

577-190AX-31

Bill No. HJR 765, 1st Eng.

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Byrd, Goodlette, and Ryan offered the
12 following:

14 **Amendment (with title amendment)**

15 Remove everything after the resolving clause

17 and insert:

18 That the amendment to Section 4 of Article III of the
19 State Constitution set forth below is agreed to and shall be
20 submitted to the electors of Florida for approval or rejection
21 at the general election to be held in November 2002:

22 SECTION 4. Quorum and procedure.--

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

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

31 (c) Each house shall keep and publish a journal of its

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

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

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

29 (f) The rules of each house shall provide that, with
30 the exception of general appropriation bills, including
31 conference reports therefor, subject to the seventy-two hour

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1 public review period pursuant to Section 19 of this Article,
2 and with the exception of concurrent resolutions or
3 resolutions relating to extension of a session or legislative
4 organization or procedures, all bills, joint resolutions,
5 concurrent resolutions, resolutions, memorials, and conference
6 reports shall be furnished in their final form, which form may
7 include unengrossed amendments, to each member of the house
8 hearing the measure at least forty-eight hours prior to final
9 adoption by that house of the legislature. Such rules shall
10 not be subject to waiver, but may provide that amendments of a
11 technical, nonsubstantive nature may be added to such
12 legislation during the 48 hour period.

13 (g) Each house shall be the sole judge for the
14 interpretation, implementation, and enforcement of this
15 section.

16 BE IT FURTHER RESOLVED that in accordance with the
17 requirements of s. 101.161, Florida Statutes, the title and
18 substance of the amendment proposed herein shall appear on the
19 ballot as follows:

20 REVIEW PERIOD FOR PROPOSED LEGISLATION
21 BEFORE FINAL ADOPTION; EXEMPTIONS

22 Requires that the rules of each house of the
23 Legislature include a rule, not subject to waiver, providing
24 that all bills, joint resolutions, concurrent resolutions,
25 resolutions, memorials, and conference reports be furnished in
26 their final form to each member of the house hearing the
27 measure at least forty-eight hours prior to final adoption by
28 that house of the Legislature. Exempts all general
29 appropriation bills and their conference reports, which are
30 subject to a separate seventy-two hour public review period
31 under the State Constitution, and exempts concurrent

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1 resolutions or resolutions relating to extension of a session
2 or legislative organization or procedures. Continues
3 provisions that each house is the sole judge for the
4 interpretation, implementation, and enforcement of its rules.

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6

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

8 And the title is amended as follows:

9 remove: the entire title

10

11 and insert:

12 House Joint Resolution

13 A joint resolution proposing an amendment to
14 Section 4 of Article III of the State
15 Constitution, relating to the adoption of bills
16 by the Legislature, to require a specified
17 review period for proposed legislation prior to
18 final adoption.

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