



# Journal of the Senate

ORGANIZATION SESSION

Tuesday, November 16, 2004

Journal of the Senate for the Organization Session of the Nineteenth 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, November 16, 2004, being the day fixed by the Constitution for the purpose.

## CONTENTS

Address by President . . . . . 6  
 Address by President Pro Tempore . . . . . 5  
 Call to Order . . . . . 1  
 Certificate Received . . . . . 1, 5  
 Committees of the Senate . . . . . 30  
 Motions Relating to Committee Meetings . . . . . 30  
 Oath of Office Administered . . . . . 1, 4, 5  
 Remarks . . . . . 2, 3, 4, 5  
 Rules Adoption . . . . . 8  
 Special Guests . . . . . 2, 4, 5  
 Special Performance . . . . . 6

## CALL TO ORDER

The Senate was called to order by President King at 10:00 a.m.

## PRAYER

The following prayer was offered by the Rev. Bill Wynn, retired pastor of the Brandon Assembly of God Church:

Heavenly Father, we approach your throne with the knowledge of our unworthiness, and with the understanding that you accept us as we are; and always take time to hear our petitions and act on them.

Today, we ask for your blessings on Senator Tom Lee, and for a generous endowment of wisdom as he assumes the important role of Senate President. Help Senator Lee and this distinguished body of Senators to work together for the good of Florida's citizens.

Help us all to understand, as mere mortals, our human limitations, and at the same time, help us to have a keen sense of your infinite knowledge, your unlimited power, and your desire to become involved in our daily lives.

While we don't know what tomorrow holds, we do know who holds tomorrow. Give wisdom to Senator Lee and the members of the Florida Senate as they face tough decisions that affect the lives of the citizens of the great state of Florida.

May each day be a day of accomplishment; and at the close of each day may we each humbly bow before you and express our profound thanks for your guiding hand that has directed us. May we be able to stand before you with good conscience, knowing that we have given our best in the spirit of fairness and unselfishness.

These things we ask in your name. Amen.

## PLEDGE

Miss Regan Lee and Mr. Brandon Lee, daughter and son of Senator Lee, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Fred Bearison of Brandon, sponsored by Senator Lee, as doctor of the day. Dr. Bearison specializes in internal medicine.

## CERTIFICATE RECEIVED

The Secretary announced that The Honorable Glenda E. Hood, Secretary of State, had certified to the election of 22 Senators as follows:

### STATE OF FLORIDA OFFICE OF SECRETARY OF STATE

I, Glenda E. Hood, Secretary of State of the State of Florida, do hereby certify that the following candidates were duly elected at the General Election held on the Second day of November, A.D., 2004, to the office of Member, State Senate, as shown by the records of this office:

#### SENATE DISTRICT NUMBER

- 1 Anthony C. "Tony" Hill, Sr., Jacksonville
- 3 Nancy Argenziano, Dunnellon
- 5 Stephen R. Wise, Jacksonville
- 7 Evelyn J. Lynn, Ormond Beach
- 9 Daniel Webster, Orlando
- 11 Mike Fasano, New Port Richey
- 13 Dennis L. Jones, Seminole
- 15 Paula Dockery, Lakeland
- 17 JD Alexander, Lake Wales
- 19 Gary Siplin, Orlando
- 20 Carey Baker, Eustis
- 21 Michael S. "Mike" Bennett, Bradenton
- 23 Lisa Carlton, Sarasota
- 25 Jeffrey H. "Jeff" Atwater, North Palm Beach
- 27 Dave Aronberg, West Palm Beach
- 29 M. Mandy Dawson, Ft. Lauderdale
- 31 Steven A. Geller, Hallandale
- 33 Frederica S. Wilson, Miami
- 34 Nan H. Rich, Weston
- 35 Gwen Margolis, Adventura
- 37 Burt L. Saunders, Naples
- 39 Larcenia J. Bullard, Miami



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this the 15th day of November, A.D., 2004

Glenda E. Hood  
SECRETARY OF STATE

## OATH OF OFFICE ADMINISTERED

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

## ROLL CALL

The roll of the Senate, as then constituted by the 22 newly elected members and the 18 holdover members, was called by the Secretary in alphabetical order and the following members of the Senate were recorded present:

Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lee	Wilson
Crist	Lynn	Wise
Dawson	Margolis	
Diaz de la Portilla	Miller	

## SPECIAL GUESTS

President King introduced the following guests: Governor Jeb Bush; former Senate President, Lieutenant Governor Toni Jennings; former Governor Bob Martinez; former Senator, Commissioner of Agriculture Charles H. Bronson; Chief Financial Officer Tom Gallagher and his wife, Laura; former Senator, Attorney General Charlie Crist; Chief Justice of the Supreme Court, Barbara Pariente; Justice Harry Lee Anstead; Justice Peggy A. Quince; and Justice Kenneth B. Bell. President King announced that in addition to former Senate President Gwen Margolis who still serves in the Senate, the Senate was honored by the presence of the following former Senate Presidents: Bob Crawford and his wife, Nancy; John McKay and his wife, Michelle; and former Senators Malcolm Beard and his wife, Mary Ellen; John Grant; Ron Silver; Van Poole; Jack Latvala; former Congresswoman Karen Thurman; former Secretary of State George Firestone; and former Education Commissioner Jim Horne. The President also introduced his wife, Linda King.

## ORGANIZATION

The Senate proceeded to the organization of the body.

### NOMINATIONS FOR PRESIDENT

President King 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.

President King recognized Senator Carlton who placed in nomination the name of Senator Tom Lee of the 10th Senatorial District.

**Senator Carlton:** The speeches we will hear today enlighten us about Tom Lee and his path to this Presidency. These speeches will undoubtedly assure us that he will lead this chamber with honor and distinction; that he will be fair to all Senators regardless of party affiliation.

We all know Senator Lee. But what about Tom Lee? Well, most of us, if asked, would say, and let's be honest here, "He has an air of mystery." So let's unravel the mystery that is Tom Lee.

He is a son and brother who embraces the Proverb "**A good name is more desirable than great riches.**" His esteemed regard for his mom and dad, Jim and Ann Lee, give us the first clue as to who Tom Lee really is. He embodies the spirit of a son who puts family first. He is a dedicated son and brother who can live, love and work with all the same people. In a family business your siblings and parents know how much money you make and one of them usually signs the paychecks, sometimes reluctantly! His parents also taught him dedication to community.

The Tom Lee Foundation has helped countless children from his district over the years and is done with no publicity or fanfare. Tom has made his parents proud and adds another generation of true public service. Tom's administration will embody a legislative process that is open and fair. It will also be managed by those who are elected and

answer to their communities rather than a third house. He comes by this honestly—he aspires for this chamber to be highly regarded by those that judge us and he challenges us to hold the name Senator as a good name, more desirable than great riches.

He is a father who will preside over this chamber as perhaps the only Senate President to serve with young children at home. He will be a better Senate President, because he was first a Dad. His style as President is really no mystery. One need look no further than in the eyes of Regan and Brandon.

Regan is his daughter and is 7 years old. She is a smart, unconventional girl, in that she would rather collect Hot Wheels than Barbies. She has an energy and a drive that can last all night, even if all night means going to a boring Republican fundraiser at the Orange Bowl.

Once she has her mind set on something or has been challenged, like a bet with her Dad that if she stays awake for the entire fundraiser she can watch *Pirates of the Caribbean*, she does not stop. She will take no prisoners in her efforts to stay awake and if you think she is sleeping, you better look again. Regan also has her secrets. Word has it that a few years back Dad and daughter were discussing appropriate attire for church. Regan, being the free spirit that she is, did not want to wear a dress. Dad calmly explained that sometimes little girls needed to wear dresses. So in an effort to appease Dad, Regan sulks away defeated and puts on her conventional dress. During church she tapped her Dad. As he looked her way, she subtly lifted up her dress to reveal a pair of jeans underneath.

Now if Regan is a clue to solving the mystery of Tom Lee, we can surmise that Tom is steadfast, determined, focused on his agenda, unwavering when he feels right is on his side, but still savvy enough to appreciate that sometimes the other guy needs to think he prevailed.

Any former Senate President will tell you that in order to be successful you need to have an evenhanded approach to decision making. Through the eyes of his son Brandon, we see how Tom will balance his Presidency. Brandon is quiet, and reflective. He loves for his Dad to read to him. Instead of peddling a bicycle, he would rather be a passenger at times. His favorite books are about the Care Bears. His favorite Care Bear is Share Bear. Brandon brings out the sensitive side of the Lee family.

Brandon offers us many clues to the Tom Lee puzzle. We can logically surmise that Tom will make decisions after much thought, that he will many times keep those thoughts to himself, that he is aware that others around him may become impatient with his perceived inaction—but in the end he is going to get where he needs to go and if he can convince you to drive, then that saves his energy for his golf game.

Tom Lee is a father, son and brother who is serving as President of this body and choosing to share his talents with us. To Regan and Brandon, thank you for sharing your Daddy. He is that perfect combination of Share Bear and Brave Heart Lion Care Bear. He is a leader. Fearless in the face of danger, he would be your choice of partner on the battlefield or in the foxhole. He knows how to help others be brave. His courage and leadership is evident to all around him. However he is sensitive to the fact that others do not have as much and whenever he can, he shares good things with other people, and he has the right attitude when doing so.

It will continue to be challenging for our President's children to appreciate the sacrifices he makes to lead this body. It will most likely not be until they have children of their own that they truly earn a respect for the position he takes today. And that's the final clue. We, as Senators, can rest assured that Tom Lee's Presidency will make our time here worth the trip. Because our policy will be sound, and the manner in which we arrive at decisions will be fair, and ultimately at the end of two years Florida and this Senate will be left a better place because to do otherwise would mean he had missed all those soccer games, bedtime stories, and bicycle rides for nothing.

President King recognized Senator Campbell who seconded the nomination of Senator Lee.

**Senator Campbell:** Say the name "Tom Lee" and the responses can be very different.

To some, he's an intensely private man, weighing in on subjects only when he has something of relevance to say.

To others, he's a maverick, bucking the political status quo, or, as he once described another Senator, unafraid to slaughter a few "sacred cows" or step on a few toes along the way.

Wearing a size 12 shoe, Tom Lee does not have little feet. I know that you stand 6 ft. 2 in., but your staff wanted me to say 6 ft. 6 in. because that is the way all college and professional sports programs report their players. I want to make sure everybody in the lobbying community knows you are 6 ft. 6 in. But the Tom Lee I know is somewhere in the middle. Sometimes he reminds me of Gary Cooper who played Sheriff Will Kane in *High Noon*, standing his ground even though the townsfolk are telling him to duck.

