that people believe it useless or degrading. I am as skeptical of human motives as the next person, but I don't believe, and I have come to know that every legislator does not act out of pure desire for private gain or purely for personal aggrandizement. The more we adhere to the highest traditions of public service, as have often been exemplified by present and past members of this body, the more we will have done in carrying out the crucial task of increasing confidence in public decision-making through the democratic process.

The second agenda item is that we all try, when necessary, to look beyond the time constraints that I spoke of earlier and, where it makes more sense, to take a longer view, and make the political sacrifice that may be called for to enforce that long term view.

The third item is to take most seriously the oath we just made to uphold the Florida and United States Constitutions. It is often very difficult to withstand the lack of understanding of the wisdom of the founding fathers in putting constitutional restraints on government and providing constitutional freedoms to individuals. But that is what is expected of us. We are the barrier to the mob's lack of understanding. We need to be exceptionally sensitive to disturbing or tampering with any of those freedoms.

The fourth agenda item, the last one I think I could best describe by reading to you from the sixth and seventh verses of the 58th chapter of Isaiah, who said "Is not this the fast that I have chosen? To loose the bonds of wickedness, to undo the heavy burdens, and to let the oppressed go free, and that ye break every yoke? Is it not to deal thy bread to the hungry, and that thou bring the poor that are cast out to thy house? When thou seest the naked, that thou cover him; and that thou hide not thyself from thine own flesh." This is a common obligation, regardless of our faith, and in considering all of the problems — and all of the troubles — and all of the issues we have to deal with, let's not forget that there are people out there who are poor, who are discriminated against, who are handicapped physically or mentally, who in one way or another — generally through no fault of their own — simply cannot be a self-sustaining member of society without our help. We ought not to hold it back.

In closing, I would like to quote from Eugene Debs, a great American political leader, whose words I have framed on the wall in my office. The words are: "It is better to vote for what you want and not get it than to vote for what you don't want and get it." It is my hope and my prayer that we will all have the courage to follow his wise advice. Thank you.

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 Hill. 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 Alderman administered the oath of office to Mr. Brown.

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

Wayne Todd was nominated for Sergeant at Arms by Senator Barron. Senator Maxwell seconded the nomination and on motion by Senator Maxwell nominations were closed.

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

On motion by Senator Dunn 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 Dunn, Frank, Langley, Mann, Plummer and Myers. The committee was excused to perform its duty.

On motion by Senator Barron that a committee be appointed to notify the Governor that the Senate was convened for the purpose of organization, the President appointed Senators Barron, Hill, Maxwell, W. D. Childers, Jennings, Vogt and Stuart. The committee was excused to perform its duty.

A committee from the House of Representatives consisting of Representatives Liberti, Lippman, Gardner, Clements and Gallagher 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.

On motion by Senator Barron, the following Rules were adopted to govern the Senate for the ensuing two years:

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 yea and nay votes, the President's name shall be called last.

1.7—Vacating chair; duties of President Pro Tempore

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

(b) If for any reason he is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

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

(d) Should the President resign, he may, prior to his resignation, designate a member of the Majority Party to assume the duties of the chair until a permanent successor is elected.

1.8—Election of 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 Sen-

ate 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 reelected 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 (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
- 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 (30) 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 (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 fiftieth (50th) day of a regular session if the bill or a companion measure has not been first reported favorably by at least one Senate committee.

2.15—Standing committee duties in deliberation

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

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

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

In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). A Senate committee may not recommend a Senate committee substitute for a House bill. The substitute measure must be accompanied by the original measure (or measures) referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure (or measures) but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill (or bills) as originally introduced. When the original measure is reached on the calendar, the substitute shall be read a first time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure. The name of the introducer of the original measure (or measures) shall be shown by the committee secretary on the committee substitute unless the said introducer requests that it be omitted. A committee substitute may be co-sponsored by a Senator whose signature is affixed to the original.

All standing committee reports shall be signed by the chairman or, in his absence, the vice-chairman and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Commit-

tee amendments shall be typewritten in full on amendment forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

2.16—Standing subcommittee reports

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

Such reports shall also reflect (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the subcommittee on the motion to report each bill or resolution.

In reporting a bill to the parent standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the parent standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the parent standing committee in the same manner as a favorable report.

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

All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of the committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

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

mittee 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

2.45—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 (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.

