



Journal of the 1997-1998 Constitution Revision Commission

Number 3

Monday, July 21, 1997

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CALL TO ORDER

The Commission was called to order by the Chairman at 10:20 a.m. The Secretary called the roll and a quorum was present—32:

Mr. Chairman	Crenshaw	Kogan	Riley
Alfonso	Evans	Langley	Rundle
Barkdull	Evans-Jones	Lowndes	Scott
Barnett	Ford-Coates	Marshall	Smith
Brochin	Freidin	Mathis	Sundberg
Butterworth	Hawkes	Mills	Thompson
Connor	Henderson	Morsani	Wetherington
Corr	Jennings	Nabors	Zack

Excused: Commissioners Anthony, Planas, Sullivan, West; Commissioner Argiz until 10:45 a.m.

PRAYER

The following prayer was offered by Dr. R.B. Holmes, Jr., Pastor of Bethel Missionary Baptist Church of Tallahassee:

Our God and our Father, we do pause to thank thee for this day and allowing us to come here. We do pray for divine power, insight and wisdom as these great community leaders who come to revisit, revise and strengthen this great, great Constitution. Heavenly Father, give them the strength, give them the input, and give them the guidance to do a great and marvelous job for generations to come. In the strong name of our saviour, we pray. Amen.

PLEDGE

Commissioner Morsani led the Commission in the pledge of allegiance to the flag of the United States of America.

RULES REVISION

Pursuant to the June 17th motion by Commissioner Barkdull that provisions of Rule 9.3 be suspended until final consideration of the Rules, the Commission proceeded to consideration of amendments to the Rules as adopted June 17.

Consideration of **Amendment 1** was deferred.

Commissioner Barkdull offered the following amendment:

Amendment 2—

On page 15, line 22, insert:

5.1 Taking the yeas and nays.—

The Commission Chair shall declare the outcome of all votes, but if three (3) Commissioners immediately question a vote by a show of hands,

the Chair shall take the vote. When the vote is completely recorded, the Commission Chair shall announce the result to the Commission, and the Secretary shall enter the result in the Journal.

5.2 Change of vote.—

After the voting, but prior to announcement of the result of a roll call, a member may vote, or change his or her vote, and such vote shall be recorded in the Journal. After the vote has been announced, a member with unanimous consent of those present may change his or her vote on the measure and such vote shall be recorded in the Journal, except that no such change of vote shall be valid where such vote would alter the final outcome.

5.3 Casting vote for another.—

No member shall cast a vote for another member, nor shall any person not a member cast a vote for a member.

5.4 Adoption of proposals and submission to the Secretary of State.—

1. *A proposal that has been placed on the calendar pursuant to Rule 2.17 or 2.14, and in accordance with the special order established by the Rules and Administration Committee, shall require a majority vote of the Commission for further consideration of the proposal and for commitment of the proposal to the Style and Drafting Committee.*

2. *The Style and Drafting Committee shall review all proposals receiving approval of a majority of the Commission and shall prepare recommended ballot language. The Style and Drafting Committee may recommend amendments to proposals and may recommend the grouping of any related proposals.*

3. *A proposal on consideration after having been disposed by the Style and Drafting Committee, may be amended or grouped by a vote of at least 22 members of the Commission.*

4. *Final adoption of a proposal shall require a vote of at least 22 members of the Commission.*

Commissioner Nabors offered the following amendment to **Amendment 2** which was adopted:

Amendment 1 to Amendment 2—

On page 2, line 21, insert:

Notwithstanding Rule 9.3, Rule 5.4 may be amended by a majority vote of the Commission until the adjournment of the first Commission meeting after the conclusion of the Commission's public hearing cycle ending September 12, 1997.

VOTE RECORDED

Chairman Douglass requested that he be recorded as voting "nay" on **Amendment 1 to Amendment 2**.

Amendment 2 as amended was adopted.

Commissioner Mathis offered the following amendment:

Amendment 1—

On page 1, line 5 through page 15, line 2, and on page 15, line 6 through page 23, line 2, delete all of said lines and insert:

RULE ONE**CHAIR, OFFICERS, MEMBERS, AND EMPLOYEES****PART ONE—COMMISSION CHAIR****1.1 Appointment of the Chair.—**

The Chair of the Constitution Revision Commission is appointed by the Governor pursuant to Article XI, Section 2 2(a) of the Constitution of the State of Florida.