He also reminds me of Gregory Peck as Atticus Finch in *To Kill a Mockingbird*. Atticus represented morality and reason. He always was even-handed. He was a character who never had to rethink his position on an issue. The only time he seriously lectured his children was on the evils of taking advantage of those less fortunate or less educated. So remember, Regan and Brandon, that your Dad loves you and you are the next leaders to love all people. Atticus believed in justice and the justice system and Tom Lee believes in the same system of justice.

He's a man unafraid to fight for what's right; occasionally drawing up his full height of 6 ft. 2 in., make that 6 ft. 6 in. for emphasis. There are a few men still here in government who can attest to this. Some of the lobbyists out there know he won't back down. I won't name them. Fortunately, I have never been on the receiving end.

Other times, the soft-spoken Senator is like the E. F. Hutton commercial; when he talks, people listen. They've even been known to take his words to heart, or in one case, the nose. Last year you'll remember we held our nose as we voted for a questionable gas tax cut the understated Senator declared "stinks."

Finally, in case you didn't know it, he's also a fashion enigma. Any man who can out-fedora Senator Gary Siplin deserves our admiration. Who remembers that fedora day, Gary?

Henny Youngman always joked that you can judge a man by the golf score he keeps. He, of course, was talking about Tom who is a scratch golfer. Unlike Gerald Ford who said, "I know I'm getting better at golf, because I'm hitting fewer spectators," Tom has never had problems with golf. Just remember, Tom, that the difference in golf and government is that in golf you can't improve your lie. Also, the income tax system has made more Americans lie than golf.

If there's a theme here, it's this, and I hope you all will live this theme: The Senate has always been—and hopefully will always remain—a body of camaraderie, dedicated more to tackling issues than tackling each other, and promoting ability, not just political connections.

It's not always easy to take the high road, or even the middle of the road when powerful interests are pushing for their own agendas, but the Senate has done just that. Tom Lee has been one of those steadfastly holding the line.

Now, as he takes the President's gavel, I have no doubt that this tradition of doing the "right thing" instead of the "political thing" will continue.

A Floridian and American above all—the Tom Lee I know has never lost touch with the common man, and shares the same determination that carved our great state out of swampland and mud bogs and still moves it forward today.

I welcome his leadership, as I value his friendship.

Congratulations, Senator Lee.

President King recognized Senator Pruitt who further seconded the nomination of Senator Lee.

**Senator Pruitt:** When you stop and reflect, on the portraits of the Senate Presidents who have served in this hallowed chamber, a Senate President's term can best be described as a "brief moment in time."

Right or wrong, the short time they lead this chamber, will no doubt define them forever in the history books—define them as a politician, as a person and as a leader. It is their defining moment.

Former Senator Toni Jennings' tenure as President will forever define her as a crusader for public education.

John McKay's legacy will be as a relentless advocate for tax fairness.

Jim King's lasting impression will be as a compassionate champion for biomedical research.

We all know that their contributions to our state go far beyond the labels given to them, while serving "for that brief moment in time," as Senate President. The label disregards the long journey these dedicated individuals embarked on when they became public servants.

Two years from now, Tom Lee's indelible mark as Senate President will be added to those whose portraits adorn this great chamber. Of course, some would say, that leaving an indelible mark is a little too soft to describe his impact, and that "etched in stone" would better describe the mark he's going to leave on the people of Florida.

In Tom's designation speech last December, I spoke of Tom Lee the citizen legislator, his fierce loyalty and independence, and how strongly he valued the institutional traditions of the Florida Senate. I shared with you his love of family and how his parents, Jim and Ann Lee, instilled the values of the American Dream into Tom early on. I described how Tom reminded me of being a street fighter and brave heart soldier all rolled into one.

To get a real sense of Tom Lee the public servant and Tom Lee the man, one only has to go back to 1996 when Tom was running for the Florida Senate. While some permit their political principles to blow in the wind or submit to the popular sound byte of the day, Tom Lee ran on the values and principles that have made him a success in business and more importantly, in life.

In this 1996 campaign brochure his core message was, "It's about keeping your word...it's about having the courage and conviction to do what's right!"—sound familiar?

It has been said that a picture is worth a thousand words. Today, we have compiled both pictures and testimonies of those who know Tom Lee, respect him, and can speak to his leadership and character.

[Video]

Their "moment in time" with Tom Lee has lasted for years. Some voices you will recognize—they are our colleagues and fellow leaders—some you may not know—but Tom knows them. They are the people that mean the most to him—people from his community who have watched this young man grow into a true statesman—people who can attest to the fact that no matter what position he holds or title he earns, he will always be, Tommy from Brandon.

Tom, this is your day. A day wrapped in ceremony and tradition—honoring you for not only the position that you now take, but honoring you for the person that you are.

Ladies and gentlemen—it is my great honor to nominate the next President of the Florida Senate, Tom Lee.

On motion by Senator Pruitt, 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 "Tom Lee."

The vote was:

Yeas—39

Alexander	Carlton	Garcia
Argenziano	Clary	Geller
Aronberg	Constantine	Haridopolos
Atwater	Crist	Hill
Baker	Dawson	Jones
Bennett	Diaz de la Portilla	King
Bullard	Dockery	Klein
Campbell	Fasano	Lawson

Lynn	Pruitt	Smith
Margolis	Rich	Villalobos
Miller	Saunders	Webster
Peaden	Sebesta	Wilson
Posey	Siplin	Wise

Nays—None

#### OATH OF OFFICE ADMINISTERED

On motion by Senator Atwater that a committee be appointed to escort Senator Lee to the rostrum of the Senate, President King appointed Senators Argenziano, Atwater and Smith. Senator Lee was escorted to the rostrum where the oath of office was administered by The Honorable Barbara Pariente, Chief Justice, Florida Supreme Court, and received by the President.

President King presented the gavel to President Lee, the 81st President of the Florida Senate since statehood.

#### PRESIDENT LEE PRESIDING

**President Lee:** Much has just been said about me in nomination—words far kinder than I deserve. I thank you Senator Carlton, Senator Campbell, and Senator Pruitt. I will long remember your remarks; not for their historical accuracy, mind you, but because you delivered them just like I wrote them.

I would also like to take this opportunity to recognize the special guests from my district who are seated in the east gallery. Would you please stand so that I can recognize you? Of course, my family—my father and mother, Jim and Ann Lee; my brother, Bill, and his wife, Sharon, and their son, my godson, Brian; my sister, Elizabeth Mekedici and her daughter, Jenny; my sister, Marilyn Segland, and her husband, William, and their children, Seth and Hanna. Finally, my precious children, Regan and Brandon, and their mother, Amy. Please stand and be recognized.

#### NOMINATIONS FOR PRESIDENT PRO TEMPORE

The President announced that nominations would be received for President Pro Tempore for a term of two years and recognized Senator Peaden who placed in nomination the name of Senator Charlie Clary of the 4th Senatorial District.

**Senator Peaden:** I have known Senator Clary longer than he has known himself. I never thought when I was riding on his father's shoulders at Crestview High School football games as a 4-year-old lad, I would be here making this address today.

If I had to sum up Senator Clary in one word, the word would be loyalty. Loyalty means faithfulness to a cause, allegiance, steadfastness, constancy, fidelity and truth. An alligator—and maybe not even an Auburn Tiger—could pull him off if he is on your side. He is deliberate. He stops and thoughtfully analyzes each decision until all due considerations are evaluated.

He is representative of our part of the state—the western Panhandle—where politics is sometimes a blood sport; roots run deep and the Yellow River Code still lives. He understands the political bridges between generations.

His conservative, business-like attitude affects all his decisions. He stands strong on the issues important to our party and the families of Florida.

Despite his short stature, he is long on devotion to his wife, Beth, his daughters, Laura and Joanna, and his parents, Carolyn and Chuck. I have known his mother and father longer than he has. They reflect the strong core values and work ethics which make him the man he is today.

Despite Senator Lawson receiving the most nourishment of the Panhandle Triplets, Charlie Clary is strong of record, performance and overwhelming fairness—traits that will not be soon forgotten in the halls of the Florida Senate.

He is a true southern gentleman with his bubble bread recipe, his surfer past and his bird dog named Dixie—a true thoroughbred seagull pointer.

He is a patriot. He is an individual who has served our nation in the depths of the world's oceans as a submariner and at the height of our Cold War hot spots.

He is a true son of Northwest Florida and an example for all.

It is a pleasure to offer Senator Clary for nomination as President Pro Tempore of the Florida Senate for the period of 2004-2006.

The President recognized Senator Lawson who seconded the nomination of Senator Clary.

**Senator Lawson:** Thank you, Mr. President. Members, the Governor, special guests, and friends, it is an honor for me to second this nomination. Most of us, when we select a President Pro Tempore, don't realize how important this position really is in the Senate. If something happened to Senator Lee, then we would take over in North Florida. Seriously, Mr. President, we want you to be well; I'm still looking out for my committee assignments.

I have had the opportunity to work with Senator Clary for many years. When Senator Clary is in committee, he's devoted, he's sharp, he's a quick study and he makes great decisions. He gives everybody in the committee a great hearing. Jim King probably described him best when he said Senator Clary was very patient.

He's a dapper kind of guy. He dresses well and he has great pride in his penmanship. He's probably the only one in the Senate whose signature we can read. He's very cool under fire. Often times the Senate President expresses himself to members in a way that no one else can. There is no better person to go to when you have tears in your eyes, than Senator Clary because he is cool under fire.

I was trying to find out what kind of person we were talking about when he decided to go off to school at Auburn. I found a poem he wrote. I thought it would be great that I share it with you under these unusual times:

Now I lay me down to study,  
I pray the professors won't make me muddy, and  
If I should learn this awful junk,  
I pray, o dear professors,  
I will not flunk.

If I should die,  
Don't bury me at all,  
Lay me down in this study hall.  
Place my books upon my chest, and  
Tell the gang I did my best.

That is the type of person that we have as second in command. A person that you can count on with great intellect and ability. He is a person who will support you when times are down. I am a true example. When all the state revenue was headed south, Senator Clary stood by me to make sure they didn't take my fire truck at Carrabelle. If you had questioned any staff person who has worked with him through the years, they would tell you that he never, never would give up. It takes guts to stay in the battle and fight. He's one of those individuals who will stay in there and fight to the end; even when revenue is short and even when we have people coming from around the state saying that we are going to suffer. I'd like to leave this with you. He may be short in stature, but he's big in heart. When the three of us are together you can't tell any of us apart.

He believes when others are doubting; he plans while others are playing; he studies while others are sleeping; he works while others are wishing; and he persists while others are quitting. What a great leader. I'm proud to second this nomination for Senator Clary as President Pro Tempore.

On motion by Senator Lawson, 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 "Charlie Clary."