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.

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 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 eight (8) 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 four (4) 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 eight (8) 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 eight (8) 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 eight (8) 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 eight (8) 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 intro-

duction. This Rule may be waived only on unanimous consent of those present, but the motion shall not be entertained until the movant notifies the Senate orally, not less than thirty (30) minutes preceding the motion, of his intention to move for the waiver of this Rule so as to have introduced a specific bill or bills sponsored by him. The adoption of such motion shall be construed as reverting the Senate to the Order of Introduction and Reference of Bills solely for receiving said bill or bills for formal introduction and reference.

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

3.8—Prefiled bills

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

The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the chairman of the first or only committee of reference. A copy of each prefiled bill shall be provided each Senator. The Secretary shall mail regularly to each Senator a calendar of all prefiled bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

After having been considered by a committee and a report made to the Secretary at least seven (7) days preceding a regular session, each bill shall be introduced and read on the first (1st) day thereof, pursuant to the Constitution, Laws of Florida, and these Rules. The reading clerk shall recite the committee reference, and the Journal shall reflect the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

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

Notwithstanding these Rules, a Senator may, during the day of introduction of prefiled bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second legislative day on which the Senate meets, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those present.

3.9—Printing of bills

When introduced, bills not local in application and joint resolutions (including committee bills and committee substitute bills) shall be printed for the information of the Senate and the public. The number of copies of each shall be determined each year by the Secretary who shall furnish the copy for printing. The absence of a printed copy shall not delay the progress of a measure at any stage of the legislative process.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to insure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by machines as used in banks for validating or cancelling checks or other documents, or made by any other device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

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

3.12—Introducers of bills

Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original. The general appropriations bill shall be introduced by the Committee on 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 (2/3) vote of those present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the Constitution, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference Committee Report

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

The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

4.6—Reference generally; final day for introduction of bills

All bills, including those that are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to appropriate committees or standing subcommittees. Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the sponsor. In the event of extended absence of the President or his disability or incapacity, the President Pro Tempore shall assume the duty of referring bills. If the President has not previously designated a standing subcommittee of reference, the chairman of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by the chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for consideration. If subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report this reference and the time allowed for consideration to the Secretary of the Senate on forms provided for the purpose. The reference of a bill that is local in nature shall be to the Committee on Rules and Calendar to determine whether such measure is, in fact and function, local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects no more than one county. When the Committee on Rules and Calendar, 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 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 (10) days of a regular Session shall be accomplished within twenty-four (24) 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 find-

ings 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 (2/3) 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 (2/3) vote of those present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of the Special Order Calendar by the same vote. All bills set as special order for consideration at the same hour shall take precedence in the order in which they were given preference.

A vote of two-thirds (2/3) of those present shall be required to establish a Special Order except as provided in this Rule. Notice of time and place for the establishment of the Special Order shall be published in the daily calendar; provided, during the last ten (10) days of each regular session notice of time and place may be given by announcement from the floor.

The Committee on Rules and Calendar, with the approval of the President, may submit a consent bill calendar to be held in conjunction with the Special Order Calendar. When such a day is designated, all bills appearing on the consent calendar shall be considered in their order of appearance. However, if an objection by any member shall cause such bill to be temporarily passed, it retains its order on the regular calendar. A Senator may designate only a bill that he sponsors or a House bill for the consent calendar. A committee chairman may designate a committee bill sponsored by his committee. All consent calendar bills must have appeared on the printed Senate calendar.

4.18—Calendar of local bills

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Committee on Rules and Calendar or its designees and approved by the President.

4.19—Order after second reading

The order of disposition of a bill that has been read the second time shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third reading to be considered on some succeeding legislative day. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third reading when it has been read a second time on a previous day and no motion left pending. Bills calendared for second or third reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

4.20—Enrolling

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

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immedi-

ately 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 herein-after provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

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

1. To adjourn
 - (a) Instantly
 - (b) At a time certain

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

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

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

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

6.3—Division of question

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

6.4—Reconsideration generally

When a main question, (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets. If the question has been decided by voice vote, any Senator may so move. Such motion may be made pending a motion to adjourn or if it is time to adjourn. Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those present. During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day. When a majority of those present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority of those present is necessary for adoption or passage, any Senator may move for reconsideration.