1.2 Employment of Executive Director.—

The Commission Chair shall employ on behalf of the Commission an Executive Director who shall employ with the approval of the Chair such personnel of the Commission as may be necessary to perform the functions of the Commission. The Executive Director serves at the pleasure of the Commission Chair.

1.3 Appointment of Committees.—

The Commission Chair, in consultation with members of the Commission, shall appoint all standing and select committees, and the members of each, and unless otherwise provided shall designate a chair and vice-chair of each committee.

1.4 Calling the Commission to order.—

The Commission Chair shall take the chair each day at the hour established by the Commission at the last session or by the Committee on Rules and Administration. On appearance of a quorum, the Commission Chair shall immediately call the members to order and proceed with the daily order of business.

1.5 Commission Chair's control of order.—

The Commission Chair shall decide all questions of order, subject to appeal by any member to the Commission. The Commission Chair may require the member raising the point of order to cite the Rule or other authority in support of the question. Upon appeal, no member (except the member making the appeal) shall speak more than once, except by permission of the Commission Chair. The member making the appeal shall have the right to speak five minutes in closing, and the Commission Chair shall have the right to speak five minutes from the floor to close the debate. *The appeal shall be decided by a majority vote.*

1.6 The Commission Chair's control of chamber, corridors, and rooms.—

The Commission Chair shall preserve order and decorum and shall have general control of the Chamber, galleries, halls, and rooms surrounding the Chamber as well as distribution of literature and other materials in those areas.

1.7 The Commission Chair's vote.—

The Commission Chair shall not be required to vote in ordinary proceedings, except on final passage of any proposed revision or part thereof of the Constitution, unless the Commission Chair's vote is needed to break a tie. In all roll call votes, the Commission Chair's name shall be called last.

1.8 Vacating the chair.—

The Commission Chair may name any member to perform the duties of the Chair, but such substitution shall not extend beyond one Commission meeting.

PART TWO—COMMISSION OFFICERS: SECRETARY OF THE COMMISSION AND SERGEANT-AT-ARMS**1.9 Appointment of a Secretary of the Commission.—**

The Secretary of the Commission shall be designated by the Commission Chair.

1.10 Secretary's duties generally; maintains Journal.—

The Secretary of the Commission shall keep a correct daily Journal of the proceedings of the Commission, and this Journal shall be numbered serially from the first day of the Commission meeting in full session. The

Secretary shall retain custody of all records or papers belonging to the Commission and shall not permit any records or papers belonging to the Commission to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt.

1.11 Secretary's duties; prepares calendar of public hearing and meeting notices of the Commission.—

The Secretary shall publish a calendar as provided by the Committee on Rules and Administration in accordance with these Rules. In the event the Commission goes into recess, the Secretary shall publish an interim calendar, which sets forth notices of public hearings, and all other matters of public information as shall be necessary to properly advise the members and the public of the official meetings of the Commission. Such notice, *including an agenda of items to be considered*, shall be published no less than five (5) days prior to Commission meetings *when the Commission is not in session. During sessions of the Commission, notice may be made by announcement by the Chair or committee chair while the Commission is in session.*

1.12 Secretary's duties; reads papers and calls roll.—

The Secretary shall read to the Commission all papers ordered to be read; note responses of members when the roll is called to determine the presence of a quorum; call the roll and tabulate the answers of members when a question is taken by yeas and nays; and assist, under the direction of the Commission Chair, in taking the count when any vote of the Commission is taken by a show of hands or otherwise.

1.13 Secretary's duties; prepares printed forms.—

The Secretary shall prepare the copy for all printed forms used by the Commission.

1.14 Secretary's duties; indexes proposals.—

The Secretary shall maintain a numerical index of proposals filed by members and a cumulative index by introducers.

1.15 Appointment of a Sergeant-at-Arms.—

The Sergeant-at-Arms shall be designated by the Commission Chair.

