Journal of the Senate

ORGANIZATION SESSION **Tuesday, November 21, 2000**

Journal of the Senate for the Organization Session of the Seventeenth Legislature to be convened under the Constitution of Florida, as revised in 1968, and subsequently amended, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, the twenty-first day of November, 2000 A.D., being the day fixed by the Constitution for the purpose of organization.

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CALL TO ORDER

The Senate was called to order by Faye W. Blanton, Secretary of the Senate, at 10:00 a.m.

PRAYER

The following prayer was offered by the Rev. Frederick A. Buechner, Rector, All Saints Episcopal Church, Thomasville, Georgia.

Most gracious God, the fountain of all wisdom, Whose statutes are good and gracious and Whose Law is Truth; we humbly beseech Thee for the State of Florida in general, and so in particular for its Senate here assembled; that Thou wouldest be pleased to direct, sanctify, and prosper all their consultations to the advancement of Thy Glory, the good of Thy Church, and the honor and welfare of Thy people and that they may ordain for our governance only such things as please Thee.

We ask thy blessing upon this Senate body, her members and officers to be sworn in today. Grant that all things may be so ordered and settled by their endeavours, upon the best and surest foundations: that peace and happiness, truth and justice, religion and piety, may be established among us for all generations.

These and all other necessities, for them and for us, we humbly beg in Thy Name.

Amen.

Adapted from the *Book of Common Prayer, 1928*

PLEDGE

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

CERTIFICATE RECEIVED

The Secretary announced that The Honorable Katherine Harris, Secretary of State, had certified to the election of 21 Senators as follows:

STATE OF FLORIDA
OFFICE OF SECRETARY OF STATE

I, Katherine Harris, 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 Seventh day of November, A.D., 2000, as shown by the election returns on file in this office:

SENATE DISTRICT NUMBER

1	Durell Peaden, Crestview
3	Alfred "Al" Lawson, Tallahassee
5	Rod Smith, Alachua
7	Charlie Clary, Destin
9	Lee Constantine, Altamonte Springs
11	Anna Cowin, Leesburg
13	Victor Crist, Tampa
15	Bill Posey, Rockledge
17	John Laurent, Bartow
19	Jack Latvala, Palm Harbor
21	Lesley "Les" Miller, Tampa
23	Tom Lee, Brandon
25	Burt Saunders, Naples
27	Ken Pruitt, Port St. Lucie
29	Steven A. Geller, Hallandale Beach
31	Debby P. Sanderson, Ft. Lauderdale
32	Debbie Wasserman Schultz, Weston
33	Walter "Skip" Campbell, Jr., Ft. Lauderdale
35	Tom Rossin, Royal Palm Beach
37	J. Alex Villalobos, Miami
39	Rodolfo "Rudy" Garcia, Jr., Hialeah

GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this 16th day of November, A.D., 2000.

Katherine Harris
SECRETARY OF STATE

OATH OF OFFICE ADMINISTERED

The oath of office was administered by The Honorable Major B. Harding, Justice, Florida Supreme Court, to the recently-elected Senators.

ROLL CALL

The roll of the Senate, as then constituted by the 21 newly elected members and 19 holdover members, was called by the Secretary in alphabetical order and the following members of the Senate were recorded present:

Bronson	Diaz de la Portilla	Laurent	Rossin
Brown-Waite	Dyer	Lawson	Sanderson
Burt	Garcia	Lee	Saunders
Campbell	Geller	McKay	Sebesta
Carlton	Holzendorf	Meek	Silver
Clary	Horne	Miller	Smith
Constantine	Jones	Mitchell	Sullivan
Cowin	King	Peaden	Villalobos
Crist	Klein	Posey	Wasserman Schultz
Dawson	Latvala	Pruitt	Webster

INTRODUCTION OF FORMER PRESIDENTS

The Secretary announced that the Senate was honored by the presence of former Presidents Mallory Horne, Philip Lewis, John Vogt, Commissioner of Agriculture Bob Crawford, and James Scott and his wife, Janice.

INTRODUCTION OF SPECIAL GUESTS

The Secretary introduced the following special guests: Governor Jeb Bush; Lieutenant Governor Frank Brogan; Attorney General Robert A. Butterworth; Commissioner of Education Tom Gallagher, Insurance Commissioner-elect; Secretary of State Katherine Harris; Comptroller Robert F. Milligan; and Insurance Commissioner Bill Nelson, U.S. Senator-elect.

The Secretary also introduced former Senators Charlie Crist, Commissioner of Education-elect; Congressman Mark Foley; John Grant; George Kirkpatrick; Van Poole and Javier Souto.

ORGANIZATION

The Senate proceeded to the organization of the body.

NOMINATIONS FOR PRESIDENT

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

The Secretary recognized Senator King who placed in nomination the name of Senator John McKay of the 26th Senatorial District.

Senator King: Fellow Senators, honored guests, visitors and all the people across this great country watching all or part of this today, I am honored to place Senator John McKay's name in nomination for President of Florida's Senate.

Like all of you, I'm dismayed with our state's negative portrayal nationally. We finished October as one of the most aggressive and progressive states in the history of these United States, and we are leaving November as the target of jokesters and political pundits everywhere.

Though we are all, Democrat and Republican alike, castigated and vilified by all of this national attention, we must not forget what Florida truly has been and, in fact, still is. Under the leadership of John McKay, the Florida Senate (and for that matter our state as a whole), will continue to be a compelling laboratory of democracy—a democracy that works.

In four centuries, the flags of five different nations have flown over the Land of Flowers. Today, our Florida, the nation's fourth largest state, is home to a dynamic and diverse population that reflects the very best ambitions of America.

•We are the favorite tourist destination of the world.

•We are the commercial and cultural gateway to the hemisphere.

•We are the threshold of mankind's journey to space, the stars and distant galaxies.

•We are both the past and the future of all that is best in America. We are a state blessed with great wealth, and we acknowledge the fact that wealth requires a corresponding sense of great compassion.

•We are the inheritors of the great American entrepreneurial spirit and we know that the energy and creativity of the entrepreneurs, the builders if you will, must be nurtured and encouraged in order to maintain and ensure our healthy prosperity.

There is no question that the next few years will be times of great challenge. But, with great challenge there is always tremendous opportunity. The people of this state, indeed this nation, have shown us how little they care about the partisanship of political parties. By their votes they have yelled, loud and clear, that they want us all—rich, poor, black, white, urban, agricultural—to pull together for them!

The man whose name I place in nomination today is superbly suited to embrace the challenge of the conflicts some say will confront us, and lead us all in rising above those conflicts to the greater good. His tenure as President of the Florida Senate will enhance the character and reputation of the political process in our great state.

John McKay knows well that this august body is the steward of this state's future and of its prosperity. He acknowledges the fact that as Senators—truly representatives of the people—our responsibilities extend far beyond the political rhetoric of the moment. John knows that in Florida, conflict and the intrigues of history have always led, inevitably, to a greater and a stronger resolution.

He knows that within our prosperity there are those in need of help; in need of hope! He knows that there are those in quest of simple shelter. There are those who are old, sick and weak, who must be cared for as we would want to be cared for ourselves. There are young children in desperate need of the compassionate arms a loving home provides, and there are deserving youths who have limiting abilities, but who desire, like all of us, to lead productive and fulfilling lives. There are also the troubled young citizens who need strong, but loving, disciplined direction.

As a successful small business man, John understands that there are Florida citizens willing to ensure the continuation of our prosperity if we but give them the economic encouragement and the freedom to pursue their dreams. One need only look at Senator McKay's previously-passed legislation to understand that he has a strong feeling and commitment about all these challenges.

Indeed he has formulated his agenda, once elected, to address each and every one!

Thomas Jefferson, in a caution to government, stated that "... no more good must be attempted than the public can bear."

Today, Floridians are expecting us to do more "good" than ever before. Florida is a magnificent state, blessed with far more good than we can consume and strong enough to bear the greatest responsibility for the care of our own people.

Can we rise to the occasion? Of course. Will we? That truly depends on all of us; but to get there, we need great leadership, and it is my honor and privilege to nominate John McKay as the person who is best able to lead this body in the new century in quest of a return to Florida's greatness.

The Secretary recognized Senator Silver who seconded the nomination of Senator McKay.

Senator Silver: I am particularly pleased and privileged to second the nomination of John McKay for President of the Florida Senate.

I was thinking about where I've been in the past. I have been privileged that the people of my district have been good enough to send me up here where I have served under seven presiding officers in the Florida House of Representatives and now this will be the fifth presiding officer in the Florida Senate. I really believe that all of them have something in common. They emphasize a particular issue that they want to accomplish. They care about every issue, obviously, but there is emphasis on a particular issue.

I think Senator McKay has it right when he has concerns about human services. Why does he have concerns about human services? Because simply, he cares about people. He cares about people who cannot help themselves, people who want the opportunity to succeed, the opportunity to have a fruitful life. And he cares deeply about those people. He will, and it has already been demonstrated by his sponsorship of certain bills, go forward and carry that passion that we need and direct us in the way to accomplish those objectives.

He has already sponsored bills that created the Commission on the Homeless, a study on children with developmental delays, a task force on victims of self-inflicted crimes, and a task force on the availability and affordability of long-term care. That is all evidence of the type of person that is going to lead us in the proper direction for the next two years.

He also is deeply concerned about another issue, foster care. How we deal with our children who don't have particularly anybody, that in some instances don't want them, don't love them, or don't care about them. But we are going to change that all around because we are going to have the appropriate direction to do so. We are going to have a leader who is going to emphasize that particular issue and move us forward. I am looking forward to working with Senator McKay.

I stand up here as a Democrat nominating a Republican to be President of the Senate. I hope that serves, as Senator King has just mentioned, as an indication of how this body is going to proceed for the next two years. We are going to proceed in a bipartisan way, regardless of what is going on out there in the streets or what's happening nationally. This body has always, under the leadership of great presidents that I've served under—Senator Crenshaw, Senator Thomas, Senator Scott and Senator Jennings—come together and has done the work of the people of the State of Florida.

I want to tell you, if you think there is controversy now, this will be my third reapportionment session that I've gone through. That truly is a nonpartisan situation where people really rise to the occasion. So we will be able to see what happens in that regard. We have made it through all those. We have survived. And I can tell you, we can survive whatever is going on now. We will, in this body, under the leadership of Senator McKay.

Now there is one issue that I am going to differ with Senator McKay on. This is more important, quite frankly, than what is going on over there, or out there. That is the Bowl Championship Series Poll. Now we all know how that is figured out. Some computer is out there doing these figures and going forward. Well, I want you to know that I am insisting upon and I hope Senator McKay will join with me in asking for a manual recount of those particular figures.

On behalf of the University of Miami, I am pleased and privileged to second the nomination of Senator John McKay as President of the Florida Senate.

The Secretary recognized Senator Sullivan who further seconded the nomination of Senator McKay.

Senator Sullivan: I rise to second the nomination of Senator McKay to be the next President of the Florida Senate.

Senator McKay brings to this office a family tradition of community service, a distinguished record of political involvement and an extraordinary legislative record of accomplishment. He has the qualities of leadership and he has the experience to lead us for the next two years as we work for the benefit of all Floridians.

The McKay family tradition of community leadership and service is woven into the history of the State of Florida and the city of Tampa.