6.5—Reconsideration; vote required

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

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable no Senator shall speak thereon more than once nor longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

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

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those present and immedi-

ately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the Constitution for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

6.9—Motion to indefinitely postpone

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

RULE SEVEN

AMENDMENTS

7.1—General form; manner of consideration

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

7.2—Adoption

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

7.3—Sequence of amendments to amendments

An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted on before the substitute is taken up. Only one amendment to the amendment is in order. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

7.4—Striking all after enacting clause

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

7.5—Amendment by section

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

7.6—Printing in Journal

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

7.7—Senate amendments to House bills

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

7.8—House amendments to Senate bills

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

7.9—House refusal to concur in Senate amendment

If the House shall refuse to concur in a Senate amendment to a House bill, the following motions shall be in order and shall be privileged in the order named: (1) that the Senate recede, (2) that the Senate insist and ask for a conference committee, or (3) that the Senate insist. The adoption of any of the foregoing motions shall be by majority vote of those present.

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

When a Senator desires to speak or deliver a matter to the Senate, he shall rise at his seat and address himself to "Mr. President", and, on being recognized, may address the Senate from his desk or from the Well of the Senate, and shall confine himself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of Senator or such appellation and the district number of the Senator being addressed, or he may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer's power of recognition

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

8.3—Interruptions; when allowed

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

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

The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

When a member is speaking and another member interrupts to request recognition, the presiding officer may permit the person rising to state why he desires the floor. If the question he desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. He then is entitled to resume the floor.

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

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those present.

8.6—Limitation of debate

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

8.7—Points of order, parliamentary inquiry, definitions

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

ments under this Rule together with the information contained therein on the first Monday of the session and weekly thereafter. No registered lobbyist shall be permitted on the floor of the Senate while it is in session.

9.3—Registration, exception

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

9.4—Obligations of lobbyist

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

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

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

9.5—Periodic reports required

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

9.6—Advisory opinions

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

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

9.7—Compilation of opinions; list of lobbyists

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

9.8—Penalties for violations

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

9.9—Secretary to provide forms

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

9.10—Committees to be diligent

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

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

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

10.2—Exception

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

10.3—Admission of press by President

Representatives of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in session, except with the approval of the President.

10.4—Recognition of guests

No person shall be introduced unless he is escorted to the rostrum with consent of the majority of those present. This Rule shall not apply to the first day of each regular session.

10.5—Attire

All male persons on the main floor of the Senate and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear coats and ties at all times while the Senate is in session.

10.6—Gallery

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

RULE ELEVEN

CONSTRUCTION AND WAIVER OF RULES

11.1—Interpretation of Rules

It shall be the duty of the President, or the presiding officer for the time being, to interpret all Rules. Motions for the previous question and to lay on the table shall not be entertained.

11.2—Waiver and suspension of Rules

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

11.3—Changes in Rules

All proposed actions touching the Rules and Order of Business in the Senate shall be first referred to the Committee on Rules and Calendar,

which shall report as soon as practicable. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of the members present.

11.4—Majority action

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

11.5—Uniform construction

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

11.6—General

When used in these Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: (a) the singular always includes the plural, (b) the masculine always includes the feminine. Except where specifically provided otherwise, the use of the word “bill” or “measure” means a bill, joint resolution, concurrent resolution, resolution, or memorial.

RULE TWELVE

EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS, AND REMOVALS

PART ONE—EXECUTIVE SESSIONS

12.1—Executive session; authority

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

12.2—Executive session; purpose

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

12.3—Executive session; vote required

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

12.4—Work product confidentiality

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

12.5—Separate Journal

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

12.6—Violation of Rule

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

PART TWO—SUSPENSIONS AND REMOVALS

12.7—Procedure

(a) Except as otherwise herein provided, on receipt by the Senate of appointments, removals, or suspensions on which the consent of the Senate is required, the President shall refer each to the Committee on Executive Business or to a Special Master appointed by the President. Either one shall make inquiry or investigation and advise the President and the Senate of its recommendation and of the necessity for deliberating the subject in executive session. Reports and findings of the committee or the Special Master appointed pursuant hereto are advisory only and shall be made to the Senate President. The report of the committee or the Special Master may be privileged and confidential. The President of the Senate may order the report presented to the Senate in either open or executive session, or he may refer it to the Committee on Rules and Calendar for its consideration and report. When the report is presented to the Senate in open session or received by the Committee on Rules and Calendar, the report shall lose its privileged and confidential character.