1.16 Duties of the Sergeant-at-Arms.—

The Sergeant-at-Arms shall attend the Commission during its meetings, maintain order under the direction of the Commission Chair, and execute the commands of the Commission ~~and all processes issued by the authority thereof as directed by the Commission Chair.~~

PART THREE—COMMISSION MEMBERS**1.17 Attendance and voting.—**

~~Unless a Commission member has submitted the written notice provided in Rule 1.18 excused for just cause, every Commission member shall be within the Commission's chamber during its sessions and shall vote on each question.~~

1.18 Absences ~~Excused absence.~~—

~~If a member is unable to attend any Commission proceeding, the Commissioner shall submit written notice of the absence to the Commission Chair. The notice shall be noted in the Journal. The Commission Chair may excuse any member from attendance at any Commission proceeding, and such excused absence shall be noted in the Journal.~~

1.19 Incurring obligations.—

No member of the Commission shall incur any obligation payable from Commission funds without the prior written approval of the Commission Chair.

PART FOUR—EMPLOYEES OF THE COMMISSION**1.20 Executive Director.—**

The Commission Executive Director serves at the pleasure of the Commission Chair.

1.21 Commission personnel.—

The Executive Director with the approval of the Commission Chair may employ such personnel of the Commission as may be necessary to perform the functions of the Commission. The personnel serve at the pleasure of the Chair, and the Executive Director has the authority to dismiss any employee with the approval of the Commission Chair.

1.22 Personnel; duties and hours.—

Commission personnel shall perform the duties assigned them by the Commission Chair or the Executive Director and shall remain on duty as required.

PART FIVE—PUBLIC MEETINGS AND PUBLIC RECORDS**1.23 Open meetings and records.—**

All proceedings and records of the Commission shall be open to the public.

RULE TWO

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

PART ONE—COMMITTEE ORGANIZATION, DUTIES, AND RESPONSIBILITIES**2.1 Standing substantive committees; creation.—**

There is hereby created the following substantive standing committees:

1. Declaration of Rights (*Article I*)
2. Executive (*Article IV*)
3. Judicial (*Article V*)
4. Legislative (*Article III*)
5. Local Government (*Article VIII*)
6. Finance and Taxation (*Article VII*)
7. Ethics and Elections (*Article VI, part of Article II*)
8. Bonding and Investments (*Article VII*)
9. Education (*Article IX*)
10. *General Provisions (Articles II, X, XI, and XII)* Miscellaneous

Each standing committee shall be composed of no less than five (5) members. Additional standing committees may be named by the Commission Chair.

2.2 Substantive standing committees; powers and responsibilities.—

The standing substantive committees shall review proposals referred to them by the Chair in relation to the Constitution of the State of Florida, as revised in 1968 and subsequently amended, and report the results of their deliberations to the full Commission. Any action of a standing committee is advisory only.

2.3 Standing procedural committees.—

There is hereby created the following procedural committees:

1. The Style and Drafting Committee. The Style and Drafting Committee shall have the responsibility for clarifying, codifying, and arranging the proposals adopted by the Commission into an orderly revision of or amendment(s) to an existing Section or Article of the present Constitution. It shall also prepare the Commission's final report.

2. The Rules and Administration Committee. The Rules and Administration Committee shall be responsible for setting the daily calendar and any additions thereto. It shall also see that the proceedings of the Commission, in full session, are in accordance with the Rules of the Commission and consider such matters as may be referred to it by the Chair. It shall also provide a schedule of the days and hours for the meetings of the committees to prevent scheduling conflict among members. The committee will also be responsible for working with the Chair and the Executive Director on administrative matters relating to the Commission's operation.

2.4 Committees; meetings.—

Each committee, substantive or procedural, shall meet publicly at such times as are called by the respective committee chair or as determined by the Committee on Rules and Administration, subject to the approval of the Commission Chair. The Chair may excuse any member from attendance from committee meetings. The Chair shall group standing committees to provide each with an opportunity to meet without conflicting with the meetings of other committees.

2.5 Committees; quorum.—

A majority of the members of a committee shall constitute a quorum.

PART TWO—COMMITTEES; OFFICERS**2.6 Committees; appointment of chair and vice-chair.—**

The Commission Chair shall appoint a chair and vice-chair of each committee who shall serve at the pleasure of the Commission Chair.

