

By Senators Meek, Campbell, Dawson, Dyer, Jones, Klein and Mitchell

36-128-01

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to Section 4 of Article III of the State Constitution, relating to quorum and procedure, to require that open meetings rules apply to meetings between the Governor and the President-Designate of the Senate or the Speaker-Designate of the House of Representatives.

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

That the following amendment to Section 4 of Article III of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE III
LEGISLATURE

SECTION 4. Quorum and procedure.--

(a) A majority of the membership of each house shall constitute a quorum, but a smaller number may adjourn from day to day and compel the presence of absent members in such manner and under such penalties as it may prescribe. Each house shall determine its rules of procedure.

(b) Sessions of each house shall be public; except sessions of the senate when considering appointment to or removal from public office may be closed.

1 (c) Each house shall keep and publish a journal of its
2 proceedings; and upon the request of five members present, the
3 vote of each member voting on any question shall be entered on
4 the journal. In any legislative committee or subcommittee,
5 the vote of each member voting on the final passage of any
6 legislation pending before the committee, and upon the request
7 of any two members of the committee or subcommittee, the vote
8 of each member on any other question, shall be recorded.

9 (d) Each house may punish a member for contempt or
10 disorderly conduct and, by a two-thirds vote of its
11 membership, may expel a member.

12 (e) The rules of procedure of each house shall provide
13 that all legislative committee and subcommittee meetings of
14 each house, and joint conference committee meetings, shall be
15 open and noticed to the public. The rules of procedure of
16 each house shall further provide that all prearranged
17 gatherings, between more than two members of the legislature,
18 or between the governor, the president of the senate or the
19 president-designate of the senate, or the speaker of the house
20 of representatives or the speaker-designate of the house of
21 representatives, the purpose of which is to agree upon formal
22 legislative action that will be taken at a subsequent time, or
23 at which formal legislative action is taken, regarding pending
24 legislation or amendments, shall be reasonably open to the
25 public. All open meetings shall be subject to order and
26 decorum. This section shall be implemented and defined by the
27 rules of each house, and such rules shall control admission to
28 the floor of each legislative chamber and may, where
29 reasonably necessary for security purposes or to protect a
30 witness appearing before a committee, provide for the closure
31 of committee meetings. Each house shall be the sole judge for

1 the interpretation, implementation, and enforcement of this
2 section.

3 BE IT FURTHER RESOLVED that the following statement be
4 placed on the ballot:

5 CONSTITUTIONAL AMENDMENT

6 ARTICLE III, SECTION 4

7 OPEN MEETINGS.--Proposing an amendment to the State
8 Constitution to require that open-meetings rules of the
9 Legislature apply to meetings between the Governor and the
10 President-Designate of the Senate or the Speaker-Designate of
11 the House of Representatives.

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