(b) An executive suspension of a public official who is under indictment or who has pending against him criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official that is challenged in a court shall be referred to the Committee on Executive Business or Special Master. Such shall be held in suspense and shall not be considered by the Senate until the pending charges have been dismissed, until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, including the exhaustion of appellate remedies.

In a suspension case in which the indictment or criminal charge is not for the alleged commission of a felony the committee, the 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 the recommendation of the Committee on Executive Business, the Senate President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to

suspensions and removals as he shall prescribe. The Special Master shall not be an employee or attache under Senate Rule One, Part Three, Sections 1.28, 1.29, 1.30, 1.31 or 1.32.

12.9—Special Master; floor privilege

With consent of the Senate President, the Special Master may have the privilege of the Senate floor during any open or executive session to present and explain his report and answer questions as to the law and facts involved.

12.10—Issuance of subpoenas, etc.

The committee and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chairman and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee or Special Master.

RULE THIRTEEN

SPECIAL SESSION

13.1—Applicability of Senate Rules

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

13.2—Sessions of the Senate

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

13.3—Committee meetings; schedule, notice

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

13.4—Delivery for introduction

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

13.5—Committee reports

Every bill, joint resolution, resolution, and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third calendar day from the day of reference (the day of reference not being counted as the first day) unless otherwise ordered by the Senate by majority vote of those present. Any bill on which no committee report is filed may be withdrawn from such committee and calendared on point of order. Every bill, joint resolution, resolution, and memorial referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chairman of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference Committee Report

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

The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

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

When a bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

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

13.8—Special Order Calendar

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

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—Seal and Insignia

There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal". At the bottom shall be the date: "1838". The perimeter of the seal shall contain the words: "Senate" and the "State of Florida".

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

Special Ceremony

The President presented former Sergeant at Arms John D. Melton, his wife Alice, and son and daughter-in-law, Gene and Marilyn Brown, to the Senate.

On motion by Senator Thomas, the following resolution was introduced:

By Senators Thomas, Peterson, Barron, Beard, Carlucci, Castor, D. Childers, W. D. Childers, Crawford, Dunn, Fox, Frank, Gersten, Girardeau, Gordon, Grant, Grizzle, Hair, Henderson, Hill, Jenne, Jennings, Johnston, Kirkpatrick, Langley, Malchon, Mann, Margolis, Maxwell, McPherson, Meek, Myers, Neal, Plummer, Rehm, Scott, Stuart, Thurman, Vogt and Weinstein—

SR 1—A resolution commending John D. Melton.

WHEREAS, John D. Melton served as Sergeant at Arms of the Florida Senate from 1971 until June 30, 1982, and

WHEREAS, before assuming the office of Sergeant at Arms, Mr. Melton served as executive assistant to the Senate Judiciary Committee and to his predecessor, Mr. Leroy Adkison, and

WHEREAS, Mr. Melton with quiet competence led a dynamically expanding staff through more than a decade of the most explosive changes ever to occur in the Florida Senate, and

WHEREAS, he effected changes to maintain a high level of security and order in a vastly expanded Capitol, with an ever-greater diversity of visitors, and throughout a period of bomb threats, and

WHEREAS, typical of these changes was the replacement of the familiar bellowing "Roll Call" by a quiet announcement over an interoffice speaker system, and

WHEREAS, he uncomplainingly accepted heavy responsibilities and burdens, handling all his duties with quiet dignity and determination, and

WHEREAS, everyone with whom he worked appreciated his underlying sense of humor and his thoughtful, behind-the-scenes help, and

WHEREAS, during his tenure with the Senate he exemplified the inspirational creed that he professed, "Be the Best of Whatever You Are," and

WHEREAS, his vocational achievements included serving as parliamentary and regional chairman to the National Legislative Services and Security Association of the National Conference of State Legislatures, and

WHEREAS, his civic accomplishments include the honor of being a 32nd degree Scottish Rite Mason, as well as membership in the Shrine; the Elks; and the Tallahassee Kiwanis Club, which he served as President, and

WHEREAS, it is fitting that the Florida Senate honor him for his strength, capability, adaptability, perseverance, and loyalty, NOW, THEREFORE,

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

That John D. Melton is hereby recognized, commended, and praised for his dedicated service as Sergeant at Arms of the Florida Senate from December 7, 1971, until his retirement on June 30, 1982.