2.7 Committees; calling committees to order.—

The chair or, in the chair's absence, the vice-chair, shall call the committee to order. On the appearance of a quorum, the committee shall proceed with the order of business. Any member of the committee may question the absence of a quorum.

2.8 Committees; chair's control.—

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

2.9 Chair and vice-chair; vote.—

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

PART THREE—COMMITTEES; VOTING**2.10 Committees; taking the vote.—**

The chair shall declare all votes and shall cause the same to be entered on the records of the committee, but if any member questions a vote, then by a show of hands by three (3) members the chair shall call the roll. When the committee shall be equally divided, the question shall be lost.

2.11 Committees; proxy voting.—

Each committee member shall attend all meetings. No member of a committee shall vote by proxy.

PART FOUR—COMMITTEES; CONSIDERATION AND REPORT**2.12 Committees; consideration of proposals.—**

All proposals that are referred to a committee established pursuant to these Rules shall be reported from the respective committee in writing, together with the recommendation of approval, disapproval or no recommendation and filed with the Secretary. No proposal may be rejected or defeated by a committee, but a committee, in reporting its recommendation, may draft a new proposal, embracing the same general subject matter of the original proposal(s) to be returned to the Commission with the recommendation that a substitute be considered in lieu of the original proposal(s).

2.13 Committee consideration; time-frame.—

Prior to the convening of the full Commission in session, committees may consider proposals at the pleasure of the chair of the respective committees. When the Commission is meeting in regular sessions, each committee to which a proposal is referred shall have no longer than three (3) Commission meeting days from the day it received a proposal within which to file its written report, provided however, that on the motion of the committee chair, the time may be extended by the Commission for a period not to exceed five (5) Commission days per motion.

2.14 Committees; failure to report.—

In the event a committee fails to report a proposal within the time allowed by these Rules and the time has not been extended, on point of order by the introducer, the proposal shall be deemed reported without recommendation and transmitted to the Secretary to be placed on the calendar for consideration.

2.16 Committees; signing reports.—

All committee reports shall be signed by the chair, or the vice-chair in the absence of the chair, and filed with the Secretary. Committees shall keep an accurate record of the committee's activity including but not limited to motions, amendments, and votes.

2.17 Committees; transmit proposals to Secretary.—

Proposals after having been reported by a committee shall be placed on the calendar for consideration. Proposals shall be listed in numerical order. The Rules and Administration Committee shall establish a calendar for consideration of proposals and other matters in such order or manner as it deems proper. *The special order may be amended by a majority vote of the Commission.*

RULE THREE**PROPOSALS****3.1 Objectives.—**

The Constitution Revision Commission is vested with the duty to examine the Constitution of the State of Florida, as revised in 1968 and subsequently amended, hold public hearings, and file with the Secretary of State its proposal, if any. This Rule and each portion thereof addresses itself to the basic document under consideration, proposals for revision and procedures therefor.

3.2 Base document.—

The Constitution of the State of Florida, as revised in 1968 and subsequently amended, shall be the base document for all proposals. The Constitution shall be printed in legislative bill form.

3.3 Commission consideration of public issues.—

Constitutional issues raised by the public shall be identified and listed in numerical order according to the article and section of the Constitution to which they relate. Upon motion of a Commissioner and upon receiving an affirmative vote of at least ten (10) Commission members, issues submitted by the public shall be filed with the Secretary for consideration by the Commission. The moving Commissioner of a public proposal shall be deemed the sponsor of such proposal.

3.35 Commissioners' proposals.—

Those issues submitted by Commissioners shall be reviewed by the Commission and ~~upon an affirmative vote of at least ten (10) members,~~ the issue shall be filed with the Secretary of the Commission for consideration by the Commission.

3.4 Form of proposals.—

Proposed revisions to the 1968 Constitution *filed with the Secretary shall be incorporated onto written forms* ~~shall be submitted on written forms~~ prescribed by the Secretary. The forms shall follow the form for bills used by the Florida Legislature. A proposal for revision shall address itself to the pertinent article, section, page, and line number of the 1968 Constitution, as amended, which it seeks to revise. Existing language proposed to be deleted shall be lined through with hyphens. Proposed new language shall be underlined. A proposal for revision of the Constitution shall be designated a proposal, and shall be referred to as such.