The tradition begins in the early 1800s with the arrival in Tampa of a Scotsman, a sea captain, James McKay. With his shipping line, he established the first regular contacts with the "outside world" for the new city of Tampa.

In 1848, after a devastating hurricane, he brought lumber from Mobile aboard his steamship and rebuilt a permanent house in Tampa. He opened the cattle trade with Cuba. Later, he was elected Mayor in 1858 and was responsible for building the courthouse. During the Civil War, he was a blockade-runner and, serving as Tampa's commissary officer, he organized the "Cowboy Cavalry" to protect and move cattle to the Southern troops.

In the aftermath of the Civil War, the state economy was in shambles and the McKay family had been devastated financially and their enterprises ruined. Captain McKay's son, and John's great uncle, Donald, or DB as he was known, began work at the age of 14 as a reporter for the local newspaper, the *Tampa Times*. Eventually he served as editor, and later owner of the local paper. He was elected Mayor in 1910, and over the next 30 years, he served 16 years. During Mayor DB McKay's lifetime, he received numerous degrees and awards, founded the Tampa Historical Society and introduced the first radio station in the Tampa Bay area.

The prestigious DB McKay award, and part of Tampa Bay called McKay Bay, remain today as monuments to his memory.

Senator McKay's great uncle, James McKay, was a member of the Florida Senate from 1881 through 1893. Senator McKay's grandfather served as Clerk of the Criminal Court and Deputy Clerk of the Circuit Court in Tampa.

In 1993, John eulogized his father on the floor of the Senate, describing a lifetime of service to his community.

At an early age, it was apparent that John was a thoughtful man. He was a sharp dresser—an early protagonist of the parallel theory of dress and tooth arrangement.

John M. McKay was raised in Winter Haven. Some have claimed that he had an early desire to attract attention.

He was President of the Polk Junior College Student Government, and in a fit of bipartisanship, represented then-State Senator Lawton Chiles on the campus when the latter was running for reelection. As a student in college, John served as the intern for the House Education Committee. College student John McKay was a Young Republican activist at the Republican convention in 1968 supporting Rockefeller against Nixon as part of the "New Majority," working for a "change." Bad choice, John.

Early on, John took a personal stand for personal freedom for cowboy hats and against bicycle helmets and motorcycle helmets. But he always supported law and order.

John's interest in sports and football go back to his early years. An early interest in bass fishing consolidated his support for conservation issues culminating in his support for preservation of the Kirkpatrick Dam.

Growing up in Winter Haven, he developed a love for the outdoors. This has shaped his strong position on the right to bear arms. An early picture shows him demonstrating his support for that position.

My personal connections with John began in 1990. I met then-candidate John McKay at the foot of Air Force One while greeting President George Bush during one of the President's campaign stops.

We were candidates in 1990 and, while I was unsuccessful, John went on to win by a comfortable margin. Two years later, I was elected and we found ourselves together again, our aging fathers sitting proudly with us on the floor for the organizational session. Unknown to me at the time, my brother, who is an orthopedic surgeon, was taking care of John's father's orthopedic problems. Both of our fathers died shortly after that session. We were both pleased that they had met and enjoyed the sight of their sons serving in the legislature.

John has a wonderful family. His mother Ann, his wife Michelle, and three beautiful daughters provide him with the love and support that he will need in the next two years.

For the last eight years, I have served with John. I look forward to doing that for another two years. I can think of no other person whom I would rather have as President of the Florida Senate. Those of us who have been here for some time have seen the President of the Senate ask John to take on a laundry list of tough issues, including health care, foster care, prepaid health care, vouchers and tort reform.

When I was chairman of Appropriations, I worked with him as he represented his district—and to my great distraction, he did that tirelessly. He is a dedicated legislator who knows the system and who will make the system work.

We all like dealing with people who are focused, but open to honest discussion. John is like that. I like the opportunity to disagree with people who are interested and open, people who freely express their views and who respect yours—for then both of us learn and grow. John is like that.

Many of you are new to the Senate. John is a team captain, and he wants and expects everyone on the team to contribute. All of us will be

invited to play a part for the next two years. His will be an inclusive Presidency.

John has the courage to grow in his opinions. He has the wisdom to know what he does not know, and the candor to admit it. He has the courage to stand up to his enemies and, when necessary, to stand up to his friends. He is a man of dedication, not mortgaged to any individual or group, uncompromised by the desire for attention or by the need to receive credit. He is devoted to serving the public good.

John McKay has a family history of contributing. He has a personal record of involvement. He has the strength of his convictions and direction. I am pleased to second the nomination of John McKay as President of the Florida State Senate for the next two years.

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

ELECTION OF PRESIDENT

The roll was called on the election of the President and each Senator voted in the affirmative by saying "John McKay."

The vote was:

Yeas—39

Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	Webster
Dawson	Latvala	Rossin	

Nays—None

OATH OF OFFICE ADMINISTERED

On motion by Senator Clary that a committee be appointed to escort Senator McKay to the bar of the Senate and to the rostrum, the Secretary appointed Senators Clary, Jones, Klein and Saunders. Senator McKay was escorted to the bar of the Senate where the oath of office was administered to him by The Honorable Major B. Harding, Justice, Florida Supreme Court, and then to the rostrum where he was seated.

On motion by Senator Horne that a committee be appointed to escort Mrs. McKay to the rostrum of the Senate, the Secretary appointed Senators Campbell, Carlton, Lee and Peaden. Mrs. McKay was received by the President, presented to the Senate and seated.

The Secretary presented the gavel to President McKay.

PRESIDENT MCKAY PRESIDING

INTRODUCTION OF PRESIDENT'S FAMILY AND GUESTS

The President introduced his family, who were seated in the chamber: his wife Michelle Dodson McKay; his daughter and son-in-law Tricia and Scott May and granddaughter Healey Jane May; his daughters Sara Jane and Meredith McKay; his mother Mrs. John W. McKay; his wife's parents Joe and Beverly Whitley; his sister-in-law Lynn Dodson; his wife's aunt and uncle, former House Speaker Don Tucker and his wife Joan. The President also introduced family friends Frank Rosenblum and Stan Stephens; Chairman of the Republican Party of Florida, Al Cardenas; and other friends and staff who were present in the chamber.

NOMINATIONS FOR PRESIDENT PRO TEMPORE

The President announced that nominations would now be received for President Pro Tempore for a term of two years and recognized Senator Latvala who placed in nomination the name of Senator Ginny Brown-Waite of the 10th Senatorial District.

Senator Latvala: It is a great honor to place in nomination for the office of Senate President Pro Tempore the name of my friend, Senator Ginny Brown-Waite of Hernando County.

I think Senator Brown-Waite could well be characterized as the conscience of the Florida Senate. Time after time she has demonstrated characteristics to which we all aspire, but don't always achieve—integrity, courage, hard work on behalf of her constituents and on issues to which she is assigned and complete independence.

I've been on the same side and on opposite sides of Senator Brown-Waite. No one stands taller or fights harder for what he or she believes than the Senator.

We are accused of making decisions for many different reasons, because of how special interests want us to vote, because of how editorial boards want us to vote or because of rigid philosophical predispositions. Ginny Brown-Waite makes decisions on one basis—what is right.

I think it is right for the Florida Senate to have Ginny Brown-Waite to be our President Pro Tempore.

The President recognized Senator Laurent who seconded the nomination of Senator Brown-Waite.

Senator Laurent: It is my honor and it is with great pleasure that I rise to second the nomination of Senator Ginny Brown-Waite as President Pro Tempore of the Florida Senate.

I have worked with Senator Brown-Waite as an individual Senator and as Chairman of the Polk County delegation, of which Senator Brown-Waite is a member. I have worked with Senator Brown-Waite and I have worked against Senator Brown-Waite on issues. It is with personal knowledge and experience that I can state that Senator Brown-Waite has shown that she has the integrity, the strength and toughness, the courage to be part of the leadership team to help lead this Senate into the next century. So it is with great pleasure that I second the nomination of Senator Brown-Waite as Senate President Pro Tempore.

The President recognized Senator Carlton who further seconded the nomination of Senator Brown-Waite.

Senator Carlton: Mr. President, fellow Senators and guests in the chamber and gallery, I consider it a very special honor to second the nomination of Senator Ginny Brown-Waite as President Pro Tempore of the Florida Senate. What can I say about the tough lady in the Senate? She has a reputation for taking on the hard and controversial issues, of giving it her all and refusing to back down. She has earned the respect of her peers for her tenacity.

You know from a woman's perspective, Senator Brown-Waite, the only real drawback in the world of government is that you have to deal with men. Ginny is known for her diplomacy. A diplomat is a person who can tell you to get lost in such a way that you actually look forward to the trip. She is a woman of integrity steeped in wisdom who has fought for consumer rights and women and children's issues. She is involved and determined and, as we all know, this job entails long hours, frustration and an infinite amount of patience.

That is why her roles as a wife, mother and even a grandmother make her uniquely qualified to serve in this position. She often tells us that her children got so old so fast because she was born pregnant. I'm not sure if that is true, but in the past few years I have grown to understand that statement. She has earned the reputation as someone who cares about children, and has helped craft public policy to protect children and women.

Ginny secured the first legislative appropriation for a spouse abuse shelter in her area. It was a result of her vote on the tobacco third-party liability lawsuit that Florida is receiving millions of dollars each year for health care, especially for children. That money funds the Kidcare Health Insurance Program, which she sponsored while she was the Health Committee Chairman. Children statewide are healthier today as a result of that program.

In addition to the two daughters she gave birth to, Ginny also adopted an older special needs child. That experience gave her a valuable insight into the foster care and adoption problems facing our state. Realizing the problems, she took on the system and she demanded changes in child

protective services and the privatized foster care program statewide to allow the community social service groups, not H.R.S. and Children and Families, to perform this important function.

Ginny has the ability to work with all parties and think about compromise and progress by using a nonpartisan approach to the issues. She knows that the aim of an argument or discussion should not be victory, but progress. I've worked with Ginny on a number of issues and have come to realize that one woman with courage makes a majority and her strong beliefs and desire to do the right thing will guide us through the next two years.

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

ELECTION OF PRESIDENT PRO TEMPORE

The roll was called on the election of the President Pro Tempore and each Senator voted in the affirmative by saying "Ginny Brown-Waite."

The vote was:

Yeas—39

Mr. President	Diaz de la Portilla	Laurent	Sanderson
Bronson	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	Webster
Dawson	Latvala	Rossin	

Nays—None

OATH OF OFFICE ADMINISTERED

On motion by Senator Geller that a committee be appointed to escort Senator Brown-Waite to the bar of the Senate and to the rostrum, the President appointed Senators Constantine, Holzendorf, Sanderson and Smith. Senator Brown-Waite was escorted to the bar of the Senate where the oath of office was administered to her by The Honorable Major B. Harding, Justice, Florida Supreme Court, and then to the rostrum where she was received by the President and seated.

On motion by Senator Burt that a committee be appointed to escort Mr. Waite to the rostrum of the Senate, the President appointed Senators Crist, Dawson, Garcia and Wasserman Schultz. Mr. Waite was received by the President, presented to the Senate and seated.

INTRODUCTION BY THE PRESIDENT PRO TEMPORE

The President Pro Tempore introduced her husband, Harvey Waite.

