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House Joint Resolution

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

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

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

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.

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

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

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

22 (f) The rules of each house shall provide that, with
23 the exception of general appropriation bills, including
24 conference reports therefor, subject to the seventy-two hour
25 public review period pursuant to Section 19 of this Article,
26 and with the exception of concurrent resolutions or
27 resolutions relating to extension of a session or legislative
28 organization or procedures, all bills, joint resolutions,
29 concurrent resolutions, resolutions, memorials, and conference
30 reports shall be furnished in their final form, which form may
31 include unengrossed amendments, to each member of the house

1 hearing the measure at least forty-eight hours prior to final
2 adoption by that house of the legislature. Such rules shall
3 not be subject to waiver, but may provide that amendments of a
4 technical, nonsubstantive nature may be added to such
5 legislation during the 48 hour period.

6 (g) Each house shall be the sole judge for the
7 interpretation, implementation, and enforcement of this
8 section.

9 BE IT FURTHER RESOLVED that in accordance with the
10 requirements of s. 101.161, Florida Statutes, the title and
11 substance of the amendment proposed herein shall appear on the
12 ballot as follows:

13 REVIEW PERIOD FOR PROPOSED LEGISLATION

14 BEFORE FINAL ADOPTION; EXEMPTIONS

15 Requires that the rules of each house of the
16 Legislature include a rule, not subject to waiver, providing
17 that all bills, joint resolutions, concurrent resolutions,
18 resolutions, memorials, and conference reports be furnished in
19 their final form to each member of the house hearing the
20 measure at least forty-eight hours prior to final adoption by
21 that house of the Legislature. Exempts all general
22 appropriation bills and their conference reports, which are
23 subject to a separate seventy-two hour public review period
24 under the State Constitution, and exempts concurrent
25 resolutions or resolutions relating to extension of a session
26 or legislative organization or procedures. Continues
27 provisions that each house is the sole judge for the
28 interpretation, implementation, and enforcement of its rules.

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