

Bill No. SCR 2-A

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Silver moved the following amendment:

Senate Amendment (with title amendment)
Delete everything after the resolving clause

and insert:

That the manner in which the Legislature of the State of Florida directs that electors for President and Vice President of the United States of America be appointed in the year 2000 is by appointment by the Legislature of the State of Florida.

BE IT FURTHER RESOLVED that the Legislature of the State of Florida appoints as one slate of electors the presidential electors recommended by the state executive committee of the Democratic party to serve following the 2000 Presidential Election and appoints as another slate of electors the presidential electors recommended by the state executive committee of the Republican party to serve following the 2000 Presidential Election.

BE IT FURTHER RESOLVED that, if for any reason an elector on either slate of electors who is appointed by this

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1 resolution is unable to serve because of death, incapacity, or
2 otherwise, the Governor of the State of Florida may appoint a
3 person to fill such vacancy who possesses the qualifications
4 required for an elector to have been nominated pursuant to
5 section 103.021, Florida Statutes.

6 BE IT FURTHER RESOLVED that each elector for President
7 and Vice President of the United States appointed by this
8 resolution shall, before 10 a.m. on December 18, 2000, give
9 notice to the Governor of the State of Florida that such
10 elector is in Tallahassee and ready to perform the duties of
11 an elector for President and Vice President of the United
12 States, and if it shall be found that any elector of either
13 slate of electors who is appointed pursuant to this resolution
14 is absent, the other electors present from that slate of
15 electors and subject to the provisions of section 103.062,
16 Florida Statutes, shall elect by ballot, in the presence of
17 the Governor, a person to fill such vacancy as may have
18 occurred through the nonattendance of the elector.

19 BE IT FURTHER RESOLVED that on December 18, 2000, each
20 slate of electors appointed as provided in this resolution
21 shall separately meet and cast ballots for the President and
22 Vice President of the United States of America in accordance
23 with the laws of this state.

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26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete everything before the resolving clause

29

30 and insert:

31 Senate Concurrent Resolution No. ____

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1 A concurrent resolution providing for the
2 manner of appointing electors for President and
3 Vice President of the United States; providing
4 for the appointment of such electors; providing
5 for the filling of vacancies; providing for the
6 electors to cast ballots for the President and
7 Vice President of the United States of America.

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9 WHEREAS, an election was held in this state on November
10 7, 2000, for the purpose of selecting electors from Florida to
11 cast the state's vote for President and Vice President of the
12 United States of America on December 18, 2000, and

13 WHEREAS, Article II, Section 1 of the Constitution of
14 the United States provides, in pertinent part, that "Each
15 State shall appoint, in such Manner as the Legislature thereof
16 may direct, a Number of Electors, equal to the whole Number of
17 Senators and Representatives to which the State may be
18 entitled in the Congress," and

19 WHEREAS, Section 5 of Title 3 of the United States Code
20 provides:

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22 "If any State shall have provided, by laws
23 enacted prior to the day fixed for the
24 appointment of the electors, for its final
25 determination of any controversy or contest
26 concerning the appointment of all or any of the
27 electors of such State, by judicial or other
28 methods or procedures, and such determination
29 shall have been made at least six days before
30 the time fixed for the meeting of the electors,
31 such determination made pursuant to such law so

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1 existing on said day, and made at least six
2 days prior to said time of meeting of the
3 electors, shall be conclusive, and shall govern
4 in the counting of the electoral votes as
5 provided in the Constitution, and as
6 hereinafter regulated, so far as the
7 ascertainment of the electors appointed by such
8 State is concerned," and
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10 WHEREAS, Section 2 of Title 3 of the United States Code
11 provides that "Whenever any State has held an election for the
12 purpose of choosing electors, and has failed to make a choice
13 on the day prescribed by law, the electors may be appointed on
14 a subsequent day in such a manner as the legislature of such
15 State may direct," NOW, THEREFORE,
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