ADDRESS BY THE PRESIDENT PRO TEMPORE

The President presented the President Pro Tempore who addressed the Senate as follows:

Senator Brown-Waite: First of all, I want to thank you for your vote of confidence. I look forward to working with each and every one of you. We have some new members, so we promise not to harass you too much. Despite the rumors, I'm not all that tough.

I remember once I said to my husband, "Harvey, how come people say that I'm tough?" He looked at me and he said "Because you are." I guess that's just a burden that I'll have to carry. I promise to be tough but very, very fair and also very bipartisan as many of you know.

I look forward to working with our President, John McKay, and with each and every one of you. I would be very remiss if I didn't also thank my family. I have two daughters out-of-state. The daughter who's in-state had to work last night. She wanted to drive up early this morning. I told her, "Absolutely not." She's a nurse who works twelve hours and I told her, "No." We are going to all be together for Thanksgiving.

My husband, Harvey, is often referred to as "Saint Harvey." Now I don't know if it's any reflection on the fact that I have to be away so much or the fact that he has to have me for a wife. I don't know but I would be very remiss if I didn't thank my husband for so much of his sacrifice and so much of his always being there and always being extremely supportive. I'm very fortunate to have a wonderful family.

I look forward to the next two years working with you all. Thank you.

CERTIFICATE RECEIVED

By direction of the President, the Secretary read a certificate from the Minority (Democratic) Party certifying the name of Senator Tom Rossin as Minority Leader, Senator Daryl L. Jones as Minority Leader Pro Tempore and Senators Richard Mitchell and Kendrick Meek as Minority Whips for the 2000-2002 term.

President McKay: Congratulations, Senator Rossin, I'm pleased to call you my friend. I'm looking forward to working closely with you over the next two years. Would you honor us by making a few comments to the body?

Senator Rossin: Thank you, Mr. President. It's my pleasure. First, if I could have a word with my colleagues in the Democratic Caucus who honored me earlier this morning by electing me as the Democratic Leader of the Florida Senate. Thank you. I am honored and I'm humbled. I'll do my very best to live up to the confidence that you have placed in me. I'll work every day to fulfill that promise. Mr. President, in the spirit of friendship and respect—with all the Democrats—I congratulate you on your election to the Florida Senate Presidency.

Mr. President and members of the majority, you have our assurance that in the finest tradition in the Florida Senate and on behalf of the people of Florida who have sent us here to do their business, we Democrats will work with you in a bipartisan and collegial fashion to make our state a better place and build a more secure future for our children. You can also be assured, Mr. President, that we will conduct ourselves in a manner befitting this awesome institution. I look forward to working with you and with every member of the Senate. Thank you very much.

President McKay: Thank you, Senator Rossin, I'm confident we will work well together as we have in the past.

ELECTION OF SECRETARY

The President recognized Senator Bronson, who placed in nomination the name of Faye Blanton as Secretary of the Senate.

Senator Bronson: Thank you, Mr. President. It is my great honor and pleasure to rise and nominate Secretary Faye Blanton to return as our Secretary of the Florida Senate. Faye has been our Secretary for the last four years. She served as Assistant Secretary for 14 years and began her career with the Senate during the organization session in 1970, which means she will have served the Florida Senate for 30 years as of today. I think we ought to congratulate her on those years of service. Faye knows the legislature, the process that we go through, and she's proud to be a part of the Senate institution that she has so proudly served for 30 years.

Two years ago, Faye served dual roles as the Secretary of the Senate and the Secretary of the 1997-1998 Constitution Revision Commission. She and her staff supported both the Senate and the Revision Commission at the same time for more than a year, and what a job that had to be.

Faye currently serves on the Executive Committee of the American Society of Legislative Clerks and Secretaries, the national organization of her peers from all over the United States. We are proud of Faye's accomplishments and all of the improvements she has made in the way that we do business in the Florida Senate. She and her staff serve the entire Senate loyally and well. It is an honor to nominate Faye Wester Blanton to serve as Secretary of the Florida Senate for the 2000-2002 term.

The President recognized Senator Jones who seconded the nomination of Faye Blanton as Secretary of the Senate.

Senator Jones: As Senator Bronson just said, Faye and her staff have worked tirelessly and loyally for the entire state Senate. She has represented this position with the dignity and class that this position should be afforded. She has demonstrated continuously her expert

knowledge and managerial ability in running the Office of Secretary of the Senate. One of the finest things about Faye is that she treats each and every one of us, every Senator, with the same level of responsiveness and respect.

Mr. President, I would also like to introduce members of Faye's family who are here with us today. Seated in the east gallery are her husband Ed, her daughter Laurel McDaniel, her son Wade McDaniel and guest Amy White, and her son Doug McDaniel.

Therefore, Mr. President, it is my honor and pleasure to second the nomination of Faye Wester Blanton as the Secretary of the Senate for the 2000-2002 term.

On motion by Senator Jones, the nominations for Secretary of the Senate were closed.

By unanimous consent of the membership, Faye W. Blanton was elected Secretary of the Senate for the 2000-2002 term.

OATH OF OFFICE ADMINISTERED

On motion by Senator Mitchell that a committee be appointed to escort Secretary Blanton to the bar of the Senate, the President appointed Senators Bronson, Meek, Mitchell and Pruitt. Secretary Blanton was escorted to the bar of the Senate where the oath of office was administered to her by The Honorable Major B. Harding, Justice, Florida Supreme Court.

COMMITTEES APPOINTED

On motion by Senator Webster 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 Miller, Posey, Villalobos and Webster. The committee was excused.

On motion by Senator Diaz de la Portilla that a committee be appointed to notify the Governor that the Senate was convened for the purpose of organization, the President appointed Senators Diaz de la Portilla, Dyer, Horne and Lawson. The committee was excused.

COMMITTEES DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

The committee appointed to notify the Governor appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Diaz-Balart, Diaz de la Portilla, Pickens, Romeo, Mayfield, Ryan and Goodlette was received and informed the Senate that the House of Representatives was convened for the purpose of organization. The committee then withdrew from the chamber.

ADDRESS BY PRESIDENT JOHN MCKAY

Congratulations to the newly elected members. Welcome to the Florida Senate—an institution steeped in tradition and instilled with the greatest sense of responsibility to those it serves.

Allow me to express my heartfelt appreciation for the tremendous honor you have bestowed on me as your Senate President. I am humbled by your respect and trust. It is indeed a very personal honor as the state means a great deal to my family and me. We have been in Florida since the mid-1800s, and have always sought to serve our community. Since my work as an aide in the Senate in 1969, I aspired to the office of Florida State Senator. It is the only political office that has captured and held my imagination. To have the opportunity to serve as your President during my last two years of elective office is both humbling and gratifying. I take very seriously this charge, and the confidence you have placed in my ability to lead this body.

We have seen fundamental change in Florida's government during the last six years, under the leadership of Presidents Scott and Jennings. Florida has become the yardstick by which other states measure themselves. We recognized that Florida must improve its education system, and to achieve that goal, enacted education competition. We directed money toward school construction and have worked to achieve reductions in class size. We have ended social promotion in our schools and continue to seek innovative ways for our children to learn. Since 1995 the crime rate is down—we are keeping prisoners in jail and dealing realistically with juvenile crime. We have worked to enhance Florida's economic climate in order to insure meaningful jobs are available now and in the future. We have embarked upon bold initiatives that are not only changing the foster care system in Florida, but are demonstrating to the nation what can be accomplished when common sense is combined with compassion.

Over the next two years, we will continue to work diligently to improve our gains in these areas. Yet much remains to be done because there are still many being left behind. My goals for this body have little to do with partisanship—and everything to do with our future.

First—I believe simplification and modernization of our tax system is crucial to our continued prosperity. Consumers should not have to be a tax attorney or an accountant to understand what is taxable. Our tax code should not entrap taxpayers with large audit assessments and penalties because of its complexities. Further, our tax structure should not create economic disadvantages for Florida-based businesses as they compete in the 21st century. Just as we combined seven taxes and fees into one telecommunications tax last year, we must now embark on a similar—revenue-neutral—journey to bring other components of our "horse and buggy" tax system into our technological age. Citizens deserve a tax structure that is simple and fair—yet also encourages economic growth in our state. We must also finish what we have begun—Florida's intangible tax punishes savers, and we must continue to reduce this onerous tax until it is totally repealed. Tax reform in Florida is not a tax increase: True tax reform requires revenue-neutral tax simplification and technological modernization. The revolution in information technology has transformed business—it now can transform government.

We will continue to empower the citizens of Florida by making their government more responsive and efficient. We have implemented budget prioritization and performance-based budgeting and have seen mixed success. In that process, we have too often been manipulated by the bureaucracy, whose primary goal is to perpetuate itself. That is why, through an amendment passed last year, Florida will become one of the first states in the nation to implement zero-based budgeting. We will have the opportunity to weed out institutionalized and inefficient programs by restructuring our budget methodically over an eight-year period. It will be a challenge to accomplish—and certainly will require everyone's resolve.

It has been said that one of the measures by which a society will be judged is the way it cares for its most vulnerable. Therefore, I ask for your help to address those issues that do not often capture the public's attention. Last year, in preparation for the 2001 Legislative Session, I sponsored bills to establish several commissions to study issues we face on a daily basis, but are not often at the forefront. Issues such as senior care, homelessness, children with developmental disabilities and continuing the reform of our foster care system demand our attention. Florida has the highest percentage of elderly in the nation, with 3.5 million people over the age of 65. "Baby boomers" will add one million to that number when they begin retiring in just ten years. The number of elderly in need of long-term-care services is expected to increase by 42 percent over that same period. While many of Florida's elderly live independent and healthy lives, there are those who are far less fortunate. The high cost of prescription drugs and the risk of neglect are unacceptable in a society such as ours. The Senate must work to reform our delivery systems to provide these individuals with the care and treatment they deserve—in a manner that encourages and supports their independence, yet provides quality care when they cannot care for themselves.

On any given day in our state, there are at least 52,000 Floridians without food, a home or appropriate shelter. One-third of Florida's homeless are families. Another one-third are veterans. Twenty-five percent are children 18 years and younger. Once believed a problem for "big cities," a walk around many small towns demonstrates that this heart-

wrenching problem is permeating our society at every level. Local communities have done much. From the front lines, they provide for essential needs—needs we often take for granted like a hot meal and a shower. These organizations will serve as vital partners as we strive to end homelessness in our state. Our solution will be multi-faceted. It will incorporate the work of the commission and will confront the underlying issues of homelessness, such as drug abuse and mental health.

Lack of education is at the core of many of the problems in our society. Florida is leading the way to insure that all of our children receive the education necessary to insure their lives are meaningful and productive. We will continue to build on our success in education reform, with higher standards and better accountability and an expansion of meaningful education choices for Florida's families. Our approach will be inclusive, involving parents, teachers and members of our Education Governance Task Force in the process of further improving Florida's education system. We will focus on children with developmental disabilities such as dyslexia and attention deficit disorder in order to better their chances for success. We must also render a heightened focus to those in our foster care system, through an increased emphasis on residential group care, because every child deserves a loving home with a sense of safety and permanency. These items, though numerous, are not enough.

Over the next two years, we will also work diligently on Article V funding, the revision of our education funding formula, Cabinet reorganization, growth management and review of our health care delivery system and there will be many more.