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

The President presented a copy of the resolution to Sergeant Melton.

The President's address:

Pastor Lykes, I appreciate your prayers and your constant prayers. Mr. Chief Justice, we thank you for being a part of this ceremony and making it very meaningful.

President Childers, all of the former Presidents of the Senate, friends who are here, family who are here, and fellow Senators: I appreciate the eloquence of the Senator from the second in his remarks nominating me, and over the years the steady influence of the Senator from the 26th, Senator Johnston. During the past summer, the Senator from the 9th and I have been working together, trying to pull the Senate back together again, and I think we have had some success, so I also want to thank him. And Senator Neal whose brilliance has helped us solve many of the problems in the Senate. You've all spoken many kind words to me and I appreciate the praise that you've given me. I promise to work hard and to try to have the insight and the good judgement that you've proclaimed that I have. Your words will be a challenge to me during the next two years and your friendship and the support and guidance that you give me will give me the confidence that I need.

My friends and family who are here and who've had to travel long distances to be here, I want you to know that I am grateful for you and for the strength that you have given me and the support and the hardships you've had to endure over the last eleven years since I have been in the Florida Senate.

Two years ago, I stood here to accept the office of Senate President Pro Tempore, to be the Pro Tempore under President Childers, and I did mention at that time that I was taught by my parents that whatever personal shortcomings I had, there is no excuse for not working very hard or hard as I could at any job that was assigned to me. And so the Florida Senate, I promise you again that I'll work hard and try to provide effective and responsible legislation for the people of Florida. We need again to fully engage ourselves and all of our personal abilities and all of our resources in these times to resolve the questions that face us and the substantive problems and the concerns of the people of Florida.

I do not profess and have not ever professed to agree with every Senator in this chamber or in past chambers on every issue and on every topic, and anyone who knows the recent history of the Senate, would know that I haven't. As Senators we shouldn't be directed by sectionalism, outside pressure, party labels, but rather each of us is challenged to follow our conscience and do what's right for the people of Florida.

Party lines and platforms are constantly evolving not only here in the Florida Senate, where we have Democrats and Republicans who seldom vote according to party lines, but throughout the history of this country where political parties have been in existence since the first national election.

The Federalist Party grew out of a faction that drafted and worked on the ratification of the 1787 Constitution. President Washington chose to separate himself from the development of parties, so leadership of the Federalists was exercised by Alexander Hamilton and John Adams. At the time of the Federalists, they were mostly urban, favored a strong central government, were labeled conservative for that view, and were of the aristocracy.

The Anti-Federalists were formed as an alliance that opposed a strong central government that was favored by the Federalists and they were considered liberal for this view point. They eventually formed what was called the Democratic-Republican Party. In 1800 when Thomas Jefferson, who was a bitter rival of Alexander Hamilton, became president, control of Congress went to the Democratic-Republican Party and the Federalists began their ultimate decline.

There was a lot of difference between these two people, Alexander Hamilton and Thomas Jefferson, two of our most famous founding fathers, but these differences eventually shaped the political philosophies and party lines that this country follows today. And I hold that differing aspects of each of our 40 personalities and not sectionalism or party lines which shape the conflicts that arise in this chamber. And I am sure that as Senator Thomas mentioned, former Senate President Herbert Drane who was from Lakeland, who was defeated by my uncle for the congress, and former Senator Park Trammell, another Senate President who became Governor and United States Senator from Lakeland, would have a great deal of difficulty today trying to understand some of the philosophy that's being proposed by their Democratic Party. Yesterday a friend of mine was talking to me about politics and I asked him if he knew the party that President Lincoln belonged to when he was elected President. And he says, "Well, he was a Republican." I said, "No, he was not; let me read you a little Harry Truman history." And this is what Harry Truman says about that President and his Vice President: "There never was a man in the White House who was more thoroughly and completely mistreated than Vice President Johnson when he became President. He was a Democrat from Tennessee. An Andy Jackson Democrat. That's what he was. So when the Republicans after their first administration found they couldn't win without some other approach, they set up the American Union Party with Lincoln as the presidential candidate and Johnson as the Vice President." So there we have the first coalition, Senators. It is the conflict of opinions that we loosely term as "Debate" and it is our responsibility as elected senators to carry out such debate to determine the majority opinion of this body. Contrary to what some might believe, we are not a government of special interest. By the same token, we are not a government dictated by editorials. The lobbyists walking these halls were not charged by the people of Jacksonville, Marianna, or Fort Myers to look out for Florida's interest — lobbyists are hired by special interests to look out for their special interests. Likewise, these fine reporters up here, news directors and editors are hired to do a job — to report the news fairly and to inform the public. The folks elected by the people — you, charged by the people and ultimately held responsible by the people, are folks sitting in this chamber. And as Senators, our first responsibility is not to do what "they", the lobbyists or the members of the media, think is best for Florida, but our first responsibility is to do what our conscience tells us is best for the people of this state. Even though we are criticized for our argumentative nature, it is my hope that we never lose our decisiveness or our differences, but rather that we could use these for the good of the people of Florida, and do this by letting the system work out the best and most productive solutions.