3.5 Proposals for introduction.—

All proposals submitted and receiving requisite consideration by Commission members shall be filed with the Secretary who shall serially number them and submit them to the Commission for any action as determined by the Commission. The Commission Chair shall refer proposals to the appropriate committees.

3.6 Substitute proposals.—

If a substitute proposal has been filed with the Secretary, when the original proposal is reached on the calendar, it shall be automatically tabled and the substitute proposal shall be available in lieu of the original proposal. Upon failure of a motion to consider the substitute proposal, consideration of the original proposal shall be the next order of business. The introducer of the original proposal may be shown by the Secretary as a co-sponsor of a substitute or may withdraw as a co-sponsor.

RULE FOUR**FULL COMMISSION; ORDER OF BUSINESS AND CALENDAR****4.1 Session of the Commission.—**

The Commission shall meet pursuant to a schedule adopted by the Committee on Rules and Administration and approved by the Commission Chair. The schedule shall set forth the hours to convene and adjourn.

4.2 Quorum.—

A majority of the Commission shall constitute a quorum.

4.3 Daily order of business.—

The daily order of business shall be as follows:

1. Roll call
2. Prayer
3. Pledge of allegiance to the flag
4. Receiving communications
5. Introduction of proposals
6. Reports of committees
7. Matters on reconsideration
8. Special order as determined by the Rules and Administration Committee
9. Unfinished business
10. Correction and approval of Journal

The Secretary of the Commission shall prepare and distribute, on each day of session, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order that they appear on the daily calendar.

4.4 Motion to amend daily order of business.—

Any motion to amend the daily order of business shall be deemed as a motion to waive the rules.

RULE SIX**MOTIONS AND PRECEDENCE****6.1 Motions; how made, withdrawn.—**

Every motion other than a motion to amend a proposal under consideration, shall be made orally. At the request of the Commission Chair any motion shall be reduced to writing. After a motion has been stated or read by the Commission Chair, it shall be deemed to be in possession of the Commission and, without a second, shall be disposed of by a vote of the Commission. The mover of the motion 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.—

When a question is under debate, the Commission Chair shall receive no motion except:

1. To adjourn instant
2. To adjourn at a time certain
3. Questions of privilege
4. To take a recess
5. To reconsider
6. To limit debate
7. To postpone to a day certain

8. To commit to a standing committee
9. To commit to a select committee
10. To amend

Those motions shall have a precedence in the descending order given above. The Commission Chair shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature; except that in fixing time, the longest time shall be put first. In all cases where the Commission shall be divided, the question shall be lost.

6.3 Motions which can be made but once.—

Motions to adjourn or recess shall be decided without debate by a majority vote of those present and voting. Only one substitute for a motion to adjourn shall be entertained. The substitute motion shall fix a different time for adjournment, and the same shall be put without debate, except that one (1) minute shall be allowed for the movers of the substitute within which to explain their reasons. The substitute motion having been lost, the question shall be put on the original motion, which, if lost, shall preclude any further motion to adjourn until other business shall have intervened.

6.4 Division of question.—

Any member may call for a division of a question when the sense will admit it. A motion to strike 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.

6.5 Reconsideration; generally.—

When a main question has been made and carried or lost, a Commissioner voting with the prevailing side may move for reconsideration of the question on the same or the next day on which the Commission meets. If the question has been decided by voice vote, any Commissioner may so move. Such motion may be made pending a motion to adjourn or if it is time to adjourn. Consideration of a motion to reconsider shall be a special and continuing order of business for the full Commission when it next meets as the full Commission succeeding that on which the motion was made and, unless considered on said business day, shall be considered abandoned. If the Commission 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 present. When a majority of Commissioners 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 is necessary for adoption or passage, any Commissioner may move for reconsideration. On the last day on which the Commission meets, a motion to reconsider shall be taken up instanter.

6.6 Reconsideration; when debate allowed.—

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon a motion to reconsider is in order, no member shall speak thereon more than once nor for a longer period than five (5) minutes.