Since November 7, we have witnessed considerable controversy in our state. Regardless of the outcome of the Presidential election, and without commenting on specific events, I believe that all Floridians would be reassured by a comprehensive review of the state's election procedures, standards and technology. That review must begin soon and must be conducted in a non-partisan manner that will ensure the highest level of public confidence. We will all work together in this endeavor.

Senators, none of you sought this position for the salary, but for a chance to make a difference—to improve our state, our country and our world. You will have plenty of opportunity to make improvements, because this will be an inclusive Senate. For example, I have reviewed the proposed Senate Rules changes with the Democratic Leader and he is in agreement. A crucial key to our success is the way we govern our activities. Our Senate Rules serve as a guide and help to set the broad parameters for our actions. As has been the case in the past, I am proposing the adoption of our rules for the years 2000-2002. Most of the changes are designed to do away with any ambiguity that now exists.

There are also substantive changes. Our committee structure is redefined. We will now have a Committee on Appropriations and a Committee on Finance and Taxation. The number of subcommittees reporting to the Appropriations Committee is reduced and the responsibilities of those subcommittees are heightened. My desire is to eliminate unnecessary steps from the process while still providing a comprehensive review of each issue.

Reapportionment is a subject that will require considerable time. That committee will have two subcommittees, one dealing with legislative apportionment, the other focusing on congressional apportionment. Provisions have been added to the rules to make sure that all members have equal access to information and the equipment needed to generate that information.

Finally, new members of the Senate, who have been excluded from sponsoring claim bills in the past, will now be given that opportunity. As I have said before, the process of getting elected is partisan and competitive by its nature, but the process of governing is collegial, and shall remain so during my tenure as your President.

We will work together to create the best public policy possible. In doing so, the most important example we can set for ourselves and future leaders is to continue the Senate's tradition of cooperation and mutual respect. For when we respect each other as elected officials, we show respect for the people who elected us. I believe today as I did when first elected, that together we can indeed make a difference.

God bless you and your families. Thank you for your confidence in me—I will not let you down.

ADOPTION OF SENATE RULES

On motion by Senator Campbell, the Senate Rules, with amendments indicated, as printed and distributed to each Senator and to the Secretary, were adopted to govern the Senate for the ensuing two years.

On motion by Senator Campbell, the Secretary was instructed to make technical changes in the Senate Rules as necessary.

[Rules Summary and full text of Senate Rules, as adopted, beginning on page 12.]

CONSIDERATION OF RESOLUTIONS

On motion by Senator Lee, by unanimous consent—

By Senator Rossin—

SCR 2-Org.—A concurrent resolution repealing present Joint Rule 7 and creating Joint Rules 7 and 8 of the Joint Rules of the Legislature.

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That present Joint Rule 7 of the Joint Rules of the Legislature is repealed and Joint Rules 7 and 8 of the Joint Rules of the Legislature are created to read:

JOINT RULES
JOINT RULE SEVEN
JOINT LEGISLATIVE BUDGET COMMISSION

7.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions and proposed actions taken or to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through the chairman, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Comptroller and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

7.2—Zero-based Budgeting

(1) The commission shall develop a schedule and apply zero-based budgeting principles in reviewing the budget of each state agency at least once every 8 years.

(2) By July 1 of each year, the commission shall issue instructions to the agencies whose budgets are to be reviewed prior to the next legislative session.

(3) The commission shall provide these reviews to the President of the Senate and the Speaker of the House of Representatives by December 31 of the year in which they are completed.

(4) By February 1, 2001, the commission shall provide to the President of the Senate and the Speaker of the House of Representatives a schedule for completing zero-based budgeting reviews of all state agencies prior to December 31, 2008.

7.3—Organizational Structure

(1) The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives. The appointees shall include the chairman of the Fiscal Responsibility Council in the House of Representatives and the chairman of the Committee on Appropriations in the Senate.

(2) The members of the commission shall elect a chairman and a vice chairman. In even-numbered years, a Senator shall be chairman and a House member vice chairman. In odd-numbered years, a House member shall be chairman and a Senator vice chairman.

(3) The commission shall meet at least quarterly and more frequently at the direction of the presiding officers or the chairman. Meetings may be conducted through teleconferences or other electronic means.

(4) A quorum shall consist of a majority of the commission members of each house plus one additional member of the commission.

(5) Action by the commission shall require a majority vote of the members present of each house.

(6) The commission shall be jointly staffed by the appropriations committees of both houses. During even-numbered years, the Senate shall provide the lead staff. During odd-numbered years, the House of Representatives shall provide the lead staff.

7.4—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chairman is a Senator or with the Clerk of the House of Representatives when the chairman is a Representative. The Secretary or the Clerk shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

JOINT RULE EIGHT
CONTINUING EXISTENCE OF JOINT RULES

8.1—Continuing Existence of Joint Rules

All joint rules adopted by concurrent resolution, and amendments thereto, shall continue in effect from session to session or Legislature to Legislature until repealed by concurrent resolution.

—was introduced and read by title. On motion by Senator Lee, by two-thirds vote **SCR 2-Org.** was read the second time in full, adopted and certified to the House.

SUMMARY OF CHANGES TO JOINT RULES

(Implementing the Joint Legislative Budget Commission as created by the 2000 Legislature.)

Joint Rule 7.1 - General Responsibilities

This section defines the overall responsibilities of the commission, including reporting responsibilities, who may assign additional functions and who may appoint subcommittees of the commission. This rule also instructs the commission to develop policies and procedures.

Joint Rule 7.2 - Zero-Based Budgeting

This section requires the commission to develop a schedule and apply zero-based budgeting principles to an agency's budget at least once every 8 years.

Joint Rule 7.3 - Organizational Structure

This section defines the membership of the commission, meeting requirements and staffing.

Joint Rule 7.4 - Notice of Commission Meetings

This section details notice requirements.

Joint Rule 8.1 - Continuing Existence of Joint Rules

This rule is renumbered to accommodate the inclusion of Joint Rule Seven.

On motion by Senator Geller—

By Senator Geller—

SR 4-Org.—A resolution authorizing the sale of unused chairs from the Senate Chamber to Senators and certain former Senators.

WHEREAS, the Office of the Senate Sergeant at Arms has on hand as excess furniture 40 chairs from the Senate Chamber, each of which has a fair market value of $70, and

WHEREAS, the Senate resolves to authorize a current member of the Senate or an immediate past member of the Senate, upon a written request, to purchase the chair, and

WHEREAS, it is desirable that the President of the Senate determine the priority of disposition when more than one request is received for a particular chair, NOW, THEREFORE,

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

That upon written request filed in the Office of the Senate President, any current member of the Senate or an immediate past member of the Senate may purchase his or her chair from the Senate Chamber for the sum of $70.

BE IT FURTHER RESOLVED that if a particular chair is not requested by a current or immediate past member of the Senate, any Senator may purchase that chair.

BE IT FURTHER RESOLVED that the President of the Senate shall determine the priority of disposition if more than one Senator requests a particular chair.

—was introduced and read by title. On motion by Senator Geller, **SR 4-Org.** was read the second time in full and adopted.

ADOPTION OF RESOLUTION IN MEMORIAM

On motion by Senator Holzendorf, **SR 6-Org.** was introduced, and read by title.

IN MEMORIAM
SENATOR PAT FRANKLIN THOMAS

By Senators Holzendorf, McKay, Bronson, Brown-Waite, Burt, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Dawson, Diaz de la Portilla, Dyer, Garcia, Geller, Horne, Jones, King, Klein, Latvala, Laurent, Lawson, Lee, Meek, Miller, Mitchell, Peaden, Posey, Pruitt, Rossin, Sanderson, Saunders, Sebesta, Silver, Smith, Sullivan, Villalobos, Wasserman Schultz and Webster—

Senate Resolution No. 6-Org.

A resolution expressing the esteem of the Senate for Senator Pat Franklin Thomas and designating Room 412 of the Knott Building as the Pat Thomas Committee Room.

WHEREAS, Senator Pat Thomas served with distinction in the Florida Senate from 1974 until his death in June of 2000, and served as its President from 1993 through 1994, and

WHEREAS, Senator Thomas was beloved by his family, his constituents, and his Senate colleagues, and

WHEREAS, it is most appropriate that on this 21st day of November, 2000, the birthday of the late Senator Pat Thomas, the Florida Senate fondly remembers and commemorates its esteemed colleague who diligently served the people of Florida, NOW, THEREFORE,

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

That this legislative body pauses in its deliberations to pay its respect to the late Senator Pat Thomas and that the Florida Senate records this testimonial of esteem and gratitude for his service:

IN MEMORIAM
SENATOR PAT FRANKLIN THOMAS

Pat Thomas was born in Quincy, Florida, on November 21, 1933, received a degree in Agricultural Economics from the University of Florida in 1957, and served in the United States Army during the Korean Conflict. While building a successful insurance business in Quincy, Pat Thomas was a confidant of Governors and Cabinet members and served as State Chairman of the Democratic Party of Florida from 1966 until 1970. In 1972, Pat Thomas was elected to the Florida House of Representatives and, in 1974, to the Florida Senate. Senator Thomas served as President, as President Pro Tempore, and as chairman of the Rules and Calendar Committee, and served as the chair or vice chair of numerous other committees. Throughout his Senate tenure, Senator Pat Thomas was known as a tireless advocate for his constituents; and he conveyed dignity as the ultimate Southern Gentleman who valued and upheld the traditions and collegiality of the Florida Senate.

BE IT FURTHER RESOLVED that the Senate Sergeant at Arms place suitable markers to designate Room 412 of the Knott Building as the "Pat Thomas Committee Room."

BE IT FURTHER RESOLVED that copies of this resolution, signed by the President of the Senate, with the Seal of the Senate affixed, be presented to Mrs. Mary Ann Thomas, widow of Senator Pat Thomas, and to Anne Jolley Byrd and John Pat Thomas, the children of Senator Pat Thomas, as a tangible token of the sentiments and appreciation of the Florida Senate and as a symbol of the enduring respect of the members of the Florida Senate.

On motion by Senator Holzendorf, **SR 6-Org.** was read the second time in full and adopted.

FAMILY OF SENATOR PAT THOMAS

The President introduced the following members of Senator Thomas' family who were present in the chamber: his widow Mrs. Mary Ann Thomas; his daughter Anne Jolley Thomas Byrd and son-in-law Bobby Byrd; his grandson Corbett Thomas Proctor; and his son John Pat Thomas and daughter-in-law Martha Thomas.

The President recognized the following members for remarks:

Senator Holzendorf: Mr. President, I know that some people have prepared some notes for me but I'm going to speak about Pat Thomas from the heart.

I met Pat Thomas in 1991. There was a reapportionment fight going on over here in the Senate and, of course, my district was up for reapportionment along with a district that eventually ended up being the district now represented by Senator Clary. The fight was over that district. Senator Thomas, being the compromising person he was, asked the Senator who was serving in the 7th District, "What is the problem?" The Senator said, "Well, it has to do with who runs in two years and who runs in four years." Senator Thomas said, "Well, Senator, since you won't be here, what do you care about the next person if it helps us to get this bill out?" What Senator Thomas didn't know was that I was the next person. When I acknowledged that to him, he turned around and said, "Daughter, what you have to understand about the Senate is that it's seniority and it's statesmanship, and our responsibility in the Senate is to get the job done with the least amount of friction that can possibly be."