The vote was:

Yeas—39

Alexander	Dockery	Miller
Argenziano	Fasano	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Pruitt
Baker	Haridopolos	Rich
Bennett	Hill	Saunders
Bullard	Jones	Sebesta
Campbell	King	Siplin
Carlton	Klein	Smith
Constantine	Lawson	Villalobos
Crist	Lee	Webster
Dawson	Lynn	Wilson
Diaz de la Portilla	Margolis	Wise

Nays—None

#### OATH OF OFFICE ADMINISTERED

On motion by Senator Baker that a committee be appointed to escort Senator Clary to the rostrum of the Senate, the President appointed Senators Aronberg, Baker and Haridopolos. Senator Clary was escorted to the rostrum where the oath of office was administered by The Honorable Kenneth Bell, Justice, Florida Supreme Court, received by the President and seated.

#### ADDRESS BY PRESIDENT PRO TEMPORE

Mr. President, esteemed colleagues, fellow Senators and friends in the gallery, I must first thank Senator Peaden and Senator Lawson for their kind words. The panhandle is well represented by the “Panhandle Tripletts.”

I would also like to recognize and thank my family for their continued love and support. My wife, Beth; my daughter, Joanna and her fiancé Mark; my parents, Chuck and Carolyn Clary; and my mother and father in-law, Ken and Geri Graham. Our other daughter, Laura, is unable to be here since she is at Auburn University studying hard. Would you please stand and be recognized? I would also like to recognize my committed and dedicated staff who have worked with me through the years: Peggy Hicks, Allison Carter, Stacey Allen and Paul Runk. Would you please stand and be recognized? Thank you!

Serving with Tom Lee for the past eight years has truly been an honor. He is a loyal friend and confidant and has been since we entered the Senate together in 1996. I look forward to working closely with President Lee on issues that matter so much to the people of Florida. As stated by President George W. Bush, “The presidency is more than an honor. It is more than an office. It is a charge to keep.” It will be my responsibility to help President Lee honor that charge.

My job as an architect is to develop a plan, oversee the project, find any problems and work for solutions that result in a building able to stand the test of time. Architect Clark Baurer said, “In a society that continues to splinter, fragment and stratify, architecture is one of the few professions or disciplines that can speak to the whole of an individual and a society.” Entering the 2004-2006 term and drawing the blueprint for the future we are building for Florida, it is up to each one of us to work together and design a future on which we can all look back and be proud.

In closing, I remember what the great baseball player Ted Williams said, “A man has to have goals—for a day, for a lifetime—and that was mine, to have people say, ‘There goes Ted Williams, the greatest hitter who ever lived.’” I challenge each and every one of my fellow legislators to not only set, but achieve, high goals for both their constituents and the State of Florida.

Mr. President, I am honored to stand beside you today as your Pro Tempore and work under your leadership. May we all learn from each other, work together and strive for the very best that this chamber can achieve. Thank you.

#### CERTIFICATE RECEIVED

By direction of the President, the Secretary read a certificate from the Minority (Democratic) Party certifying the name of Senator Lesley “Les” Miller, Jr. as Minority Leader for the 2004-2006 term.

**President Lee:** Congratulations Senator Miller. I look forward to working closely with you over the next two years. You are recognized if you would like to make brief comments to the body.

**Senator Miller:** Thank you, Mr. President. I take great pride in congratulating our new Senate President, Tom Lee. On behalf of the entire Senate Democratic Caucus, I welcome your rite of passage, and look forward to continuing the spirit of cooperation between both Democrats and Republicans in this Senate for the good of all Floridians.

You take the helm of this body at a very divisive time in our history. The wounds laid bare in this recent election are still festering in our country, still smarting in Florida.

But, I have strong confidence in your ability to bridge the divide between the red and blue enclaves. Since our early days in Hillsborough County when I represented parts of Brandon when I was in the House of Representatives and you were involved with the Brandon Chamber of Commerce, and our days here in the Legislature, I have gotten to know Tom Lee, the man, and I am certain that your compassion and integrity run deep.

I can still recall, as a freshman Senator, the graciousness and commitment you showed to me on issues and ideas that, though sponsored by a Democrat, benefitted the community as a whole, and you remained unwavering in your support.

As you begin your presidency, I ask that you safeguard those qualities, and protect them at all cost.

You know, the great thing about the Senate is that good ideas and solid ideals have a way of transcending politics. The past two years demonstrated that commitment more so than ever before. Despite the political risks, Democrats and Republicans united in a battle for good and meaningful legislation, whether it concerned children’s health, education funding, or a commitment to our state’s doctors. We broke ranks with parties to unify the Senate, and we prevailed. Instead of special interests, the people of Florida were the true victors and you played no small part in making that happen.

This year may be less contentious, but the stakes will remain just as high. As our leader, your kindness, cordiality and statesmanship will be tested, of that I am sure. So too, will your resolve.

So as you tackle the issues before us, and steer this body to sometimes politically risky legislative solutions benefitting the wealthiest as well as the poorest, the powerful as well as the weak, the educated as well as the not so well educated, remember that the line is strongest when it stands together. And stand with you we will. Thank you very much.

Senator Miller introduced his wife, Gwen, a Hillsborough County Commissioner.

#### ELECTION OF SECRETARY

The President announced that nominations would be received for Secretary of the Senate for a term of two years and recognized Senator Villalobos who placed in nomination the name of Faye Wester Blanton.

**Senator Villalobos:** Mr. President, I place in nomination the name of Faye Wester Blanton as Secretary of the Senate for the 2004-2006 term. Faye does a great job of serving this Senate and overseeing the processes which support it, so I move that she be elected by acclamation of the membership of the Senate.

By unanimous consent of the membership, Faye Wester Blanton was elected Secretary of the Senate for the 2004-2006 term.

#### OATH OF OFFICE ADMINISTERED

Secretary Blanton was administered the oath of office by The Honorable Kenneth Bell, Justice, Florida Supreme Court.

Secretary Blanton recognized her family members present in the gallery: her husband, Ed Blanton; her sons, Travis Blanton and Wade and Doug McDaniel.

## COMMITTEES APPOINTED

On motion by Senator Alexander 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 Garcia, Hill, Lynn, Rich and Alexander. The committee was excused.

On motion by Senator Constantine that a committee be appointed to notify the Governor that the Senate was convened for the purpose of organization, the President appointed Senators Dockery, Fasano, Klein and Constantine. The committee was excused.

## SPECIAL PERFORMANCE

The President introduced Stewart and Jason Fleming, sons of Deputy Sergeant at Arms Jeff Fleming, Michael Hanselman and David Killingsworth. The group performed several patriotic songs for the Senate.

## COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Gardiner, Ausley, Kyle, Gannon, Greenstein, Dawn Davis and Mike Davis 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.

## 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.

## ADDRESS BY PRESIDENT

So now we arrive at the point in this Organization Session where tradition dictates that I deliver my first message to you as your Senate President.

To the Executive Branch, Members of the Supreme Court, Senators, family and special guests: This is a powerful and historic moment for me, my family, and my community.

I want to begin by briefly talking about policy, but ultimately I want to tell you a story about me—one that might give you a glimpse into how I will approach issues as they present themselves to us over the next two years.

You know I have been outspoken about the fact that our appropriations process fails to shine a light on the long-term challenges and opportunities facing Florida. We focus most of our energy on spending taxpayers' hard-earned money and virtually no time planning for our state's financial future.

That short-sighted approach often keeps us from having creative and cost-effective fiscal solutions to issues on the horizon before they show up on a future legislature's doorstep. That may have worked politically, but it's a lousy way to manage the taxpayers' money—and we can do better.

I have also expressed frustration about a growth management system that lacks sustainability because it ignores the current disconnects between land-use decisions and the essential infrastructure that is fundamental to our quality of life. Let's face it: growth management is far more a financing problem than a planning problem. The more we grow, the further we're getting behind. Without adequate transportation, classroom space, parks, and water resources we will undoubtedly kill the goose that lays the golden eggs for long-term economic development. When we fail to invest in Florida, we inevitably leave the debt of our excesses to future generations—and we owe them more.

Of course, there are a host of other issues. Some left on the table from last session—some as a result of our state being battered by four hurricanes—and the list goes on and on.

But rest assured—I won't be looking to define our legacy in terms of some monument in my district. I'm far more interested in focusing on the problems that affect the lives of every Floridian for generations to come. Because I've learned over the past eight years that a big picture approach to governance yields timeless gifts of immeasurable and enduring value.

When I spoke at the designation ceremony last December, I noted that as much as we might like to think we're solely responsible for our own success, none of us are an island to ourselves. We are all a composite of our life's experiences. We owe much of who we are to the seemingly infinite number of people who have touched our lives along the way. Although time will not permit me to introduce you to all those people, there is one here today I'd like you to meet. This summer, I got a call from my fourth grade teacher. We talked about a legislative issue and the old days at Kingswood Elementary School. I invited him here today and I'd like to ask him to stand so he can be recognized.

Mr. Dubose—Thank you for investing your life as a teacher. I owe you much and all of the many teachers that contributed to my education, from Kingswood Elementary to Brandon Senior High School. We all owe a great deal of appreciation to the teachers across this country who spend their lives investing in children; teaching them to read—to understand the importance of contributing to society—and to dream big dreams.

Mr. Dubose—I hope, as you reflect on your career as a teacher, you realize that you have touched my life and the lives of thousands of children, and that you are part of the man that I have become.

Now, let me tell you the story that I promised to tell. Each of us has our own unique story of how we got here, and I have mine. I haven't spoken much about it, but it has greatly shaped my approach to public service.

I grew up in the community of Brandon. In many ways, it is a microcosm of our state. It grew very quickly from an agricultural/bedroom community of Tampa to a highly populated urban/suburban community. Unfortunately, along the way, the growth outstripped its infrastructure, and as a result it has struggled to sustain the quality of life that I enjoyed as a boy.

After college, I joined the homebuilding company started by my father and began to get involved in the community. I served on the Board of Directors of the Chamber of Commerce, joined the Rotary, and a host of other civic activities. Never for a moment did I consider these investments in my community as a stepping stone to run for office. In fact, I can honestly say, that I never altered anything I did on a day-to-day basis because I thought I might someday be in public service.

In the summer of 1995, someone approached me out of the blue and told me that they heard I was going to run for office—let me tell you—I looked at him like he had three heads.

I remember exactly where I was that day—coming down an elevator in downtown Tampa—and I couldn't get off that elevator fast enough.

Keep in mind; up to that point my take on most politicians had not been very positive—I considered them long on talk and short on action. Because of that, the last title I wanted behind my name was "politician."

However, I had noticed that not every politician was cut from that cloth. One such individual was my predecessor, who subsequently became my mentor, Senator Malcolm Beard. I admired him because he was a down-to-earth, straight talking, "what you see is what you get," kind of guy. I often asked myself, "Why couldn't there be more public servants like him?"