6.7 Reconsideration; collateral matters.—

The adoption of a motion to reconsider a vote upon any secondary matter shall not remove the main subject under consideration from the consideration of the Commission. A motion to reconsider a collateral matter must be disposed of at once during the course of consideration of the main subject to which it is related and such motion shall be out of order after the Commission has passed to other business.

RULE SEVEN

AMENDMENTS

7.1 General form; notice; manner of consideration.—

All amendments shall be filed with the Secretary of the Commission on forms prescribed by the Secretary, but shall be considered only after the sponsor gains recognition from the Chair to move for adoption. *All amendments properly filed shall be heard and the sponsor given the opportunity to be heard unless said amendment is withdrawn by the sponsor.*

7.2 Sequence of amendments to amendments.—

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:

1. Amendments to the amendment are acted on before the substitute is taken up. Only one amendment to the amendment shall be in order at a time.
2. Amendments to the substitute are next voted on.
3. The substitute then is voted on.

The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the proposal itself.

7.3 Amendment by section.—

The adoption of an amendment to a section shall not preclude further amendment of that section or article. If an article is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The Commission Chair shall, in recognizing members for the purpose of moving for adoption of amendments, try to consider all amendments to Section 1 first, then all amendments to Section 2 and so on. After all sections have been considered separately in lieu of the entire article, the whole article shall be open for amendment.

7.4 Amendment; germanity of amendment.—

No proposition on a subject different from that under consideration shall be admitted under color of amendment.

RULE EIGHT

DECORUM AND DEBATE

8.1 Decorum and debate.—

When any member desires to speak or deliver any matter to the Commission, the member shall rise at his or her seat and address the Chair as "Mr. or Madam Chair," and, on being recognized, may address the Commission from his or her desk, and shall confine any remarks to the question under debate, avoiding personality. A member shall not address or refer to another member by his or her first name. A member shall use the appellation of "Commissioner," or such appellation and the surname of the Commissioner addressed.

8.2 Commission Chair's power of recognition.—

When two (2) or more members rise at once, the Commission Chair shall name the member who is first to be recognized.

8.3 Interruption of members in debate.—

No member shall be interrupted by another member without the consent of the member who has the floor, except rising to a question of order.

8.4 Time for debate.—

No member shall speak more than ten (10) minutes in debate on any question. The introducer of a proposal under consideration shall be entitled to five (5) minutes to close, notwithstanding that the introducer may have used ten (10) minutes in opening.

8.5 Limitation on debate.—

When a proposal is under debate by the Commission, a member may move to limit debate, and such motion shall be decided without debate, except the introducer of a proposal shall have five (5) minutes to discuss said motion. If, by two-thirds ($\frac{2}{3}$) vote of those present, the question is decided in the affirmative, debate shall be limited accordingly.

8.6 Priority of business.—

All questions relating to priority of business shall be decided without debate.

8.7 Questions of privilege.—

Questions of privilege shall be: (1) those affecting the Commission collectively, its safety, dignity, and the integrity of its proceedings; and (2) the rights, reputation, and conduct of members individually in their representative capacity only. These shall have precedence over all other questions except motions to adjourn. Upon recognition of the Chair, no member shall be permitted to speak longer than ten (10) minutes on a question of privilege.

RULE NINE**MISCELLANEOUS****9.1 Interpretation of rules.—**

The latest edition of Roberts Rules of Order, Newly Revised, shall govern the Commission and any committees established pursuant to these Rules in all cases in which they are applicable and in which they are not in conflict with the Rules of this Commission, except that seconds to motions shall not be necessary. It shall be the duty of the Commission Chair, or the presiding officer, to interpret all rules, subject to appeal by any member. It shall be the duty of the Commission Chair, or the presiding officer, to interpret all rules.

9.2 Waiver and suspension of rules.—

These rules shall not be waived or suspended except by a two-thirds ($\frac{2}{3}$) vote of all the members of the Commission. The motion, when made, shall be decided without debate. No motion to waive a rule requiring unanimous consent of the Commission shall be adopted except by unanimous consent of those present.

9.3 Changes in rules.—

All proposed amendments to these Rules shall be presented to the Rules and Administration Committee for recommendation to the Commission. Such recommendation may be amended by a two-thirds ($\frac{2}{3}$) vote of the Commission and shall be adopted by a two-thirds ($\frac{2}{3}$) vote of the Commission.