I learned that lesson from him as I came into the Senate the following year in 1992. The Senate was deadlocked 20-20. Ander Crenshaw, who you see up there, was my home boy who was running for President of the Senate. When I looked up into those galleries, everybody from Jacksonville was there. But I had made a commitment to Pat Thomas and I held that commitment. He said to me, "That took courage." I was a neophyte Senator. I knew nothing about this body, but he became my mentor. As I was saying to John Pat, Anne Jolley and Mary, I adopted him from them because he taught me so much about how to conduct myself in the Senate.

Pat Thomas was the person that, if he gave you his word, then you didn't need to discuss that any more. He was committed. He was a statesman. He felt very, very strongly about this body. When we got to the point that we could not be congenial with each other, it was Pat Thomas who came and said, "This is the Senate." He never said this is the Democratic Senate or this is the Republican Senate. He always said, "This is the Senate." He gave me a statement once. He said, "The House proposes and the Senate deposes." He said, "We don't have to do anything the House says because the final word rests with this Senate." He believed that and he conducted himself that way.

To name 412 Knott Building after Pat Thomas is to say that all of the education that he imparted and all of his knowledge that he shared with us is the reason that many of us are capable of standing on this floor and talking about issues and being able to conduct ourselves in a manner that makes us true Senators. I respected the man, but more than that, I hold dear the institution he created and that was the institution of Senate statesmanship that we cannot afford to let go by the wayside. Pat Thomas believed in this institution. He believed in this legislative body. He was an advocate for the poor. Rural counties meant just as much to him as the urban city counties. The littlest person in his district had as much respect from him as the millionaire. He never distinguished between people based on what they did or did not have. He was a man of principle. We will miss him. This body will miss him. When we get to reapportionment, we will miss him. We will not have that compromising element to help us get through this. But, hopefully, we will have the memory that we can share with one another that makes us strong, and education was his thing.

I remember the last time we shared on a bill. Teenagers were driving cars into stores, stolen cars, through the windows, jumping out, robbing the stores and running away. Pat Thomas felt strongly that something needed to be done. I said to him, "Let's build a jail, put them in it, throw away the key. Lock them up. We need a jail for teenagers." He said, "Now, daughter, you don't mean that. You really don't mean that. But we do need to do something." That's when we created the Department of Juvenile Justice, so that we could provide prevention and intervention for youths prior to incarceration. That's the kind of President, that's the kind of Senator, that's the kind of father, that's the kind of friend Pat Thomas was. I am honored to stand for this resolution to name Room 412 of the Knott Building after Pat Thomas. Thank you, Mr. President.

President McKay: Outside of renaming Gadsden County for Pat Thomas, the only thing that hadn't been named for him, I figured, was that committee room in the Knott Building. Since he had so much to do with it, I thought that was appropriate. I hope that you agree with me. As did many of you, all of you, perhaps, I drank a lot of brown liquor and broke a lot of bread with Pat. He was my friend. I'll miss him. I would like to invite anybody who would like to rise and make any comments to please do so. In a little departure from the norm, I would like any of our visitors, our guests, who all knew him so well to also grab a mike and say whatever you'd like to say.

Senator Campbell: Mr. President, you know we're talking about Pat in the past tense and, certainly, we're not going to see him in that seat over there anymore, but I think all of us will realize that Pat is still with us. Somewhere his spirit is in this body. I think Senator Holzendorf hit on it when she said, "The Senate was so important to him." I can remember last year when we got a little testy toward the end of the session, it was Senator Thomas that brought us all together.

When I first got elected, Pat Thomas came back to me and said, "Son," even though I had gray hair, white hair, he said, "Son, the thing you've got to learn is none of us is as smart as all of us together. You're going to learn the collegiality of this body, everybody has something to add. Everybody has something to give back to our citizens. And we as a group will make Florida better." He also told me, "You know, it's interesting how much you can achieve if you don't try to take credit for it." I thought that was a great saying from Pat. When I went to his funeral last year, I drove up to the funeral, I didn't know there were so many "Pat Thomas" buildings and streets. He deserves the credit, though. He will be with us always and I hope that, if we do have testy times, someone will stand up and say, "Pat Thomas is looking," and together we, as a body, will work for the benefit of the citizens of the State of Florida, just like Pat did. We're going to miss him, but he'll be with us.

Senator Latvala: Thank you, Mr. President. Because of term limits I think this will be the first session in quite some time that there isn't a former President among our ranks. In the House, Speakers usually move on at the end of their terms. In the Senate we've had, I think, as many as four former Presidents in here at one time during the last few years. Those former Presidents always helped give advice to the new guys, helped keep order, helped keep decorum, helped keep the traditions of the Senate alive with the new people as they came in. I think that's one of the things that we're going to miss.

I want to use Pat Thomas to illustrate one real fact, a point of history in the Senate. Just prior to being sworn in six years ago in 1994, I was a victim of the same kind of campaign that a lot of the new people that just came in here feel that they're a victim of. There was no one, probably, when I was elected in 1994, that had a tougher campaign from the state Democratic party than I did. When I got here, I didn't know Pat Thomas. The very first day I was here, he came up to me and said, "Son, you know I only did what I had to do," because he was the leader of the Senate Democrats. He said, "That's just the way it is. But from here on out, you're a colleague." And he stuck out his hand, and that's exactly the way it was. He was a living example of how, when we got sworn into the Senate, we became colleagues. We became friends and we worked together from that day forward and put partisanship aside.

Senator Dyer: Thank you, Mr. President. Senator Lawson, you have some pretty big shoes to fill over there. I'm sure you're going to do a great job at it. Senator McKay, it must look fairly odd looking down at that front row. Other than Senator Clary, because we had about, I guess, over a hundred years of Senate experience represented in the other four chairs, so all of you in that front row have some big shoes to fill. I know each one of you is capable of doing that.

I think it's particularly appropriate to name the committee room over there after Pat Thomas. I'm sure that he would be extremely proud of that because he would want each one of us to be mindful of the history and the traditions in the Florida Senate because I think he revered those. There's not a person in the Senate that served with him that I

think can say that they didn't learn an awful lot from Pat. A lot of us come from different areas of the state than where Senator Thomas did. The Panhandle is a little different from Miami-Dade or Broward County in how you run elections. I remember when I was elected in 1992, Pat Thomas was the Senate President-designate then and he was running the campaigns. I was in the primary run-off so I wasn't getting any help from Senate victory quite at that time. But as soon as I won the primary, I was able to make the trip to the mecca of Quincy. I had never been to Quincy before. I went over to the insurance office to meet with Senator Thomas and I had my whole entourage of consultants and my spouse. We sat down with Senator Thomas for about an hour and talked about the campaign and everything and talked about walking neighborhoods and knocking on doors. He said, "Now, how do you do that again? You walk up the side of one street and back down the other?" So he had done things a little differently than I had to get elected, but at the end of the meeting, we were there to see if we couldn't get that $50,000 or whatever it was that they were willing to parcel out. He took me back in his private office and it was just he and I and somehow, when we concluded the meeting, I had a hundred-dollar bill, crisp hundred-dollar bill, and he had my signature on a pledge sheet. So the extent of that meeting was, I walked out with $100 and he had my pledge for the 20-20 Senate. I learned a lot that day before I even got to the Senate, and I continued to learn throughout my career, from Senator Thomas.

I was the Vice Chair of Agriculture last year with him, and probably some of my fondest memories, it's hard to think of Pat without thinking about W.D. Childers. If anybody came to the Agriculture Committee and listened to some of the exchanges in there last year, and any of you who didn't, have truly missed an experience in the Florida Senate, and I'll miss that. But probably my most vivid memory of Pat will be the same as Senator Campbell and Senator Latvala talked about. Last year, things got a little more personal in here than we've had in the past. Senator Thomas stood up and was a calming voice in a sea of emotions, and hopefully, we will have others that rise to the occasion.

Senator Silver: Thank you, Mr. President. I will always be very grateful to Pat for naming me the Majority Leader when he was President, and working with him closely. But the times I really remember are the times when I served as Sub C and Sub D chairs for Criminal Justice and Health and Human Services because, if there was anybody who had a passion for his constituency and wanting to help out his constituents, it was Pat Thomas. That's why I want to make sure—and Al, you do have a big job to do—you have to explain it the same way Pat came in to explain it. He would always come in a very low-key way and talk to you and say, "We just need a little, little, little bit more over here for these folks, and we need just a little, little bit more here and, you know, we have a little problem about the jobs in the area. We need to make sure we maintain just a little bit longer."

It was always just that little bit more and that little bit longer that made him so distinctive from a lot of us because he truly was what you think of when you talk about the representative democracy we have, working on behalf of your constituents, because that's what Pat's life was. He wanted to help the people of his district, just like we all should be doing and, to a great extent, we do. Pat had a way of doing it that explained it so greatly. You couldn't say "no" to him, you know, you wouldn't do that. That's what comprised most of my budget. People thought I was doing a lot for South Florida, Miami-Dade County, and that stuff, but most of it was going to Quincy because of Pat. That's what occurred. But I'll always remember Pat as he was such a kind person, such a caring person and we will always remember him. Thank you, Mr. President.

President McKay: Thank you, Senator Silver. Senators, with the departure of so many Senators and House members from this legislature, I would like to make you aware, if you're not already aware, that the Dean of the Florida Legislature is now Senator Ron Silver. He's been around longer than anybody else. Senator Rossin, you're recognized.

Senator Rossin: Thank you, Mr. President. I had a little different experience with Senator Thomas. He recruited me. I'm in the Florida Senate because of Pat. I remember so distinctly when I first met Pat. I was thinking, why should I do this? Why should I put myself and my family through this horrendous campaign we'd have to run? The Florida Senate, at that time, was 20-20 and both sides needed the 35th District to win the 21st seat. Pat looked me right in the eye and he said, "Tom, has Florida been good to you?" I said, "Yes, sir." He said, "Then you owe it to your constituents and to your family and to the State of Florida to do this." He was so sincere and his words were so compelling that I really never thought much about it after that, and I ran for the Senate. That's his belief, his sincerity, his real understanding of what it meant to be a citizen of Florida and your obligation was so clear. This was a great man and we'll all miss him.

Senator Sullivan: Thank you, Mr. President. Pat Thomas, to me, was a collection of very fond memories. I had the pleasure one day of getting a tour of Quincy from Senator Thomas. He was so proud of that community and he was so proud of all his friends. I have this memory of Pat Thomas putting on one of his lunches back in the Senate and the smile on his face and how happy he was to be doing that for all of his colleagues in the Senate.

I have this memory of Pat Thomas at his lake house catching fish off the dock and how proud he was and how happy that he could have all his friends out to visit him.

I also have these memories of Pat who came to me as a physician and talked about all of his illnesses. I have this memory of this man who was very sick and, at times, needed blood transfusions, who never complained, who loved being here, that's all he wanted.

This is the same man who stood as President of the Senate and said, "I want everyone to address each other by their district numbers because we are gentlemen and this is a wonderful organization and we should preserve all its traditions."