When Senator Beard announced that he would not seek re-election, I began to get phone calls suggesting that I should run.

At first, I really wasn't interested and tried to find a nice way to say that. But after much discussion with my father and encouragement from my family, I decided to give it a shot. I ran for one reason—because I loved my community and I thought I could better serve it as a member of this Senate.

I decided that day that I would model my public service in the tradition of the man I sought to replace, Malcolm Beard—a man with 40

distinguished and untarnished years of public service—tough as nails, principled, and in my mind the embodiment of a true statesman. Senator Beard is here today, and I would like to ask him to stand so that he can be recognized.

I went out and got the best campaign manager I could find, my father. Not just because he was the only one I could afford, but because he knew what it would take for me to win. He ran the show; but not without taking months out of his life and our business to organize volunteers, develop strategy, and do something he'd been trying to do all my life, to keep my foot out of my mouth. You all know how special my father is to me, and I'd like him to stand for one more recognition.

Little did I know that I was about to begin one of the most challenging experiences in my life. I was truly a political outsider. I didn't have all of the prerequisites of public service—I was no promoter, and lacked the ability to distill my life into 30-second sound bytes, or to make those stump speeches where you could almost hear the Star-Spangled Banner playing in the background.

In February 1996, I traveled to Tallahassee to meet some people and attend the Legislative Appreciation Reception held annually by the Republican Party of Florida. That night, I met a lot of lobbyists. I got a lot of warm smiles, encouragement, and what seemed like offers to help. I left with a fist full of business cards—and I was so excited.

But to show you how unfamiliar I was with Tallahassee, 45 minutes after I got on I-10 to go back to Brandon I saw a sign that said 146 miles to Pensacola. That's right; I had gone the wrong way. You might think that was a negative for me, but it wasn't. Because that evening, I realized I had the prerequisite IQ for public service.

But I was happy to have that fist full of cards. When I got home, I began to make phone calls back to the people who had said they would TRY to help me. The only problem was—I could not get one of them to TRY. I couldn't even get a return phone call.

I went through March, April, May, and into June; still, no returned calls. In the meantime, my friends and family joined me walking door to door, holding campaign signs at intersections, and raising small sums of money at local fundraisers.

There were literally dozens of people who were involved in that grass-roots initiative; many of whom are here today. I want to tell you about one who can't be in this chamber today, but whose memory I want to honor. His name is Jimbo Graves. He was one of many friends and family who went door to door with me on Saturdays in the 90 degree heat of eastern Hillsborough County.

Now, that's a sacrifice for anyone, but especially for him—because Jimbo had terminal brain cancer. At some point, the cumulative effects of chemotherapy and radiation had taken a toll on him, and he could no longer walk door to door. But he wanted to be involved; he wanted to be a part this democracy, so he insisted on driving the campaign volunteers.

By the middle of June, we had raised enough money locally, developed a grass-roots network and gained the endorsement of Senator Beard. Shortly thereafter, all those March phone calls began to get returned, by some of the very lobbyists sitting in this gallery. At this point, I would like to ask the following lobbyists to stand and be recognized . . . just kidding.

It didn't dawn on me at the time, but later it became clear, that the timing of all of those belated return phone calls was no coincidence. There had been a lot of polling going on in Tallahassee, and my strong grass-roots presence in the district had put me in the lead, and I was looking like a safe bet.

What I learned from this experience is that special interests seldom get involved in your campaign until one day after they're convinced you are going to win, and that their support is not as much of a contribution, as an investment.

I also realized, that the same people who wouldn't return my phone calls until they knew I was a winner, probably weren't going to return them once I was gone. That's why you don't trade old friends for new ones.

It's why I vowed to never forget where I came from because I know I would not be where I am today if it was not for those people back home

who built the foundation from which we launched that campaign. These experiences are the reason why I am so passionate about doing what is right for the people in my community—they are the ones who invested in me early, before they knew I could win, because they believed in me as a person, and they thought I could make a difference.

For those of you who are wondering: After a gallant battle, cancer took Jimbo's life—but it can never take away the impact that he has had on my public service. His widow, Betty, and his daughter Tanya Sanchez are here today—and I would like them to stand so that we can recognize them.

So, if over the past eight years, I appear to have been offended by the power and at times the arrogance of special interests, if I have spoken out about how I believe the proliferation of unregulated money in our political process is destroying the foundation of our democracy, if I have been impatient with the shallowness of politics—I make no apologies, because I want my public service to honor the memory of people like Jimbo Graves.

There are a multitude of grass-roots supporters from every political party—from Century to Key West—who have given up their time to support their candidate because they believed in them, just like my supporters believed in me. Ordinary people upon whose shoulders we were lifted into public service, people who have no lobbyist to represent their interests—and thus have no voice in this democracy if we fail to represent them.

As we deliberate the challenging issues in the days to come, I hope we will all remember how we got here—to advance public policies that are in the interest of our “old friends”—that are reflective of what we told people like Jimbo Graves we were going to do when we first asked them to help.

I want to close with a message to my colleagues: Thank you for the honor of serving as your Senate President. Much has been written about the relationship between me and Speaker Bense—and it's all true, we are friends. However, I intend to respect the bipartisan traditions of this Senate, to respect our right to differ on issues as an institution, and to encourage an ethical conduct and decorum befitting the best traditions of public service.

As a symbol of these principles, there is a gift on each of your desks. You can open it now. Notice, there are a few symbolic items imbedded in this piece.

First, the Seal of the Florida Senate. Under our Seal, a quote taken from one of the earliest recorded remarks of a Senate President.

Most of you may not recall, but Thomas Jefferson Eppes, the grandson of our third President Thomas Jefferson, was President of this Florida Senate in 1860. I think Senator King was the Rules Chairman then.

In his first address to the Senate, Eppes expressed his appreciation for being selected as President. Although made almost 150 years ago, these words are still relevant to us today.

He said: “I want to thank you for the honor of selecting me your presiding officer; I am not unconscious of its duties and great responsibilities; by your assistance every rule will be observed, order maintained, and the interests of our people guarded and advanced.” Finally, there is a copy of a very old Senate key. It symbolizes the time-honored traditions of this institution and serves as a reminder that my door is always open—senior members, freshmen, Democrats and Republicans alike. I am interested in your ideas and input.

We are a Senate of equals—you have worked hard to earn the right to be here, you have earned the right to serve, and I intend to do everything as your President to make your public service a success, as together we advance the interest of Floridians.

To my friends in the gallery, those who believed in me, you needn't worry, for although the next two years will surely test our loyalties, I will never forget how I got here, I will never forget where I came from, and most importantly, unlike that first trip to Tallahassee, I will never forget my way home.

Thank you.

## ADOPTION OF RULES

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

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

### SUMMARY OF CHANGES AND FULL TEXT OF SENATE RULES AS ADOPTED

[SEE PAGE 9]

#### **Rule 1.361—Solicitation or acceptance of contributions; registration and disclosure requirements** (*amended summary line*)

Significantly extends restrictions on the solicitation and acceptance of contributions. Broadens the application of the prohibition to include extended and special sessions and contributions to any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code. Newly created section (2) of this rule clarifies that a fundraising activity that would otherwise be prohibited during an extended or special session may take place if the activity was scheduled prior to the proclamation or resolution convening or extending the session.

Newly created section (3) requires that any Senator who directly or indirectly solicits, causes to be solicited, or accepts contributions for an organization described under section 527 or section 501(c)(4) of the Internal Revenue Code must immediately disclose the activity and register with the Committee on Rules and Calendar. Once registered the Senator must immediately create a public website containing the organization's mission statement, and within ten days of the activity, disclose on the website each contribution and expenditure of the organization.

Newly created section (4) provides that once it has been determined that there has been a violation of the rule, the President must remove that Senator from all assigned committees. The right to appeal the removal to the Committee on Rules and Calendar is specified.

#### **Rule 1.44(1)(c)—Notice required for certain meetings**

Deletes this section to conform with changes to the appropriations committee structure.

#### **Rule 1.44(4)—Notice required for certain meetings**

Clarifies that political caucuses at which legislative business is to be discussed are to be open and noticed unless they are being held solely for the purpose of designating leadership.

#### **Rule 1.45—Violations of Rules on open meetings and notice**

Provides that violations of open meetings and notice requirements do not have to be "intentional" in order to be subject to penalties.

#### **Rule 2.1—Standing committees; standing subcommittees; select subcommittees** (*amended summary line*)

Amends the list of committee names to be consistent with the new committee structure.

#### **Rule 2.1(2)—Standing committees; standing subcommittees; select subcommittees**

Adds requirement for the President's approval before a select subcommittee can be appointed. Provides that the Secretary of the Senate be notified of the appointment and the select subcommittee's charge.

#### **Rule 2.6—Notice of committee meetings**

Clarifies that select committees must meet the same notice requirements as standing committees and subcommittees.

#### **Rule 2.8—Notice of meeting; publication**

Clarifies that select committees must meet the same notice requirements as standing committees and subcommittees.

#### **Rule 2.10—When, where committees meet**

Removes requirement that the posting by the Secretary of the Senate of committee meeting times and locations be specifically "on a bulletin board provided for this purpose." Allows the Chair of the Committee on Rules and Calendar to authorize committees to schedule noticed meetings until 9:00 p.m. during interim committee meetings.

#### **Rule 2.11—Attendance by sponsor of bill**

Limits committee staff to presenting only a committee bill at committee meetings. Removes inconsistency with Rule 2.12 in regard to a committee considering a bill out of order on its agenda and thus clarifies that a chair may consider a bill out of order to accommodate a sponsor.

#### **Rule 2.14(1) (old number)—Time for consideration of bills**

Deletes section and eliminates a conflict in the rules regarding the process for withdrawing a bill from committee. Deletes language regarding the removal of a "bill that has been in committee (15) legislative days or more without an extension of time having been granted."

#### **Rule 2.14(2) (old number)—Time for consideration of bills**

Moves section requiring unanimous consent for consideration of a bill which has not been reported favorably by at least one Senate committee to a more appropriate placement in Rule 4.3(5) and modifies the relocated rule so that it no longer applies only to consideration after the 50th day of regular session.

#### **Rule 2.15(3)—Standing committee duties in deliberation**

Deletes duplicative language requiring that proposed committee substitutes be filed twenty-four (24) hours in advance of a committee meeting and be promptly distributed. Similar language exists in Rule 2.39.

#### **Rule 2.16(6)—Standing subcommittee reports**

Deletes provision relating to reports of the standing appropriations subcommittees. Conforms with changes to the appropriations committee structure.

#### **Rule 2.17—Quorum of committee**

Clarifies that quorum requirements also apply to select committees.