We have an agenda before us that contains many items. I will mention only two or three. Because I don't mention something doesn't mean it's not on the agenda of the Florida Senate.

CRIME

Crime I think is a major problem for the people in Florida today. Have we in the legislature done enough to control crime? Since 1978, 236 million more dollars have been added at the state level to control crime and 4,291 more people have been put on the payroll of the criminal justice system. This is an 81% increase in funds. Since 1978, we have also committed 127 million dollars more to build prisons and for other capital expenditures. At the federal level, our own Senator Lawton Chiles has guided passage of a strong crime package of bills and they have become law and more are pending. And because of his effort, we have a great deal more cooperation with federal crime fighters and with the military to help stop the drug traffic.

We have done much and must do much more, but this without the involvement of our citizens will not control crime. Citizens must become more active and must become involved in law enforcement and apprehension of lawbreakers. More criminals per capita are caught in Switzerland than any other nation in the world because more citizens actively participate in the apprehension of law breakers. So must we! Neighborhood Crime Watch Organizations are springing up all over the state and we should encourage more of this type of activity. So no matter how much we spend against crime, the thrust must come from our own citizens — they must help us by coming forward and reporting crime and they must also become keenly aware of how to prevent crime.

We are appropriating larger and larger amounts of state dollars but much of our criminal justice system doesn't work like it should or like we think it should. So I am calling for major oversight by you to see why enormous increases in budgets are not as effective as we have been promised. We need to apply the same Senate performance guidelines to criminal justice as we apply to other budgets and get more accountability. Criminals will take us seriously only when we as a legislature and as Floridians take crime seriously.

AGRICULTURE

Agriculture in Florida is in serious trouble. One-fourth of the farmers in Florida and in the United States are in financial difficulty. This year the profits from farming were \$3 billion less than was needed to pay the debts or the interest on the debts of farmers in the United States.

Grain farmers in North Florida are receiving less than one-half for corn and soybeans that's needed to stay in business. Corn costs more than \$3 a bushel to produce and the October price for corn in Florida was \$2.03 a bushel. Beef prices are just as bad and so are grapefruit prices. Ninety thousand citrus trees in Florida are dead from two years of disastrous freezes and while we are harvesting 80 million boxes less of oranges this season, Brazil is taking our customers away from us with concentrate that's subsidized by their government, and with a duty that's based on orange juice at one-half the cost rather than on concentrate.

This week in Geneva, Switzerland, United States Representatives will meet with member nations of the General Agreement on Tariffs and Trade. They should be going to this meeting dadgum mad but I'm afraid our folks are going with hat in hand, meek and agreeable as usual. Well, I'm mad and you should be mad, and new Congressman Tom Lewis should be mad, because we can't afford to let such an important part of our economy be neglected by our government.

Our so-called trading partners in the world have found ways to circumvent the Gatt Treaties and have used government subsidy, unfair packaging, and other restrictions to raise real trade barriers to our agricultural products. This is mostly a federal problem but let me remind you and Congressman Lewis that every Florida farmer is our constituent and our people are in trouble and we have an obligation to do everything we can to help them out.

EDUCATION

Senators, I want to talk to you about war now, a war that we can't afford to lose. By this, I mean an educational war, one that must be waged in our public schools. The situation is critical! High school standards have declined both in terms of curriculum and time spent in school. Our students are no longer taking necessary courses in mathematics and science to prepare them for college and our technological society. Students have been allowed to take more electives and too many frivolous courses that do not get them ready for college or for a job. We are losing this war today because our children are not being educated in the areas or in the manner that they should be learning. Allow me to share some pretty dismal facts with you.