Those little vignettes kind of sum up what kind of a man he was. He was so generous, he was so uncomplaining, he was a gentleman through and through and he loved the Senate. I think Senator Latvala brings up a great point. You don't grow to love the Senate without someone telling you where the Senate has been, what has happened, what has gone before, and transmitting that love. We've lost something with this term-limit business. We've lost those people who dedicated their entire life to this. Maybe walking by a plaque in Room 412 will remind us all that there is a great history.

The Senate is different from the House because there is this great love for the institution. I hope that maybe eight years is enough to transmit that. But Pat kind of personified that. We are going to miss all the guys that are term-limited out and Pat was kind of symbolic because he left us right at the end of term limits. He was a wonderful man. We are going to miss all of them, but we're going to especially miss him.

Senator Lawson: Thank you very much, Mr. President. Sixteen years ago, as a House member, I tried to speak on the Senate floor. We were working on a lab school bill and I thought we had it all worked out. I came down to the Senate and Senator Peterson was throwing in amendments all over the place. I reached over and grabbed Senator Thomas' mike and said, "Senator Thomas, we've got to stop him." He said, "Son, you can't speak on the Senate floor." But truly, if he was alive today, I am certain that he would be very proud to know that I was successful in winning his seat.

Many years ago my grandmother and I were driving to Quincy to his office in order for her to get car insurance. It was a very thrilling moment for me because Quincy is about 10 miles from where I grew up, but it also gave me the opportunity to drive. When we got to the office they really embraced. I learned that day how close my grandmother was to Senator Thomas and how much she cherished him. Then I learned that my grandfather had worked in many of his campaigns. Little did I know then that I would have the opportunity to work with him in the legislature. From the day I first encountered him, he gave me the name of "Too Tall." The way he addressed me all the time was "Too Tall." I am very honored to be here with his family; especially Mary Ann, his wife, that I've shared many moments with. I can remember when he was thinking about not running for the Senate. I drove there and had lunch with him to encourage him to run. I didn't recognize the fact that he was going to run against a very good friend of mine. I, too, in the insurance business, had a lot of insurance with this person. So he asked me, "Too Tall, what are you going to do?" I said, "Well, I'm going to be with you, Senator." Later on that client that I had, canceled all his insurance after Senator Thomas had a landslide vote over here. He just said, "Don't worry about it; one day I am going to take care of you." I said, "It's more important to have you representing the people of Gadsden County and North Florida than the business that I lost." Several years later, and John Pat would know about this; he called me in on a case that was more beneficial to me than the case I lost. He never did forget.

But I can tell you that he is an institution in Gadsden County and in North Florida. During the course of my campaign, as I traveled from Madison and to Bay and to Jackson Counties, everyone told me what I had to do. When I first got elected, they started telling me what I needed to do in order to follow Senator Thomas. But when we think of Senator Thomas, it is even more fitting today—for the family and for all of us—to remember the words of one of our country's Democratic Presidents, "People will little notice nor long remember what we say here but they will never forget what we did here." Thank you.

Senator Jones: Thank you, Mr. President. I just want to make a brief comment. When I first met Senator Thomas, he was obviously here and I was in the House. I viewed him as a person who was the complete southern gentleman. He reached out his hand to a freshman House member and greeted me with great warmth. One of the things that he always joked with me about was that while we were going through reapportionment during that first two years I was here, and I was creating a problem for the Senate in that a Senator who was representing the Keys at that time was reacting to the concept that I might actually run for the Senate. He was creating a little problem with some of the votes that we have in the Senate. I won't call any names, but I think a few of us here know who that guy was.

Pat always did some things with all of us, I think, that made us feel good. You know, the way he would always hold on to you and the way he would always bring you close and whisper in your ear and tell you things that made them seem like they were important but really they were just little nuggets of information. The way he always complimented every single one of us. He was very magnanimous in his approach and just the epitome of statesmanship and an example that I think all of us should strive to follow.

Certainly when I saw him, as a freshman in the House and he as a Senator, I thought to myself if I should ever rise to this body, he was the kind of person I would like to emulate. If I can leave this body after two more years and be one-tenth of the Senator that he was then to this body, then I feel I will have succeeded as well.

MOMENT OF SILENCE

On behalf of the Senate, the President led the body in a moment of silence in memory of the late Senator Pat Thomas.

Upon request of the President, Senators Clary, Holzendorf, Lawson and Rossin escorted the Thomas family to the rostrum where they were presented a copy of the resolution. The President presented Mrs. Thomas who addressed the Senate:

Mrs. Thomas: Senators and family members. This has been a real special day for us. I remember in 1972 it was Pat's birthday that day when he was sworn into the House. Then today has been a very special day for President McKay and his family and for us. You know Pat was always very interested in restoring the Capitol Complex and preserving the buildings. We have the Old Capitol out front that he had a hand in and the Knott Building was very special to him, so designating this room in his honor I think is very, very special. Especially on today, he would have been 67 today. He loved this Senate, as you've all talked about this morning, and your words were so eloquent. We are all very touched and honored with your tribute to him. Thank you so much. I also would like to introduce my only grandson, Corbett Thomas Proctor, Anne Jolley's son. He has been with us over there today and this is a very big day for him also. Thank you very much.

President McKay: Senator Sullivan, I intend to, and have always intended to, take some of the comments you just made and put them into practice in the Senate. It is the dignity with which Pat held it and the way he tried to treat other Senators and the dignity with which he thought we all ought to conduct ourselves within this body. To restore the decorum, if we possibly can, in addressing Senators by their district number, I think that brings a lot to this body. If you will work with me, each and every one of you, I think it will do wonders for us, particularly as we go through the tough times of reapportionment.

Anne Jolley, John Pat and Mary Ann, we will continue the Pat Thomas luncheon. Senator Sullivan continues to plant quail out at his farm in South Georgia and we can shoot them. We can bite down on some of that bird shot every now and then, they are so close. We will continue that. I hope you will join us this year and next year. After I am through, somebody else will pick up that mantle I am sure too, so come on back.

On motion by Senator Saunders, the remarks offered during the Organization Session were ordered published in the Journal.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES—FINAL ACTION

The Honorable John McKay, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 2-Org.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered enrolled.

SUMMARY OF CHANGES AND FULL TEXT OF SENATE RULES AS ADOPTED

[SEE PAGE 7]

Rule 1.3 - Control of Chamber

Changes language to clarify that the President may order the chamber cleared.

Rule 1.27 - Transition From Office

Clarifies that in the event of a vacancy in office, and until the vacancy is filled, the President may approve a transitional period for staff.

Rule 1.30 - Duties and Hours

Clarifies that the Senate President sets the hours of employment for all permanent staff of the Senate and that Senators' district staff hours are those prescribed by their department heads.

Rule 1.33 - Secretary; Supervision of Employees

Changes the various class titles used in the Secretary's office to that of "employees" for purposes of determining who is under the supervision of the Secretary.

Rule 1.44 - Notice Required for Certain Meetings

Deletes and adds appropriate titles.

Rule 1.443 - Reapportionment Information

Specifies that the current equal access provisions also apply to systems, data and information available to, not just promulgated or maintained by, the apportionment or redistricting committees.

Rule 2.1 - Standing Committees; Standing Subcommittees

Deletes, adds and reorders the listing of standing committees and subcommittees of the Senate.

Rule 2.3 - Committee Reports

Clarifies that proposed legislation by committees and standing subcommittees can only be based on an authorized interim project.

Rule 2.14 - Time for Consideration of Bills

Deletes and adds appropriate titles.

Rule 2.16 - Standing Subcommittee Reports

Provides a technical change removing the reference of parent committee and changing that reference to full committee.

Makes appropriate committee title changes.

Rule 2.18 - Prefiled Bills

Deletes and adds appropriate titles.

Rule 2.19 - Conference Committee in Deliberation

Deletes and adds appropriate titles.

Rule 2.28 - Taking the Vote

Technical change by the Secretary of the Senate. Conforms Rule 2.28 to provisions of Article III, Section 4(c) of the State Constitution, and makes Rule 2.28 consistent with Rule 2.15 which was amended in 1991.

Rule 2.33 - Motions; Precedence

Changes the motion of "temporarily pass" to "temporarily postpone" to more adequately express the actual action taken.

Rule 3.9 - Printed Copies of Bills

Deletes and adds appropriate titles.

Rule 3.10 - Identification of Bills

Two technical changes are made to address current practice.

Rule 3.12 - Introducers of Bills

Deletes and adds appropriate titles.

Rule 4.6 - Reference Generally; Final Days for Introduction of Bills and Resolutions

Clarifies local bill referencing procedure.

Adds Senate resolutions to the list of items not affected by the deadline for introduction of bills.

Rule 4.8 - Reference of Bills Affecting Appropriations, Revenue, Retirement or County or Municipal Spending

Changes wording to reflect revised committee structure and names. Changes the word "referred" to "reviewed" for the purpose of referral.

Rule 4.10 - Reference to Different Committee or Removal

Clarifies bill removal process. Authorizes chairman of Committee on Appropriations to withdraw bills from that committee under certain circumstances.

Rule 4.15 - Referral or Postponement on Third Reading

Deletes and adds appropriate titles.

Rule 4.17 - Special Order Calendar; Consent Calendar

Technical change to reflect change in terminology.

Rule 4.81 - Claim Bills

Provides an opportunity for new members of the Senate to file a claim bill(s) outside of the current deadline. Defines the term new Senator. Clarifies under what circumstances a claim bill hearing and consideration may be held in abeyance.

Rule 6.2 - Motions; Precedence

Conforms to previous technical change in rule.

Rule 12.7 - Procedure

Deletes and adds appropriate titles.

Rule 14.1 - Seal and Insignia

Clarifies that the Senate Seal, Coat of Arms, official stationery, calling cards and facsimiles may be used only in connection with official Senate business.

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, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

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 President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary of the Senate. The President may designate a Majority Leader whose name shall be certified to the Secretary of the Senate. The Minority Party may 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. The President 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, the President may *order the area cleared* ~~clear the area~~.

1.4—The President's authority and signature; questions of order; travel

The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers. The President 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 business of the Senate as authorized. The President shall have responsibility for the property of the Senate and may delegate specific duties or authority pertaining thereto. The President may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a committee of the Senate, a Member of the Senate (whether in the legal capacity of Senator or taxpayer), a former Member of the Senate, or an officer or employee of the Senate when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

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 or her 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 the President 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 or she may, prior to resignation, designate a member of the Majority Party to assume the duties of the chair until a permanent successor is elected.

1.8—Designation of the Secretary of the Senate

The Senate shall designate a Secretary to serve at its pleasure. 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.

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. The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. The Secretary shall not permit any records or papers belonging to the Senate to be removed from the custody of the Secretary 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 substitute; (3) the status of each bill, i.e., whether on second or third reading; (4) notices of committee meetings; and (5) notices of meetings required pursuant to Rule 1.44. 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, and subpoenas 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 or she 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. The Secretary 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.

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 or her 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 or her 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 or her 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 shall be entitled to an amicable transition period not to exceed one month in which to close out the affairs of his or her 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. A former Senator shall 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. *In the event of a vacancy in office, and until that vacancy is filled, a* ~~Upon proper application by the legislative assistant of a deceased Senator, a one-month~~ transitional period with pro rata salary for ~~the~~ staff may be approved by the President to close out the *vacant* ~~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, and may terminate the services of an employee. At the President's discretion the matter may be referred 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 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 shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees 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, 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 *set by the President* ~~as regular Capitol employees~~. Part-time employees and Senator's *district staff* ~~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 *employees* ~~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.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

1.35—Legislative conduct

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.36—Improper influence

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

1.361—Solicitation of campaign contributions

A Senator shall neither solicit nor accept any campaign contribution during the sixty-day regular legislative session on the Senator's own behalf or on behalf of a political party or on behalf of a candidate for the Senate; however, a Senator may contribute to the Senator's own campaign.