#### **Rule 2.18 (old number)—Prefiled bills**

Deletes entire rule in order to reflect the removal of the distinction between prefiled and filed bills throughout the Rules. Moves and modifies section (3) to create a new Rule 3.12(2) dealing with the treatment of bills filed by Senators who will no longer be Senators at the next regular session.

#### **Rule 2.19(6)—Conference committee in deliberation**

Conforms with changes to the appropriations committee structure and committee name change.

#### **Rule 2.39(1)—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration** (*amended summary line*)

Requires that a proposed committee bill meet the same filing deadline requirements (twenty-four hours in advance of a meeting) as proposed committee substitutes. Limits amendments filed after the twenty-four hour filing deadline to: amendments to the amendment or substitute amendments to timely filed amendments; amendments (including amendments to the amendment and substitute amendments) to proposed committee substitutes; and amendments (including amendments to the amendment and substitute amendments) to proposed committee bills. Other amendments filed after the deadline are not timely filed.

#### **Rule 3.7—Bill filing deadline during regular session; bill filing between regular sessions** (*amended summary line*)

Consolidates language from Rule 4.6(7) and (8). Exceptions from the bill filing deadline are moved from the deleted Rule 4.6(7). Old Rule 4.6(8), relating to waiver of the Rule regarding the bill filing deadline, is moved to become new Rule 3.7(2) in order to provide a more logical sequence and placement.

#### **Rule 3.8—Filed bills; consideration between regular sessions** (*amended summary line*)

Deletes portions of old Rule 3.8(1) which have become obsolete due to improved technology. Requires that calendars be "provided" to Senators, not "mailed," and, consistent with other changes, replaces "prefiled" with "filed."

#### **Rule 3.8(5)—Filed bills; consideration between regular sessions**

Permits a Senator to withdraw his or her bill from further consideration by notifying the Secretary in writing prior to introduction.

#### **Rule 3.9—Copies of bills** (*amended summary line*)

Requires that copies of introduced bills and joint resolutions be "published" instead of "printed." This is consistent with advances in technology. Conforms to committee name change.

#### **Rule 3.12—Introducers of bills; introducers no longer Senators** (*amended summary line*)

Conforms to committee name change. Creates new section (2), which is modified and moved from old Rule 2.18(3), dealing with the treatment of bills filed by Senators who will no longer be Senators at the next regular session. These bills will be deemed withdrawn from further consideration.

#### **Rule 4.1—Sessions of the Senate**

Requires that the Senate floor schedule be "provided" by the Committee

on Rules and Calendar instead of “adopted” by it. This is consistent with practice.

**Rule 4.3—Daily Order of Business**

Adds Pledge of Allegiance to the Daily Order of Business.

**Rule 4.3(5) (new number)—Daily Order of Business**

Moves and modifies old Rule 2.14(2) to newly created Rule 4.3(5) as a more appropriate placement. Modifies this section requiring unanimous consent for consideration of a bill which has not been reported favorably by at least one Senate committee so that it no longer applies only to consideration after the 50th day of regular session.

**Rule 4.6(1)—Reference generally (amended summary line)**

Clarifies that the President refers bills to appropriate committees and standing subcommittees. Removes reference to “prefiled” bills.

**Rule 4.6(3)—Reference generally**

Allows President to change or correct a bill reference while the Legislature is not in session.

**Rule 4.6(7) (old number)—Reference generally**

Deletes section and moves portion identifying exceptions to the bill filing deadline to Rule 3.7(1).

**Rule 4.6(8) (old number)—Reference generally**

Moves section relating to waiver of the Rule regarding the bill filing deadline to Rule 3.7 as a new section (2). Provides more appropriate placement of the language.

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

Conforms with changes to the appropriations committee structure and committee name changes.

**Rule 4.10(1)—Reference to different committee or removal**

Replaces the word “card” with the word “request” in regard to what is filed with the Rules Chair when a sponsor requests a change in reference or removal of a bill from committee. Specifies that the President also must sign the request before a motion can be made.

**Rule 4.10(2) (old number)—Reference to different committee or removal**

Deletes section relating to the withdrawal of bills which have been reported favorably by a standing subcommittee in order to conform with changes to the appropriations committee structure.

**Rule 4.15—Referral or postponement on third (3rd) reading**

Conforms to committee name change.

**Rule 4.17(1)—Special Order Calendar; Consent Calendar**

Designates those Senators identified to submit a Special Order Calendar as the Special Order Calendar Subcommittee of the Committee on Rules and Calendar.

**Rule 4.17(3)—Special Order Calendar; Consent Calendar**

Allows the Chair of the Committee on Rules and Calendar, with the President’s approval, to submit a Consent Bill Calendar.

**Rule 4.18—Local Bill Calendar (amended summary line)**

Allows the Chair of the Committee on Rules and Calendar, instead of the committee’s “designees,” to submit a calendar of local bills. The approval of the President is still required.

**Rule 5.3—Casting vote for another**

Removes modifier “wrongfully” from prohibition against a non-Senator voting in place of a Senator. The change strengthens the prohibition.

**Rule 7.1(3)(d) (new number)—General form; notice; manner of consideration**

Provides that a bill cannot be used as an amendment unless it has been published for at least one legislative day under Bills on Second Reading in the Senate Calendar.

**Rule 9.35 (newly created)—Contributions during sessions**

Prohibits lobbyists from contributing during legislative sessions to a Senator’s own campaign or to organizations which must be registered under Rule 1.361(3).

**Rule 10.2—Exception**

Clarifies that a registered lobbyist who would otherwise be entitled to admission on the Senate floor may be admitted at the discretion of the President.

**Rule 10.4—Attire**

Clarifies that all persons on the Senate floor must wear appropriate business attire.

**Rule 11.3—Changes in Rules**

Replaces word “touching” with word “regarding.” (Clarification of language)

**Rule 11.5—Uniform construction**

Clarifies that two-thirds of the membership of the Senate is required for consideration of additional proposed legislation during an extended session.

**Rule 12.2—Executive session; purpose**

Allows “staff as approved by the President” to be in attendance for specified executive sessions.

**Rule 12.4—Work product confidentiality**

Changes words “a secret” to the word “confidential” and changes word “secrecy” to “confidentiality” in regard to how information is kept during an executive session. (Clarification of language)

**Rule 13.2—Sessions of the Senate**

Requires that a special session schedule for the Senate be “provided” by the Committee on Rules and Calendar instead of “adopted.” (Consistent with current practice)

**Rule 13.3—Committee meetings; schedule, notice**

Removes requirement during a special session that committee meetings be held following an announcement on the Senate floor by the Chair of the Committee on Rules and Calendar. Two (2) hours of posted notice would still be required. Specifies that the amendment deadline for the meeting would be included in the notice.

**Rule 13.6—Conference committee reports**

Requires that a conference committee report during a special session be available to the membership two (2) hours prior to the beginning of debate rather than four (4) hours.

**Rule 13.8—Special Order Calendar**

Specifies that the Special Order Calendar Subcommittee of the Committee on Rules and Calendar submits the Special Order Calendar during special sessions. (Consistent with regular session)

## 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.

#### **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 Chair 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**

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

(2) 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**

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

(2) 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.

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

(4) 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—Election of the Secretary of the Senate**

(1) The Senate shall elect 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.

(2) 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 (1st) 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**

- (1) The Secretary shall prepare a daily calendar that shall set forth:
  - (a) The order of business;
  - (b) The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
  - (c) The status of each bill, i.e., whether on second (2nd) or third (3rd) reading;
  - (d) Notices of committee meetings; and
  - (e) Notices of meetings required pursuant to Rule 1.44.

(2) 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**

(1) 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 appropriate committees for research and summary. Special notice of the summaries shall be given to each Senator.

(2) 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 (1) 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 transitional

period with pro rata salary for staff may be approved by the President to close out the vacant 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 hours of employment set by the President. Part-time employees and Senators' district staff 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 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 or acceptance of contributions; registration and disclosure requirements during regular session

(1) During any a regular legislative session, *extended session*, or *special session*, a Senator may not *directly or indirectly* solicit, *cause to be solicited*, or accept any contribution ~~directly or indirectly~~ on behalf of, ~~or directly or indirectly for the benefit of~~, either the Senator's own campaign, *any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code*, ~~or any political committee~~, ~~or any committee of continuous existence~~, ~~or any political party~~, or the campaign of any candidate for the Senate; however, a Senator may contribute to the Senator's own campaign.

(2) *Any fundraising activity otherwise prohibited during an extended or special session by section (1) shall not be considered a violation of this rule and may take place provided that it can be shown that the event was*

already scheduled prior to the issuance of the proclamation, resolution, or other communiqué extending the session or convening a special session.

(3) Any Senator who directly or indirectly solicits, causes to be solicited, or accepts any contribution on behalf of any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, or any committee of continuous existence must immediately disclose such activity to, and register with, the Committee on Rules and Calendar. However, no registration is required as a result of a Senator's solicitation or acceptance of contributions on behalf of his or her own campaign, a campaign for any office other than Senator, or a political party. Upon registration with the committee, the Senator shall immediately create a public website that contains a mission statement for such organization and the names of the Senators associated with that organization. All contributions received by the organization must be individually disclosed on the website within ten (10) business days of deposit. All expenditures made by the organization must be individually disclosed on the website within ten (10) business days of being made.

(4) Upon a determination that a Senator has violated this rule, the President shall remove such Senator from all assigned committees subject to the right of appeal under Rule 1.5(2).

### 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

(1) Any person may file a sworn complaint with the Chair 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 chair that there are sufficient grounds for review, the complaint shall be referred either to the committee or, at the option of the chair, 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 chair as soon as practicable after the close of the hearing. The committee's report and recommendation shall be made as soon as practicable.

(2) 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

(1) All meetings at which legislative business is discussed between more than two (2) members of the legislature shall be open to the public except:

- (a) At the sole discretion of the President of the Senate, after consultation with appropriate law enforcement, public health, emergency management and/or security authorities, those portions of meetings of a select committee, committee, or subcommittee, concerning measures to address security, espionage, sabotage, attack and other acts of terrorism.
- (b) 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.

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

(3) 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

(1) 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:

- (a) 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);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee;
- (c) ~~Steering meetings of the Chair of the Committee on Appropriations with the chair of the standing subcommittees of the Committee on Appropriations; and~~
- (c)(d) Meetings called by the President or the President's designee, of a majority of the chairs of the Senate's standing committees.

(2) Notices of meetings required by Rule 1.44(1) 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.

(3) In the event the times required for notice under Rule 1.44(1) 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.

(4) ~~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 a 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

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

(2) All prearranged gatherings, between more than two (2) 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.

(3) 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, maintained by, or available to, any Senate standing committee or subcommittee appointed for the analysis of legislative and congressional redistricting plans.

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

(1) 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.

(2) 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.

(3) 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.

(4) 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.

(5) 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 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.