9.4 Majority action.—

Unless otherwise indicated by these rules, all action by the Commission shall be by majority vote of those members present.

9.5 Supreme Court library temporary repository for Commission records.—

The Supreme Court library shall be provided with copies of the records for the purpose of creating an electronic record of the Commission process. All records of the Commission will be permanently stored with the Secretary of State, Division of Library Information Services, Bureau of Archives and Records Management.

9.6 Alternates.—

Alternates shall have the same privileges as Commissioners, but shall not have voting privileges.

Commissioner Mills offered the following amendment to **Amendment 1** which failed:

Amendment 1 to Amendment 1—

On page 12, lines 5 and 6, delete: *The special order may be amended by a majority vote of the Commission.*

The vote was:

Yeas—16

Mr. Chairman	Ford-Coates	Mills	Smith
Barkdull	Freidin	Nabors	Sundberg
Barnett	Henderson	Riley	Thompson
Butterworth	Kogan	Rundle	Zack

Nays—17

Alfonso	Crenshaw	Langley	Scott
Argiz	Evans	Lowndes	Wetherington
Brochin	Evans-Jones	Marshall	
Connor	Hawkes	Mathis	
Corr	Jennings	Morsani	

Commissioner Mills offered the following amendment to **Amendment 1**:

Amendment 2 to Amendment 1—

On page 22, line 18 through page 23, line 2, delete all of said lines and insert:

It shall be the duty of the Commission Chair, or the presiding officer, to interpret all rules.

Commissioner Evans-Jones offered the following substitute amendment which was adopted:

Substitute Amendment 2 to Amendment 1—

On page 22, line 18 through page 23, line 2, delete all of said lines and insert:

9.1 Interpretation of rules.—

Mason's Manual of Legislative Procedure shall govern the Commission and any committees established pursuant to these Rules in all cases in which they are applicable and in which they are not in conflict with the Rules of this Commission, except that seconds to motions shall not be necessary. It shall be the duty of the Commission Chair, or the presiding officer, to interpret all rules, subject to appeal by any member.

Amendment 1 as amended was adopted.

Commissioners Evans and Hawkes offered the following amendment which was moved by Commissioner Evans:

Amendment 3—

On page 1, line 5 through page 15, line 2, and on page 15, line 6 through page 23, line 2, delete all of said lines and insert:

RULE ONE**CHAIR, OFFICERS, MEMBERS, AND EMPLOYEES****PART ONE—COMMISSION CHAIR****1.1 Appointment of the Chair.—**

The Chair of the Constitution Revision Commission is appointed by the Governor pursuant to Article XI, section 2 ~~2(a)~~ of the Constitution of the State of Florida.

1.2 Employment of Executive Director.—

The Commission Chair shall employ on behalf of the Commission an Executive Director who shall employ with the approval of the Chair such personnel of the Commission as may be necessary to perform the functions of the Commission. The Executive Director serves at the pleasure of the Commission Chair.

1.3 Appointment of Committees.—

The Commission Chair, in consultation with members of the Commission, shall appoint all standing and select committees, and the members of each, and unless otherwise provided shall designate a chair and vice-chair of each committee.

1.4 Calling the Commission to order.—

The Commission Chair shall take the chair each day at the hour established by the Commission at the last session or by the Committee on Rules and Administration. On appearance of a quorum, the Commission Chair shall immediately call the members to order and proceed with the daily order of business.

1.5 Commission Chair's control of order.—

The Commission Chair shall decide all questions of order, subject to appeal by any member to the Commission. The Commission Chair may require the member raising the point of order to cite the Rule or other authority in support of the question. Upon appeal, no member (except the member making the appeal) shall speak more than once, except by

permission of the Commission Chair. The member making the appeal shall have the right to speak five minutes in closing, and the Commission Chair shall have the right to speak five minutes from the floor to close the debate. *The appeal shall be decided by a majority vote.*

1.6 The Commission Chair's control of chamber, corridors, and rooms.—

The Commission Chair shall preserve order and decorum and shall have general control of the Chamber, galleries, halls, and rooms surrounding the Chamber as well as distribution of literature and other materials in those areas.