1.37—Conflicting employment

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

1.38—Undue influence

A member of the Senate shall not use his or her influence as a Senator in any matter that involves substantial conflict between his or her personal interest and his or her 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 that Senator's special private gain or the special gain of any principal to whom the Senator 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 or her 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 the Senator's consent.

1.42—Violations; hearings, penalties

Any person may file a sworn complaint with the chairman of the Committee on Rules and Calendar, alleging a violation by a Senator of the Rules regulating conduct and ethics. The complaint shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, and shall identify the specific Rule(s) believed by the complainant to have been violated by the Senator. Upon a determination by the chairman that there are sufficient grounds for review, the complaint shall be referred either to the committee or, at the option of the chairman, to a special master, for a hearing. The committee or special master may adopt rules of procedure for conduct of the proceedings. The committee or special master shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard. A special master's report and recommendation is advisory only and shall be made to the chairman as soon as practicable after the close of the hearing. The committee's report and recommendation shall be made as soon as practicable.

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.

PART FIVE—PUBLIC MEETINGS AND RECORDS

1.43—Open meetings

(a) All meetings at which legislative business is discussed among any two or more Senators shall be open to the public except meetings

between two Senators to exchange information provided the purpose of the meeting between the two Senators is not to agree upon final action that will be taken at a subsequent meeting. Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this rule.

(b) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(c) For purposes of this rule "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee or Senate Subcommittee.

1.44—Notice required for certain meetings

(a) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary of the Senate. While the legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours before the scheduled time of the meeting:

1. meetings of the President of the Senate (or a Senator designated to represent the President) with the Governor, or with the Speaker of the House of Representatives (or a representative designated to represent the Speaker);

2. meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee;

3. steering meetings of the chairman of the Committee on *Appropriations* ~~Budget~~ with the chairmen of the standing subcommittees of the Committee on *Appropriations* ~~Budget~~; and

4. meetings called by the President or the President's designee, of a majority of the chairmen of the Senate's standing committees.

(b) Notices of meetings required by Rule 1.44 shall be filed by or at the direction of the person(s) at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this rule, if the meeting is to take place at or after 10:00 p.m. then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

In the event the times required for notice under Rule 1.44 are not sufficient to permit publication in a daily or interim calendar, the Secretary shall post a copy of each such notice on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. The Secretary of the Senate shall make a diligent effort to give actual notice to the representatives of the press of all noncalendared meeting notices posted.

(c) Political caucuses are exempt from the foregoing notice requirements. Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this rule when issues then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee or Senate Subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader or a Minority Leader Pro Tempore need not be open or noticed.

1.45—Violations of rules on open meetings and notice

Intentional violations of Rules 1.43 and 1.44 constitute violations of the Rules regulating legislative ethics and conduct and shall be subject to the procedures and penalties prescribed in Rule 1.42.

1.441—Constitutional requirements concerning open meetings

All legislative committee and subcommittee meetings and joint conference committee meetings, shall be open and noticed to the public.

All prearranged gatherings, between more than two members of the legislature, or between the Governor, the President of the Senate, or the Speaker of the House of Representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

In cases of conflict between this rule and any other rule of the Senate the rule providing greater notice or public access shall prevail.

1.443—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated *by,* ~~or~~ maintained by, *or available to,* the ~~former~~ Committee on Reapportionment *for the analysis of legislative and congressional redistricting plans.*

1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

The following standing committee, standing subcommittee and select committee public records, not exempted from disclosure, shall be retained by each staff director until biennially transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, staff analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary of the Senate shall be retained by that officer as specifically required by law or Senate rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such a special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. However, when obtained from the Office of the Secretary, a standing committee, standing subcommittee or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate rule to be created.

Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained, additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) representative copy of the mailing, or an abstract, need be retained.

For the purpose of this rule, a member's district office shall include the offices each member retains for the transaction of official legislative business in his or her respective district and the offices located in the Senate Office Building or the Capitol in Tallahassee assigned to each member.

The following public records are exempt from inspection and copying:

Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, Florida Statutes, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), Florida Statutes, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.

A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.

A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.

A draft of a bill analysis or fiscal note until the bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.

A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.

Records prepared for or used in executive sessions of the Senate until 10 years after the date on which the executive session was held.

Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committee's records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.

Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.

Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

For purposes of this section, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

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 and Consumer Services
~~Banking and Insurance~~
Appropriations ~~Budget~~
Subcommittee on Education
Subcommittee on General Government
Subcommittee on Health and Human Services
Subcommittee on Public Safety and Judiciary
~~Subcommittee on Transportation and Economic Development~~
Banking and Insurance
Children and Families
Commerce and Economic Opportunities
Comprehensive Planning, Local and Military Affairs
Criminal Justice
Education
Ethics and Elections
~~Fiscal Policy~~
Finance and Taxation ~~Fiscal Resource~~
Governmental Oversight and Productivity
~~Gubernatorial Appointments and Confirmations~~
Health, Aging and Long-Term Care
Judiciary
Natural Resources
Reapportionment
Subcommittee on Congressional Apportionment and Redistricting
Subcommittee on Legislative Apportionment and Redistricting
Regulated Industries
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; (c) to request reports from departments performing functions reasonably related to the committees' jurisdictions; and (d) to complete the interim projects assigned by the President.

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

Before a regular session of the legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation *on its authorized interim projects*, 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 *on its authorized interim projects*, 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.

2.4—Committee staffing

A committee 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 committee meetings

Notice of meetings of standing committees, standing subcommittees and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the two legislative days preceding and the day of such committee meeting. Thereafter, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chairman of the committee or subcommittee or, in his or her absence, the vice-chairman while the Senate is in session and the posting of a notice on a bulletin board in the public corridor leading to the Senate Chamber for at least four (4) hours in advance of the meeting. The chairman of a committee or subcommittee or in his or her 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 seven (7) 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 and the public.

2.7—Bills recommitted

A bill reported by a standing committee without proper notice 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 notice 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, no committee shall meet before 7:00 a.m. nor meet or continue to meet after 9:00 p.m. 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 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 or her legislative assistant 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 or her 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 or her 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 the Senator's 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 or her 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* ~~Budget~~ 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. The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee the vote on any other matter, properly before the committee, shall be recorded. 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.

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.

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). Proposed substitutes shall be filed with the committee administrative assistant no less than two (2) hours prior to any committee meeting at which a recommendation of the substitute is adopted unless the substitute is merely a combination of the noticed bill(s) and amendments offered in compliance with Rule 2.39. Copies of substitutes shall be furnished to committee members' offices immediately upon filing with the committee administrative assistant, and made reasonably available by the committee administrative assistant before the meeting, upon request, to the members of the committee and to the public. 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 administrative assistant 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. A Senate committee may not recommend a Senate committee substitute for a House bill.

All standing committee reports shall be signed by the chairman or, in his or her absence, the vice-chairman and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on proper 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 *full* ~~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 *full* ~~parent~~ standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the *full* ~~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 *full* ~~parent~~ standing committee in the same manner as a favorable report.

All standing subcommittee reports shall be signed by the chairman or, in the chairman's 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 printed in full on proper 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 Committee on *Appropriations* ~~Budget~~ 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 the President's 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 or her 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* ~~Budget~~ 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

All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary of the Senate by or at the direction of the person calling the meeting, at least two (2) hours in advance of the meeting, and after the fiftieth (50) day of a regular session and during a special session, not less than one (1) hour in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the location of the meeting.

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. All final actions taken in conference committee shall be by motion.

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 by the President to a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary of the Senate by or at the direction of the person(s) at whose call the meeting is convened, not less than two (2) hours preceding the time for the meeting, and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour preceding the time for the meeting:

1. meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker of the House (or a Representative designated to represent the Speaker);

2. meetings between a majority of the members of any subcommittee of the conference committee;

3. meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker of the House of Representatives or any Representative(s) designated to represent the Speaker; and

4. meetings of a majority of the Senate conferees; and when the bill or joint resolution that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

Notice of meetings, as scheduled, between the chairman of the Senate's conferees with the chairman of the House's conferees, or between respective Senate and House subcommittee chairmen with each other, shall be posted on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted on a bulletin board outside the door of the office of the Committee on *Appropriations* ~~Budget~~.

All meetings for which notice is required pursuant to this Rule shall be held in the Capitol, the Senate Office Building, the Knott Building, or the House Office Building, but shall not be held in the Chamber of either house while it is in session.

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 and select committee 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 the chairman's 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, the chairman or vice-chairman may require participants in the disturbance to 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. The chairman 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. 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 the chairman's absence and/or omission to make such appointment, the vice-chairman shall act during his or her absence.

2.26—Vice-Chairman's duties

On the death, incapacitation, or resignation of the chairman, the vice-chairman shall perform the duties of the office until the President shall appoint a successor. In the absence of the chairman, the vice-chairman shall act as 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 that member's private rights as distinct from the public interest.

The chairman may excuse any Senator for just cause from attendance at meetings of his or her 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.

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.

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)~~ *two (2)** members the chairman shall count the yeas and nays. When the committee shall be equally divided, the question shall be lost.

*[*Technical change by the Secretary of the Senate. Conforms Rule 2.28 to provisions of Article III, Section 4(c) of the State Constitution, and makes Rule 2.28 consistent with Rule 2.15 which was amended in 1991.*]

A Senator may request to (a) change his or her 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 or her 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 or her vote during a roll call, but may submit his or her 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 or her motion in writing. After a motion has been stated or read by the chairman, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended, or before a vote shall have commenced.

2.33—Motions; precedence

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

1. To rise
2. To take a recess
3. To reconsider
4. To limit debate
5. To temporarily *postpone* ~~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—Amendments; form, notice, manner of consideration

No amendment to any measure, which amendment was prepared prior to the committee meeting at which it is offered, shall be considered by that committee unless the amendment was filed with the committee administrative assistant at least two (2) hours before the time the meeting was called to order. Copies of such amendment shall be made reasonably available by the committee administrative assistant before the

meeting, upon request, to the members of the committee and to the public. Neither a technical amendment nor an amendment which is prepared by a member of the committee during the committee meeting at which it is offered need be so noticed.

Amendments shall be filed 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 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—Deleting everything after enacting clause

A proposal to delete everything 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, the Senator shall address himself or herself to "Mr. or Madam Chairman" and, on being recognized, may address the committee and shall confine himself or herself 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 or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member 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 the introducer may divide such 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 bills

All bills 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.

The original must be backed in a folder-jacket signed by the sponsor(s). 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.

Bills that propose to amend existing provisions of the Florida Statutes (as described in section 11.242, Florida Statutes) 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 create or amend existing provisions of the Florida Statutes, Chapter Laws of Florida, or of the Florida Constitution, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

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 s. [number], F.S., for present text." When such notation is used, the notation as well as the substantially reworded text 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.

Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary of the Senate.