(6) 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.

(7) 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.

(8) The following public records are exempt from inspection and copying:

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) 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 committees' 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.
- (h) 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.

- (i) 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.

(9) 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.

(10) For purposes of this Rule, "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.

(11) All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President of the Senate. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President of the Senate for subsequent five-year periods.

## RULE TWO

### COMMITTEES, OFFICERS, MEMBERS, VOTING, MOTIONS, DECORUM, AND DEBATE

#### PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES

##### 2.1—Standing committees; standing subcommittees; select subcommittees

(1) 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 standing committees and standing subcommittees, provided that each standing committee shall consist of not fewer than five (5) members.

- (a) Agriculture
- (b) Appropriations
  - 1. Subcommittee on Article V Implementation and Judiciary
  - 2. Subcommittee on Criminal Justice
  - 3. Subcommittee on Education
  - 4. Subcommittee on General Government
  - 5. Subcommittee on Health and Human Services
  - 6. Subcommittee on Transportation and Economic Development
- (b)(e) Banking and Insurance
- (c)(d) Children and Families
- (d)(e) Commerce, Economic Opportunities, and Consumer Services
- (e)(f) Communications ~~Communication~~ and Public Utilities
- (f) Community Affairs
- (g) Comprehensive Planning
- (g)(h) Criminal Justice
- (h) Criminal Justice Appropriations
- (i) Domestic Security

- (j)(i) Education
- (k) Education Appropriations
- (l) Environmental Preservation
- (m)(j) Ethics and Elections
- (k) ~~Finance and Taxation~~
- (n) General Government Appropriations
- (o) Government Efficiency Appropriations
- (p)(h) Governmental Oversight and Productivity
- (q) Health and Human Services Appropriations
- (r)(m) Health, Aging, and Long-Term Care
- (n) ~~Home Defense, Public Security, and Ports~~
- (s)(e) Judiciary
- (p) ~~Military and Veterans' Affairs, Base Protection, and Spaceports~~
- (q) Natural Resources
- (t)(r) Regulated Industries
- (u)(e) Rules and Calendar
  - 1. Subcommittee on Special Order Calendar
- (v)(t) Transportation
- (w) Transportation and Economic Development Appropriations
- (x) Ways and Means

(2) Each standing committee or the chair thereof, *with prior approval of the President*, 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 and the Secretary of the Senate shall be promptly notified of the appointment of a select subcommittee subcommittees, its 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 regulating standing subcommittees, except that a select subcommittee subcommittees shall exist only for the time necessary to complete its assignment their assignments and report to its their standing committee committees, and not to exceed thirty (30) days. The advisory report reports by a select subcommittee subcommittees whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

##### 2.2—Powers and responsibilities of committees

(1) 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.

(2) 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.

(3) In order to carry out the committee's duties, the chair 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 chair. 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

(1) 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.

(2) 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 chair of the standing committee for consideration by such committee.

(3) 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

(1) 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 (2) legislative days preceding and the day of such committee meeting.

(2) 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 chair of the committee or subcommittee or, in his or her absence, the vice-chair 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.

(3) The chair of a *standing* committee, *standing* or subcommittee, or *select committee*, or in his or her absence, the vice-chair, 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.

(4) At least seven (7) days prior to the meeting of a standing committee, or standing subcommittee, or *select committee*, while the Legislature is not in session, a notice of the meeting, stating 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, shall be filed with the Secretary of the Senate. The Secretary shall give notice to the membership and the public.

#### 2.7—Bills recommitted

(1) 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.

(2) 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 meeting; publication

For publication in the daily calendar, notice of standing committee, or standing subcommittee, or *select committee* 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. Meeting notices shall appear in the daily calendar.

#### 2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) 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.

(2) The Committee on Rules and Calendar shall, with approval of the President, provide a schedule of days, hours, and places for the meeting of committees for the regular 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 7:00 p.m. This scheduling shall not limit the powers of the chair of a standing committee or subcommittee as provided in these Rules.

(3) 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 chair may arrange with the *Chair of the Committee on Rules and Calendar* for evening or other special meetings; *and during interim committee meetings, the Chair of the Committee on Rules and Calendar may also authorize committees to schedule noticed meetings until 9:00 p.m.* 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. *However, Senate committee staff shall be limited to presenting committee bills at committee meetings. 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

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chair 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.

(2) A bill shall be considered out of its order on the committee agenda on unanimous consent of those committee members present obtained in the following manner: Prior to consideration of the motion, the Senator moving for unanimous consent of those committee members 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 committee members 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 chair 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**

~~(1) 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 Senators present in session. However, any bill that has been in committee fifteen (15) legislative days or more without an extension of time having been granted may be removed from committee on motion of the sponsor. Such motion, when made, shall carry over for a period of five (5) legislative days to give the committee of reference time to meet. Failure of the committee to meet and consider such bill within said time will permit the sponsor of the bill to remove it from committee on a point of order, providing no bill may be thus withdrawn from the Committee on Appropriations during the first thirty (30) days of a regular session.~~

~~(2) Except by unanimous consent of those Senators present in session, 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 (1) Senate committee.~~

**2.15—Standing committee duties in deliberation**

(1) 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 a two-thirds (2/3) vote of those Senators present in session.

(2) Such reports shall also reflect:

- (a) The time and place of the meeting at which the action was taken, and
- (b) The vote of each member of the 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 relating to the time and place of the meeting or the vote of each member on the motion to report a measure. Reports of committees shall be preserved pursuant to law.

(3) 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 twenty four (24) 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 (1st) 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 (1st) 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 cosponsored by a Senator whose signature is affixed to the original. A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be signed by the chair or, in his or her absence, the vice-chair 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 (2nd) 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**

(1) It shall be the duty of standing subcommittees to report all measures referred to them directly to the full 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 amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The time and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on the motion to report each bill or resolution.

(3) In reporting a bill to the full standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the full 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 standing committee in the same manner as a favorable report.

(4) All standing subcommittee reports shall be signed by the chair or, in the chair's absence, the vice-chair 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.

(5) 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 those standing 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.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a two-thirds (2/3) vote of those 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 for inclusion in the general appropriations bill.~~

**2.17—Quorum of committee**

A *standing committee*, or *standing subcommittee*, or *select committee* is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. No committee business of any type shall be conducted in the absence of a quorum. 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**

(1) ~~On receipt from the Secretary of each prefiled bill and if the President has not previously designated a standing subcommittee of reference, the chair 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 chair shall concurrently notify the Secretary of the Senate of his or her action on forms provided for such report. The chair 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.~~

(2) ~~Committees having jurisdiction of prefiled bills shall expedite the business of such committee and shall file reports as soon as practicable after each hearing, except that the Committee on Appropriations shall not be required to file such report of a prefiled bill defined in these Rules.~~

(3) ~~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**

(1) 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. A meeting of the Senate and House conferees is a meeting of the two groups, therefore, the rules governing each respective house apply. 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 (50th) 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.

(2) 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.

(3) 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 deleting 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.

(4) 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.

(5) 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:

- (a) 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);
- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) 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

- (d) 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.

(6) Notice of meetings, as scheduled, between the chair of the Senate's conferees with the chair of the House's conferees, or between respective Senate and House ~~committee chairs~~ ~~subcommittee chair~~ 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 *Ways and Means Appropriations*.

(7) 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.

(8) 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.

(9) 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 *State 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 Chair and Vice-Chair**

A chair and a vice-chair 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 chair for each standing subcommittee and select committee authorized by these Rules and may designate a vice-chair, both of whom shall continue in office at the pleasure of the President.

**2.21—Calling committee to order**

The chair or, in the chair's absence, the vice-chair, 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. No committee business of any type shall be conducted in the absence of a quorum.

**2.22—Chair's control**

The chair or vice-chair 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 chair or vice-chair may require participants in the disturbance to clear the room.

**2.23—Chair's authority; appeals**

The chair shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. The chair shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chair 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 chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure

dures 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—Chair, Vice-Chair; vote**

The chair and vice-chair shall vote on all matters before such committee. The name of the chair shall be called last.

#### **2.25—Temporary alternate to Chair**

The chair 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 chair's absence and/or omission to make such appointment, the vice-chair shall act during his or her absence.

#### **2.26—Vice-Chair's duties**

On the death, incapacitation, or resignation of the chair, the vice-chair shall perform the duties of the office until the President shall appoint a successor. In the absence of the chair, the vice-chair shall act as chair.

### **PART THREE—COMMITTEES—MEMBERS**

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

(1) 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.

(2) The chair 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.

(3) 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 chair of the committee, shall constitute automatic withdrawal from the committee.

(4) 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**

(1) The chair 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 two (2) members the chair shall count the yeas and nays. When the committee shall be equally divided, the question shall be lost.

- (2) 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 committee members 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 chair 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 chair. 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 chair, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the chair, 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**

(1) When a question is under debate, the chair shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider
- (d) To limit debate
- (e) To temporarily postpone
- (f) To postpone to a day certain
- (g) To commit to a select subcommittee
- (h) To amend

which shall have precedence in the descending order given.

(2) The chair shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) 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 reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members 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 members 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, and proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration**

(1) No amendment or proposed committee substitute to any measure, or no proposed committee bill on any committee agenda, which was prepared prior to the committee meeting at which it is offered, shall be considered by that committee unless the amendment, or proposed committee substitute, or proposed committee bill was filed with the committee administrative assistant at least twenty-four (24) hours prior to the noticed meeting time. For the purpose of this rule, office hours are Monday through Friday, 8:00 a.m. - 5:00 p.m. Copies of such amendment(s) amendment, or proposed committee substitute(s) substitute, or proposed committee bills shall be made reasonably available by the committee administrative assistant before the meeting to the members of the committee and to the public.

- (a) Subsequent to distribution of all timely filed amendments, ~~and proposed committee substitutes, additional amendments to amendments or substitute amendments~~ may be filed to any measure to which an amendment was timely filed. Such amendments may be filed with the committee administrative assistant until two (2) hours prior to the noticed meeting time.
- (b) *Subsequent to distribution of all timely filed proposed committee substitutes and proposed committee bills, amendments, amendments to amendments, or substitute amendments to any proposed committee substitute or proposed committee bill may be filed with the committee administrative assistant until two (2) hours prior to the noticed meeting time.*
- (c)(b) After the first fifty (50) days of any regular session, an amendment or proposed committee substitute to any measure prepared prior to a committee meeting at which it is offered shall be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (d)(e) The consideration of any amendment or proposed committee substitute not timely filed in accordance with this rule, including any filed during a committee meeting in which it is to be offered, requires a two-thirds (2/3) vote of those committee members present. These time requirements do not apply to a committee's recommendation during a meeting to make a committee substitute which is merely a combination of the noticed bill(s) and amendment(s) amendments.