For 18 years test scores of the Scholastic Aptitude Tests (SAT's) have been declining in this state and in the nation. Florida has the second highest dropout rate in the nation. We have below average the number of Merit Scholars of the nation. We haven't enough Florida high school graduates with qualifications to fill engineering school enrollments and we are graduating only one out of four engineers needed to fill jobs in Florida today. Twenty-eight school districts require only one year of science for graduation with a high school diploma.

In China, Germany, Japan and Israel and all over the world, kids are learning how to speak English but our kids aren't learning their languages

Three percent of our high school students are taking calculus. One hundred percent of Russian secondary school students are taking calculus. In Japan, 97 percent of their students complete school and in Florida less than 75 percent of Florida high school students complete. Forty-three percent of community college students in Florida have to be remediated mostly in English, Math and Science because they didn't learn it in high school. Kids go to school 240 days a year in Japan, and they go 180 days a year in Florida and most of them are absent or truant three weeks of that time. Japan has stolen the electronics industry away from this country and they are trying their best to take away the automotive industry and they are training their kids to do those jobs. Why can't we do better? We must do better.

Senator Gordon, Senator Frank and I have spent the past year finding out how to do better. So I challenge the Senate, our students, our teachers, our school board members and most of all the parents of Florida to get to work on this problem. We know what is wrong and we have the dedicated leaders in every neighborhood, every school house, every school board, and interested legislators and a governor, who want to win this war for the side of literacy.

The victory will be a strengthening of our national goals. How can any generation that follows us sustain our nation if they don't understand the history of our continuous war for freedoms, personal freedom, spiritual freedom, and economic freedom are in jeopardy without educated students to take our places? Anything less than quality in education short changes our children, ourselves and our nation.

BUDGET

During the past month, Senator Johnston and I have met several times with Governor Graham and the leadership of the House of Representatives about anticipated and real shortfalls in the budget. At this present moment the Cabinet is meeting discussing the budget of Florida. I need to remind you that this is a reduction in our increase not a loss compared to last year.

I would also remind you that budget spending has increased in the past years at an alarming rate for one reason only — because the income to spend was there. Many new programs were created and others expanded because money was available to spend. Another thing we need to remember is that under Senate President Philip Lewis' leadership, a working capital fund was established and reached sizable proportions only to be frittered away for things that seemed to be necessary, leaving the fund at a time when it's needed, virtually gone.

We must not let that happen again. We must establish another Rainy Day Fund and make it harder to spend unnecessarily. Budget restraints should be our opportunity to make new policy decisions and instead of caretaker government, let us create new and innovative programs for Florida.

CONCLUSION

One hundred and two senators have served with me in this body of the legislature since I was first sworn in. There are 13 new, one is a renew, Senators who have become our colleagues today. Each of us, I think, is made up in part of all of those we have known, so I feel that I have a part of me and my personality in all of the 102 Senators I have served with, and I'm looking forward to letting the 13 new Senators help shape my personality. So I think it's important for that reason that we give each other our best.

Some say this is not a good time, I say it's as good a time as any if we know what to do with it. If we don't like where we are headed, or if changes are not fast enough, remember we have got to start somewhere, and we have to start here and now.

Whatever needs to be done in the affairs of Florida's future, like it or not, we are charged by the people of this state to look out for their best interests. Today may be your best opportunity, our only opportunity, so we should use it. For tomorrow, we will have one day less to accomplish our goals — by next week, we'll have one week less.

So begin today to work together for all the people of Florida and let's look forward to a strong and productive Senate. In the next two years, we can't do it all, but that's no reason why we shouldn't do our very best. Thank you very much.

On motion by Senator Barron, the foregoing 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.

COMMITTEE APPOINTMENTS

Pursuant to Rule 2.1, the President announced the appointment of the standing committees and standing subcommittees as follows:

AGRICULTURE

Senator Kirkpatrick, Chairman; Senator Crawford, Vice-Chairman; Senators Barron, Frank, Grant, Langley, Thurman and Plummer.