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 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 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 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 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 filed for introduction with the Secretary of the Senate no later than 12:00 noon of the first day of the regular session.

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 Journal shall reflect the committee reference and 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—Printed copies of bills

When introduced, bills, not local in application, and joint resolutions (including committee bills and committee substitute bills) shall be printed by the Secretary for the information of the Senate and the public. The absence of a printed copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the Committee on *Appropriations* ~~Budget~~ shall be made available to the members and upon request, to the public, at the office of the Secretary of the Senate and at the committee's office, no less than two (2) hours prior to the time the Committee on *Appropriations* ~~Budget~~ meets to consider the proposed committee bill.

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 *with even numbers* as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure 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 canceling 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* ~~Budget~~.

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 estimated economic impact, which calculates the present and future fiscal implications of the bill or joint resolution, must be considered. 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. The Senate shall not meet before 7:00 a.m. nor meet or continue to meet after 9:00 p.m.

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. Consideration of bills on third reading
9. Special Order as determined by the Committee on Rules and Calendar
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.

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. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

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.

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

4.6—Reference generally; final days for introduction of bills and resolutions

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 the President's 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 *appears to be* ~~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 *for reference purposes* and whether it responds to the legal requirements of a local bill. A bill is local in nature *for referencing purposes* if it does not *substantially* alter a law of general application throughout the state and *it either* affects no more than one county *or relates to a special district that is located wholly within no more than two counties*. When the Committee on Rules and Calendar, through staff analysis, has determined *that the* ~~a~~ bill is *not local in nature for referencing purposes* ~~in fact and law a local bill~~, *the committee* ~~it~~ shall *report such determination* ~~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 *to the Committee on Rules and Calendar. When the Committee on Rules and Calendar, through staff analysis, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be reported and referred to the calendar on local bills.*

All Senate bills filed for introduction after 12:00 noon on the first day of the regular session (except for the general appropriations bill, local bills, *Senate resolutions,* and joint resolutions) shall be referenced, but shall be withheld from the committee or committees of reference until after adjournment sine die of such session.

A motion to waive this Rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number them to provide identity and control until a permanent number can be affixed. These bills shall be known as prefiled bills and considered in accordance with these Rules.

4.7—Reference to more than one committee; effect

In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except on two-thirds (2/3) vote of those present. If a committee reports a committee substitute favorably, other committee consideration shall be directed to the substitute and not to the original.

4.8—Reference of bills affecting appropriations, revenue, retirement or county or municipal spending

All bills authorizing or substantially affecting appropriations shall be *reviewed by* ~~referred to~~ the Committee on *Appropriations or a standing subcommittee of that committee.* ~~Fiscal Policy.~~ All bills authorizing or substantially affecting tax revenue shall be *reviewed by* ~~referred to~~ the Committee on *Finance and Taxation* ~~Fiscal Resource~~. All bills substantially affecting a state-funded or state-administered retirement system shall be *reviewed by* ~~referred to~~ the Committee on Governmental Oversight and Productivity. All bills which are affected by the provisions of Article VII, Section 18, Florida Constitution shall be *reviewed by* ~~referred to~~ the Committee on Comprehensive Planning, Local and Military Affairs. A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program or expenditures or revenues as set forth in Article VII, Section 18, Florida Constitution shall, before being placed before the Senate for final passage, be *reviewed* ~~referred~~ along with all amendments *by* ~~to~~ the Committee on *Appropriations or a standing subcommittee of that committee,* ~~Fiscal Policy,~~ or the Committee on *Finance and Taxation,* ~~Fiscal Resource,~~ or the Committee on Governmental Oversight and Productivity, or the Committee on Comprehensive Planning, Local and Military Affairs, 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.

4.9—Reference of resolutions

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration that are of a statewide non-political significance, 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, except that resolutions of condolence or commemoration that are of a statewide non-political significance, may be shown as introduced, read and adopted by publication in full in the Journal.

4.10—Reference to different committee or removal

When the President has referred a bill, *the chairman of the Committee on Rules and Calendar may* ~~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 after *the sponsor of the bill has filed* ~~filing~~ a card with the Rules Chairman signed by the chairman of the affected committee and the chairman of the Committee on Rules and Calendar. This motion may be adopted by a two-thirds (2/3) vote of those present.

The chairman of the Committee on Appropriations may move to withdraw a bill from that committee provided the bill has been reported favorably by a standing subcommittee and a card requesting such withdrawal has been filed with the committee by the sponsor and approved by the chairman. 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 as provided in the Constitution under Article III, Section 7.

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, except that resolutions of condolence or commemoration that are of a statewide non-political significance may be shown as introduced, read and adopted by publication in full in the Journal.

4.15—Referral or postponement on third reading

On the third reading of a bill or joint resolution, it shall not be referred or committed (except to the Committee on *Appropriations* ~~Budget~~) 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 or her 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 or her 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, the Vice-Chairman of the Committee on Rules and Calendar, the Majority Leader, the Minority Leader, 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. 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 *postponed* ~~passed~~, it retains its order on the regular calendar. A Senator may designate only a bill that he or she sponsors or a House bill for the consent calendar. A committee chairman may designate a committee bill sponsored by his or her 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 enrolling report shall be published in the Journal.

4.21—Veto messages

As required by Article III, Section 8, of the Constitution, if the originating house votes to re-enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re-enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. All veto messages shall be referred to the Committee on Rules and Calendar.

4.81—Claim bills

a. Claim bills are of two types: excess judgment claims filed pursuant to section 768.28(5), Florida Statutes, and equitable claims filed without an underlying excess judgment.

b. All claim bills shall be filed with the Secretary of the Senate on or before August 1 in order to be considered by the Senate during the next regular session, *except that members elected to the Senate during a general election may have sixty (60) days from the date of that election to file a claim bill(s). Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty (60) days.* A motion to introduce a claim bill notwithstanding the claim bill filing deadline, shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Committee on Rules and Calendar shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by at least two-thirds (2/3) vote of those present.

c. All claim bills shall be referred by the President to one or more committee(s) for review. If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a Special Master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the Florida Rules of Civil Procedure and the Florida Evidence Code, as applicable. The Special Master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, tape record the proceedings, and prepare a final report containing findings of fact, conclusions of law and recommendations no later than December 1. The report shall be signed by the Special Master who shall be available, in person, to explain his or her report to the committees and to the Senate.

d. On receipt of the Special Master's report and recommendations, if any, the Secretary shall, under the President's initial reference, deliver each claim bill with the report attached, to the committee or committees of reference.

e. Stipulations entered into by the parties are not binding on the Special Master, the Senate or its committees.

f. *The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement.* ~~The hearing and consideration of a claim, any element of which is pending in litigation, shall be held in abeyance until all judicial activity thereon, including any appellate proceedings, shall have come to rest.~~

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic 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 electronic 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 or her 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 unless the Senator is present in the chamber area and requests the casting of said vote, 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 without such authorization 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 or her vote during a roll call but may submit his or her 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 or her 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 and, without a second, shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

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

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

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

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

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

6.3—Division of question

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

6.4—Reconsideration generally

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

6.5—Reconsideration; vote required

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

6.6—Reconsideration; debate

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

6.7—Reconsideration; collateral matters and procedural motions

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

6.8—Reconsideration; Secretary to hold for period

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

6.9—Motion to indefinitely postpone

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

RULE SEVEN

AMENDMENTS

7.1—General form; notice; manner of consideration

No amendment to a bill on the Special Order Calendar prepared prior to the time a session of the Senate has convened shall be considered by the Senate unless the amendment was filed with the Secretary of the Senate no later than 5:00 p.m. the day prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary of the Senate before the session, upon request, to the members and to the public. Neither a technical amendment nor an amendment which is prepared by a member during the session at which it is offered need be so noticed.

Amendments shall be filed with the Secretary on forms prescribed by the Secretary 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 the chairman's 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. The following bills are out of order and shall not be admitted or considered under color of amendment to a bill on the calendar and under consideration by the Senate.

1. Bills which have received an unfavorable committee report.

2. Bills which have been withdrawn from further consideration by the sponsor.

3. Bills the substance of which have not been reported favorably by all committees of reference.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

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—Deleting everything after enacting clause

A proposal to delete everything 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, the Senator shall rise at his or her seat and address himself or herself to "Mr. or Madam President", and, on being recognized, may address the Senate from his or her desk or from the well of the Senate, and shall confine any remarks 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 a Senator 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 or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member 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 determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second decision is also subject to appeal.

8.10—Appeals, debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

Questions of privilege shall be: first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and second, the rights, reputation, and conduct of Senators individually, in their representative capacity only. These shall have precedence over all other questions except motions to adjourn. The question shall not be recognized during the debate on a bill. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

RULE NINE

LOBBYING

9.1—Those required to register

All persons (except those specifically exempted) 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 as prescribed by law and the Joint Rules of the Florida House and Senate.

9.2—Obligations of lobbyist

A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she 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 or her 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.

9.3—Lobbyists' requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.4—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.

9.5—Compilation of opinions

The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules and Calendar.

9.6—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.

9.7—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, the Joint Rules and the laws of Florida, 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. Also entitled to admission are the Governor or one (1) representative designated by the Governor, 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. A special section of the gallery shall be reserved for members of the families of Senators.

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—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.

10.5—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: the singular always includes the plural. 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—APPOINTMENTS, SUSPENSIONS, AND REMOVALS

12.7—Procedure

(a) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Committee on *Ethics and Elections* ~~Gubernatorial Appointments and Confirmations~~, other appropriate committee or to a Special Master appointed by the President. Either one shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and 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 may order the report presented to the Senate in either open or executive session, or the President 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 or her 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 *Ethics and Elections* ~~Gubernatorial Appointments and Confirmations~~, other appropriate committee or Special Master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, the committee or the Special Master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above.

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

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

(d) The suspended official may file with the Secretary of the Senate, no later than ten (10) days prior to the first pre-hearing conference, or no later than the date set by the committee or Special Master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

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

(f) The committee or Special Master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, and photocopies of all documentary and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.

(g) 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 abeyance 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 may act on the recommendations of the committee or Special Master at any time it is in session but shall do so no later than the end of the next regular session of the legislature.

(h) For the purposes of Article IV, Section 7(b) of the Constitution of Florida, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

(i) If the Governor files an amended suspension order, the attention of the Senate, the committee or the Special Master shall be directed at the amended suspension order.

(j) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee or Special Master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee or Special Master may dispose of such exhibits or other evidence.

12.8—Special Master; appointment

The 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 or she shall prescribe.

12.9—Special Master; floor privilege

With consent of the President, the Special Master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.10—Issuance of subpoenas and process

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.

12.11—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule 12 and Part V of chapter 112, Florida Statutes, the Rule, derived from Article III, Section 4(a) of the Constitution of Florida, shall take precedence.

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. The notice posted shall include the date, time, and place of the committee meeting, and short title and the bill number of each bill to be considered. 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 reports

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

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

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

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

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

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

13.7—Reconsideration

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

13.8—Special order calendar

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

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—Seal and insignia

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

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

The Senate Seal, the Senate Coat of Arms, official Senate stationery, calling cards, and facsimiles thereof, may be used only in connection with official Senate business.

ADJOURNMENT

On motion by Senator Cowin, the Senate in Organization Session adjourned sine die at 12:32 p.m.