(2) 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 chair to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the chair 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**

(1) 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:

- (a) Amendments to the amendment are acted on before the substitute is taken up.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) 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 chair, 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 Chair" 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—Chair's power to recognize**

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

**2.47—Interruptions; when allowed**

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

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chair concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chair shall strictly enforce this Rule.

**2.48—Speaking rights**

(1) When a member is speaking and another member interrupts to request recognition, the chair 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.

(2) 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 committee members 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 committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chair.

**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 chair is by appeal. An appeal from a decision of the chair 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 chair. This second (2nd) decision is also subject to appeal.

**2.54—Appeals debatable**

An appeal from a decision of the chair 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**

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State 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.

(2) 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 chair, enough of the title for identification.

(3) 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 *State Constitution* shall contain the full text of the section to be amended.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State 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.

(5) 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.

(6) 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.

(7) 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 *State 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 *State 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 *State 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**

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State 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:."

(2) 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—Bill filing deadline during regular session; bill filing between regular sessions Introduction during session**

(1) To facilitate processing and committee referencing, all bills (*except for the general appropriations bill, local bills, Senate resolutions, and joint resolutions*) shall be filed for introduction with the Secretary of the Senate no later than 12:00 noon of the first (1st) day of the regular session.

(2) *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 each bill to provide identity and control until a permanent number can be affixed.*

(3)(2) Between regular sessions of the Legislature, bills may be ~~filed~~ **prefiled** by delivery to the Secretary of the Senate.

**3.8—Filed Prefiled bills; consideration between regular sessions**

(1) *A filed 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 (1st) day of the succeeding regular session.*

(2) 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 first (1st) or only committee of reference. A copy of each ~~filed~~ ~~prefiled~~ bill shall be provided each Senator. The Secretary shall *provide mail* regularly to each Senator a calendar of all ~~filed~~ ~~prefiled~~ bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

(3) 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 *State 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.

(4) If a committee fails to deliver its report of a ~~filed~~ ~~prefiled~~ bill prior to seven (7) days next preceding the convening of a regular session or, if a ~~filed~~ ~~prefiled~~ bill has received a reference to more than one (1) committee and fewer 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 ~~filed~~ ~~prefiled~~ prior to the first (1st) day of the regular session ~~prefiled~~.

(5) Notwithstanding these Rules, a Senator may, during the day of introduction of ~~filed~~ ~~prefiled~~ bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second (2nd) 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 Senators present. *Prior to the introduction of a bill on the first (1st) day of the regular session, a Senator may give written notification to the Secretary of the Senate to withdraw his or her bill from further consideration of the Senate.*

### 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 *published* ~~printed~~ by the Secretary for the information of the Senate and the public. The absence of a *published* ~~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 *Ways and Means* ~~Appropriations~~ 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 *Ways and Means* ~~Appropriations~~ 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 any 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 (2nd) or third (3rd) 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 Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators 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; *introducers no longer Senators*

(1) 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 chair of the committee affixed to the original. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original. The general appropriations bill shall be introduced by the Committee on *Ways and Means* ~~Appropriations~~.

(2) *A bill introduced solely by a Senator who will not be a Senator at the next regular session of the Legislature shall be deemed withdrawn from further consideration of the Senate.*

### 3.13—Fiscal notes

(1) 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.

(2) 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.

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

(4) 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* ~~provided~~ 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 7:00 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

(1) The Daily Order of Business shall be as follows:

- (a) Roll Call
- (b) Prayer
- (c) *Pledge of Allegiance to the Flag of the United States of America*
- (d)(e) Reports of Committees
- (e)(d) Motions Relating to Committee Reference
- (f)(e) Messages from the Governor and Other Executive Communications
- (g)(f) Messages from the House of Representatives
- (h)(g) Matters on Reconsideration
- (i)(h) Consideration of Bills on Third (3rd) Reading
- (j)(i) Special Order as determined by the Committee on Rules and Calendar
- (k)(j) Consideration of Bills on Second (2nd) Reading
- (l)(k) Correction and approval of Journal

(2) 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.

(3) 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.

~~(4) On the first (1st) 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.~~

~~(4)(5) First (1st) reading of bills shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the State Constitution.~~

~~(5) Except by unanimous consent of those Senators present in session, no bill shall be considered by the Senate if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.~~

#### 4.4—Committee of the Whole

By a majority vote of those Senators 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 committee members 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 by a two-thirds (2/3) vote of those committee members 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 *State 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

(1) 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 (2nd) 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.

(2) 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.

(3) 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

~~(1) 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 and or standing subcommittees.~~

(2) 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.

~~(3) When the Legislature is not in session, the President may change or correct a bill reference. Notice shall be given to the Secretary of the Senate and the bill sponsor.~~

~~(4)(3) If the President has not previously designated a standing subcommittee of reference, the chair 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 chair. The chair, in referring a bill to a subcommittee, shall specify the number of days available for consideration. If subreference is to a standing subcommittee, the chair 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.~~

~~(5)(4) The reference of a bill that appears to be local in nature shall be to the Committee on Rules and Calendar to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.~~

~~(6)(5) 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 (1) county or relates to a special district that is located wholly within no more than two (2) counties.~~

~~(7)(6) When the Committee on Rules and Calendar, through staff analysis, has determined that the bill is not local in nature for referencing purposes, the committee shall report such determination to the President of the Senate, who shall refer such bill to an appropriate standing committee for hearing. Such 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.~~

~~(7) All Senate bills filed for introduction after 12:00 noon on the first (1st) day of the regular session (except for the general appropriations bill, local bills, Senate resolutions, and joint resolutions) shall be referred, but shall be withheld from the committee or committees of reference until after adjournment sine die of such session.~~

~~(8) 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 by a two-thirds (2/3) vote of those Senators present. If a committee reports a bill favorably with committee substitute, 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 or tax revenue shall be reviewed by the Committee on *Ways and Means Appropriations* or any other appropriate standing subcommittee of that committee. All bills authorizing or substantially affecting tax revenue shall be reviewed by the Committee on Finance and Taxation. All bills substantially affecting a state-funded or state-administered retirement system shall be reviewed by the Committee on Governmental Oversight and Productivity. All bills which are affected by the provisions of Article VII, Section 18 of the *State Constitution* shall be reviewed by the Committee on *Community Affairs Comprehensive Planning*. 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 of the *State Constitution* shall, before being placed before the Senate for final passage, be reviewed along with all amendments by the Committee on *Ways and Means Appropriations* or any other appropriate committee for a standing subcommittee of that committee, by the Committee on Finance and Taxation, by the Committee on Governmental Oversight and Productivity, or by the Committee on *Comprehensive Planning*, 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 nonpolitical 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 nonpolitical significance, may be shown as introduced, read, and adopted by publication in full in the Journal.

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

(1) When the President has referred a bill, the Chair of the Committee on Rules and Calendar may move for reference to a different committee or for removal from any committee after the sponsor of the bill has filed a request card with the Rules Chair signed by the chair of the affected committee, and the Chair of the Committee on Rules and Calendar, and the President. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

(2) The Chair 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 chair. This motion may be adopted by a two-thirds (2/3) vote of those Senators present, and shall have the effect of the bill having been reported favorably by the Committee on Appropriations as recommended by the subcommittee.

#### 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 Senators 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 decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

#### 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 decided otherwise by a two-thirds (2/3) vote of those Senators present. If the reading on the second (2nd) day is dispensed with by this waiver, the concurrent resolution or memorial may be read the second (2nd) 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 nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

#### 4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except to the Committee on *Ways and Means Appropriations*) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators 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 Senators present obtained in the following manner: Prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators 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 Senators present shall be given or refused without further debate.

#### 4.17—Special Order Calendar; Consent Calendar

(1) Commencing on the first (1st) day of a regular session of the Legislature permitted under the *State Constitution* and during any extension directed by the membership of the Legislature as permitted under the *State Constitution*, the *Special Order Calendar Subcommittee of the Committee on Rules and Calendar*, consisting of the Chair of the Committee on Rules and Calendar, the Vice-Chair of the Committee on Rules and Calendar, the Majority Leader, the Minority Leader, and two (2) other members of the committee designated by the chair, shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Except for the first (1st) day, each Special Order Calendar shall be for the second (2nd) 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 Senators present or any bill appearing on the general calendar of bills on second (2nd) or third (3rd) 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.

(2) A two-thirds (2/3) vote of those Senators 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.

(3) The *Chair of 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, 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 chair 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—Local Bill 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 *Chair of the Committee on Rules and Calendar* or its designees and approved by the President.

#### 4.19—Order after second (2nd) reading

The order of disposition of a bill that has been read the second (2nd) time shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second (2nd) reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third (3rd) 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 (3rd) 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 (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending. Bills calendared for second (2nd) or third (3rd) 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 *State 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

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) 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 a two-thirds (2/3) vote of those Senators present.

(3) All claim bills shall be referred by the President to one (1) or more committees 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.

(4) 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.

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

(6) 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.

### 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

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators 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.

(2) 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

(1) Pairing, a type of absentee voting by which a Senator who is excused from attendance agrees with a Senator who would have voted opposite the excused Senator, shall be permitted.

(2) The Senator in attendance shall not vote in the electronic roll call.

(3) The pair vote form shall:

- (a) State the bill to which the pair applies,
- (b) Indicate how both Senators would have voted,
- (c) Be filed with the Secretary prior to the vote, and
- (d) Be recorded in the Journal.

**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 (3rd) 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**

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

- (a) To adjourn
  - 1. Instanter
  - 2. At a time certain
- (b) Questions of privilege
- (c) To take a recess
- (d) To proceed to the consideration of executive business
- (e) To reconsider
- (f) To limit debate
- (g) To temporarily postpone
- (h) To postpone to a day certain
- (i) To commit to the Committee of the Whole
- (j) To commit to a standing committee
- (k) To commit to a select committee
- (l) To amend
- (m) 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.

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

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) 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**

(1) 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.

- (a) If the question has been decided by voice vote, any Senator may so move.

(b) When a majority of those Senators present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion may be made pending a motion to adjourn or if it is time to adjourn.

(a) 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 Senators present.

(b) During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day.

**6.5—Reconsideration; vote required**

A majority of the affirmative votes of those Senators 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 Senators present and immediately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the *State 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 *State 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**

(1) No amendment to a bill on any Senate Calendar which was 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. The consideration of all amendments not timely filed in accordance with this rule, requires a two-thirds (2/3) vote of those Senators present.

(2) 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 chair of the committee (or, in the chair's absence, the vice-chair 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.

(3) 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:

- (a) Bills which have received an unfavorable committee report.
- (b) Bills which have been withdrawn from further consideration by the sponsor.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.
- (d) *Bills which have not been published at least one legislative day under Bills on Second Reading in the Senate calendar.*

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

(1) On second (2nd) reading, amendments may be adopted by a majority vote of those Senators present.