APPROPRIATIONS

Senator Johnston, Chairman; Senator Thomas, Vice-Chairman; Senators Beard, Castor, D. Childers, Crawford, Gordon, Grant, Grizzle, Kirkpatrick, Mann, Margolis, Maxwell, Neal, Rehm, Scott and Vogt

Subcommittee A: Senator Neal, Chairman; Senators Beard, Grizzle, Mann and Scott.

Subcommittee B: Senator Maxwell, Chairman; Senators Castor, Gordon, Grant and Kirkpatrick.

Subcommittee C: Senator Vogt, Chairman; Senators D. Childers, Crawford, Margolis and Rehm.

COMMERCE

Senator Thomas, Chairman; Senator W.D. Childers, Vice-Chairman; Senators Barron, Fox, Girardeau, Henderson, Jennings, Johnston, Margolis, McPherson, Scott and Vogt.

CORRECTIONS, PROBATION AND PAROLE

Senator Hair, Chairman; Senator Meek, Vice-Chairman; Senators Castor, Kirkpatrick, Rehm and Thurman.

ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS

Senator Gersten, Chairman; Senator Grant, Vice-Chairman; Senators D. Childers, Grizzle, Myers and Stuart.

EDUCATION

Senator Gordon, Chairman; Senator Castor, Vice-Chairman; Senators D. Childers, Grant, Maxwell, Meek, Thurman and Vogt.

EXECUTIVE BUSINESS

Senator Jenne, Chairman; Senator Mann, Vice-Chairman; Senators Dunn, Frank and Neal.

FINANCE, TAXATION AND CLAIMS

Senator Margolis, Chairman; Senator Maxwell, Vice-Chairman; Senators Carlucci, Dunn, Frank, Henderson, Jennings, McPherson, Myers and Weinstein.

GOVERNMENTAL OPERATIONS

Senator Henderson, Chairman; Senator Gersten, Vice-Chairman; Senators Dunn, Girardeau, Hair, Mann, Margolis and Stuart.

HEALTH AND REHABILITATIVE SERVICES

Senator D. Childers, Chairman; Senator Rehm, Vice-Chairman; Senators Grizzle, Jenne, Malchon, Meek, Myers and Vogt.

JUDICIARY-CIVIL

Senator Scott, Chairman; Senator Fox, Vice-Chairman; Senators Gersten, Hair, Jenne and Johnston.

JUDICIARY-CRIMINAL

Senator Carlucci, Chairman; Senator Langley, Vice-Chairman; Senators Beard, Crawford, Malchon, Plummer and Weinstein.

NATURAL RESOURCES AND CONSERVATION

Senator Neal, Chairman; Senator Grizzle, Vice-Chairman; Senators Carlucci, Crawford, Henderson, Kirkpatrick, Langley, Mann and McPherson.

PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING

Senator Jennings, Chairman; Senator Neal, Vice-Chairman; Senators Beard, W.D. Childers, Fox and Weinstein.

RULES AND CALENDAR

Senator Barron, Chairman; Senator Scott, Vice-Chairman; Senators Beard, Carlucci, D. Childers, W.D. Childers, Gordon, Hair, Henderson, Johnston, Kirkpatrick, Langley, Margolis, Maxwell, Neal, Thomas and Vogt.

TRANSPORTATION

Senator Beard, Chairman; Senator Plummer, Vice-Chairman; Senators Girardeau, Jennings, Malchon, Myers and Rehm.

The President announced appointments to the following joint legislative committees:

LEGISLATIVE AUDITING

Senator Thomas, Chairman; Senators Carlucci, Grizzle, Stuart and Vogt.

ADMINISTRATIVE PROCEDURES

Senator Langley, Chairman; Senators Meek and Rehm.

LEGISLATIVE MANAGEMENT

Senator Kirkpatrick, Vice-Chairman; Senators Grant and Jennings.

ADVISORY COUNCIL ON INTERGOVERNMENTAL RELATIONS

Senator Fox, Vice-Chairman; Senators D. Childers, Dunn and Jenne.

SELECT COMMITTEE ON ELECTRONIC DATA PROCESSING

Senator Stuart, Chairman; Senators Frank, Mann, Maxwell and Thurman.

On motion by Senator Barron, the Senate in Organization Session adjourned sine die at 12:47 p.m.

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages numbered from 1 to 24, 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 16th day of November, 1982, adjourned at 12:47 p.m. on the 16th day of November, 1982

JOE BROWN
Secretary of the Senate

Tallahassee, Florida
November 16, 1982