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

#### 7.3—Sequence of amendments to amendments

(1) 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:

- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) 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

(1) After the reading of a House amendment to a Senate bill, the Senate may:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of all the foregoing motions shall be by majority vote of those Senators present.

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

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the Senate may:

- (a) Recede,
- (b) Insist that the House concur and request a conference committee, or
- (c) Insist that the House concur.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators 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

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

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

#### 8.4—Senator speaking, rights

(1) 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.

(2) 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 Senators 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 a two-thirds (2/3) vote of those Senators 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 (2nd) 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

- (1) Questions of privilege shall be:
  - (a) Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
  - (b) The rights, reputation, and conduct of Senators individually, in their representative capacity only.
- (2) 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

(1) 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.

(2) 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.

(3) 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

(1) 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.

(2) 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.

#### 9.35—Contributions during sessions

*During a regular legislative session, and during an extended or special session as further provided for in Rule 1.361(2), a lobbyist may not directly or indirectly contribute to a Senator's own campaign, or to any organization that is registered, or should have been registered, with the Committee on Rules and Calendar pursuant to Rule 1.361(3).*

### 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

*Except at the discretion of the President, no person ~~None of the persons~~ entitled to admission shall be admitted if registered pursuant to Rule Nine (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 Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear *appropriate business attire 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 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 those 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 Senators present.

**11.3—Changes in Rules**

All proposed actions ~~regarding 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 those Senators present.

**11.4—Majority action**

Unless otherwise indicated by these Rules or the *State Constitution*, 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 *membership of the Senate* shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State 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 *State Constitution*.

**12.2—Executive session; purpose**

Pursuant to Article III, Section 4(b) of the *State Constitution*, 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, *and staff as approved by the President*, 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 those 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 *confidential* ~~a secret~~ except information on which the bans of *confidentiality* ~~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 Rules 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**

(1) 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, 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.

(2) Upon receipt of a request by the Governor or other appointing official or authority for the return of the documentation of an appointment, which appointment has not been acted upon by the Senate, the Secretary of the Senate, upon consultation with the President, shall return the appointment documentation and the return shall be noted in the Journal of the Senate. The appointee whose appointment was returned continues in office until the end of the next ensuing session of the Legislature or until the Senate confirms a successor, whichever occurs first.

- (a) If the appointment returned was made by the Governor, official or authority's predecessor, the appointee shall not be subject to the provisions of section 114.05(1)(e) or (f), *Florida Statutes*, during the period of withdrawal.
- (b) If the appointment returned was made by the Governor, official or authority requesting the return, for purposes of section 114.05(1)(e) and (f), *Florida Statutes*, the returned appointment shall be treated as if the Senate failed to consider the appointment.
- (3)(a) 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, 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.

- (b) 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.

(4) 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.

(5) The suspended official may file with the Secretary of the Senate, no later than ten (10) days prior to the first (1st) 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.

(6) 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.

(7) 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.

(8) Subject to the limitations of Rule 12.7(3) 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(3), the committee or Special Master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(3). 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.

(9) For the purposes of Article IV, Section 7(b) of the *State Constitution*, 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.

(10) 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.

(11) 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 chair 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 Twelve (12) and part V of chapter 112, *Florida Statutes*, the Rule, derived from Article III, Section 4(a) of the *State Constitution*, 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 *provided 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 with the approval of the President. Meetings of standing committees and standing subcommittees scheduled in accordance with this Rule may be held following ~~an announcement by the chair while the Senate is in session, and by the~~ posting of 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 meeting together with the name of the introducer, short title, ~~and~~ number of each bill to be considered, ~~and the amendment deadline for the meeting~~. All other provisions for publication of notice of committee meetings are suspended.

### 13.4—Delivery for introduction

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

### 13.5—Committee reports

Every bill, joint resolution, resolution, and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day from the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators 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 chair of the standing committee which shall not be beyond the time allowed herein.

### 13.6—Conference committee reports

(1) 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 (2nd) 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. A conference committee report shall be made available to the membership *two (2) four (4) hours* prior to the beginning of debate of the report by the Senate.

(2) 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.

(3) 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.

(4) 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 deleting 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.

(5) 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.

(6) 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 *Special Order Calendar Subcommittee of the Committee on Rules and Calendar* may submit a Special Order Calendar determining the time and priority for consideration of bills. Such Special Order Calendar shall be for the next legislative day. The amendment deadline for bills on the Special Order Calendar shall be 5:00 p.m. or two (2) hours after the Special Order Calendar is announced, which ever occurs later.

## RULE FOURTEEN

### SEAL AND INSIGNIA

#### 14.1—Seal and insignia

(1) 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 "State of Florida."

(2) 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."

(3) 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.

## MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Pruitt, the rules were waived and the following Committees were granted permission to meet November 17: from 1:00 p.m. until 1:45 p.m., the Committees on Communications and Public Utilities; Community Affairs; Education; and Ethics and Elections; from 2:00 p.m. until 2:45 p.m., the Committees on Children and Fami-

lies; Environmental Preservation; Regulated Industries; and Transportation; from 3:00 p.m. until 3:45 p.m., the Committees on Agriculture; Banking and Insurance; Commerce and Consumer Services; and Domestic Security; and from 4:00 p.m. until 4:45 p.m., the Committees on Criminal Justice; Governmental Oversight and Productivity; Health Care; and Judiciary as published in the calendar.

On motion by Senator Pruitt, the rules were waived and the following committees were granted permission to meet November 18: from 9:00 a.m. until 9:45 a.m., the Committees on Criminal Justice Appropriations; Education Appropriations; General Government Appropriations; Government Efficiency Appropriations; Health and Human Services Appropriations; and Transportation and Economic Development Appropriations; and from 10:00 a.m. until 10:45 a.m., the Committee on Ways and Means as published in the calendar.

## COMMITTEES OF THE SENATE

### Agriculture

Senator Smith, Chair; Senator Bullard, Vice Chair; Senators Argenziano, Bennett, Haridopolos and Peaden

### Banking and Insurance

Senator Garcia, Chair; Senator Geller, Vice Chair; Senators Alexander, Atwater, Baker, Campbell, Fasano, Lawson, Miller and Posey

### Children and Families

Senator Campbell, Chair; Senator Webster, Vice Chair; Senators Fasano, Lynn, Peaden and Rich

### Commerce and Consumer Services

Senator King, Chair; Senator Pruitt, Vice Chair; Senators Aronberg, Crist, Klein, Lynn, Margolis and Saunders

### Communications and Public Utilities

Senator Constantine, Chair; Senator Aronberg, Vice Chair; Senators Alexander, Atwater, Diaz de la Portilla, Dockery, Garcia, Margolis, Miller and Smith

### Community Affairs

Senator Bennett, Chair; Senator Haridopolos, Vice Chair; Senators Clary, Geller, Hill, Lawson, Pruitt and Villalobos

### Criminal Justice

Senator Wise, Chair; Senator Smith, Vice Chair; Senators Crist, Haridopolos, King, Klein, Lynn and Wilson

### Criminal Justice Appropriations

Senator Crist, Chair; Senator Smith, Vice Chair; Senators Argenziano, Aronberg and Villalobos

### Domestic Security

Senator Diaz de la Portilla, Chair; Senator Wilson, Vice Chair; Senators Constantine, Dockery, Hill, Sebesta, Siplin and Wise

### Education

Senator Lynn, Chair; Senator Baker, Vice Chair; Senators Bullard, King, Klein, Webster, Wilson and Wise

### Education Appropriations

Senator Alexander, Chair; Senator King, Vice Chair; Senators Bullard, Constantine, Klein, Lynn, Miller and Wise

### Environmental Preservation

Senator Dockery, Chair; Senator Siplin, Vice Chair; Senators Alexander, Argenziano, Baker, Constantine, Lawson and Smith

### Ethics and Elections

Senator Posey, Chair; Senator Rich, Vice Chair; Senators Argenziano, Dawson, Jones and Sebesta

### General Government Appropriations

Senator Clary, Chair; Senator Lawson, Vice Chair; Senators Baker, Garcia and Siplin

**Government Efficiency Appropriations**

Senator Atwater, Chair; Senator Campbell, Vice Chair; Senators Diaz de la Portilla, Geller, Haridopolos and Posey

**Governmental Oversight and Productivity**

Senator Argenziano, Chair; Senator Lawson, Vice Chair; Senators Alexander, Garcia, Margolis and Sebesta

**Health and Human Services Appropriations**

Senator Saunders, Chair; Senator Pruitt, Vice Chair; Senators Bennett, Dawson, Jones, Peaden, Rich and Wilson

**Health Care**

Senator Peaden, Chair; Senator Dawson, Vice Chair; Senators Atwater, Fasano, Jones, Miller, Pruitt, Rich, Saunders and Siplin

**Judiciary**

Senator Webster, Chair; Senator Villalobos, Vice Chair; Senators Aronberg, Baker, Campbell, Clary, Geller and Posey

**Regulated Industries**

Senator Jones, Chair; Senator Hill, Vice Chair; Senators Aronberg, Dawson, Geller, Haridopolos, King, Posey, Saunders and Villalobos

**Rules and Calendar**

Senator Pruitt, Chair; Senator Argenziano, Vice Chair; Senators Campbell, Carlton, Clary, Constantine, Diaz de la Portilla, Dockery, Garcia, Geller, Klein, Margolis, Miller, Smith and Villalobos

**Transportation**

Senator Sebesta, Chair; Senator Klein, Vice Chair; Senators Bennett, Bullard, Clary, Crist, Diaz de la Portilla and Margolis

**Transportation and Economic Development Appropriations**

Senator Fasano, Chair; Senator Margolis, Vice Chair; Senators Dockery, Hill, Sebesta and Webster

**Ways and Means**

Senator Carlton, Chair; Senator Miller, Vice Chair; Senators Alexander, Atwater, Campbell, Clary, Crist, Fasano, King, Lawson, Margolis, Pruitt, Saunders, Smith and Villalobos

**JOINT COMMITTEES****Administrative Procedures Committee**

Senator Bennett, Alternating Chair; Senators Argenziano and Bullard

**Legislative Auditing Committee**

Senator Wise, Alternating Chair; Senators Crist, Dawson, Hill and Posey

**Legislative Budget Commission**

Senator Carlton, Alternating Chair; Senators Alexander, Atwater, Fasano, Miller, Saunders and Smith

**Legislative Committee on Intergovernmental Relations**

Senator Jones, Alternating Chair; Senators Haridopolos, Klein and Lynn

**ADJOURNMENT**

On motion by Senator Pruitt, the Senate in Organization Session adjourned sine die at 12:17 p.m.