1.7 The Commission Chair's vote.—

The Commission Chair shall not be required to vote in ordinary proceedings, except on final passage of any proposed revision or part thereof of the Constitution, unless the Commission Chair's vote is needed to break a tie. In all roll call votes, the Commission Chair's name shall be called last.

1.8 Vacating the chair.—

The Commission Chair may name any member to perform the duties of the Chair, but such substitution shall not extend beyond one Commission meeting.

PART TWO—COMMISSION OFFICERS: SECRETARY OF THE COMMISSION AND SERGEANT-AT-ARMS

1.9 Appointment of a Secretary of the Commission.—

The Secretary of the Commission shall be designated by the Commission Chair.

1.10 Secretary's duties generally; maintains Journal.—

The Secretary of the Commission shall keep a correct daily Journal of the proceedings of the Commission, and this Journal shall be numbered serially from the first day of the Commission meeting in full session. The Secretary shall retain custody of all records or papers belonging to the Commission and shall not permit any records or papers belonging to the Commission to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt.

1.11 Secretary's duties; prepares calendar of public hearing and meeting notices of the Commission.—

The Secretary shall publish a calendar as provided by the Committee on Rules and Administration in accordance with these Rules. In the event the Commission goes into recess, the Secretary shall publish an interim calendar, which sets forth notices of public hearings, and all other matters of public information as shall be necessary to properly advise the members and the public of the official meetings of the Commission and its committees. Such notice, *including an agenda of items to be considered*, shall be published no less than five (5) days prior to Commission or committee meetings when the Commission is not in session. *During sessions of the Commission, notice, including an agenda of items to be considered, may be made by announcement by the Chair or committee chair while the Commission is in session. Any notice by announcement shall be made no less than twenty-four (24) hours prior to the committee meeting. A proposal taken up without the Commission conforming to this rule shall be regarded as being considered in workshop session only with final action carried over to a future meeting at which the above stated notice requirements have been met.*

1.12 Secretary's duties; reads papers and calls roll.—

The Secretary shall read to the Commission all papers ordered to be read, note responses of members when the roll is called to determine the presence of a quorum; call the roll and tabulate the answers of members when a question is taken by yeas and nays, and assist, under the direction of the Commission Chair, in taking the count when any vote of the Commission is taken by a show of hands or otherwise.

1.13 Secretary's duties; prepares printed forms.—

The Secretary shall prepare the copy for all printed forms used by the Commission.

1.14 Secretary's duties; indexes proposals.—

The Secretary shall maintain a numerical index of proposals filed by members and a cumulative index by introducers.

1.15 Appointment of a Sergeant-at-Arms.—

The Sergeant-at-Arms shall be designated by the Commission Chair.

1.16 Duties of the Sergeant-at-Arms.—

The Sergeant-at-Arms shall attend the Commission during its meetings, maintain order under the direction of the Commission Chair, and execute the commands of the Commission ~~and all processes issued by the authority thereof as directed by the Commission Chair.~~

PART THREE—COMMISSION MEMBERS

1.17 Attendance and voting.—

Unless excused ~~for just cause~~, every Commission member shall be within the Commission's chamber during its sessions and shall vote on each question *as provided in section 286.012, Florida Statutes.*

1.18 Excused absence.—

Upon the written request of any Commission member the Commission member shall be excused ~~Chair may excuse any member~~ from attendance at any Commission or committee proceeding, and such excused absence shall be noted in the Journal.

1.19 Incurring obligations.—

No member of the Commission shall incur any obligation payable from Commission funds without the prior written approval of the Commission Chair.

PART FOUR—EMPLOYEES OF THE COMMISSION

1.20 Executive Director.—

The Commission Executive Director serves at the pleasure of the Commission Chair.

1.21 Commission personnel.—

The Executive Director with the approval of the Commission Chair may employ such personnel of the Commission as may be necessary to perform the functions of the Commission. The personnel serve at the pleasure of the Chair, and the Executive Director has the authority to dismiss any employee with the approval of the Commission Chair.

1.22 Personnel; duties and hours.—

Commission personnel shall perform the duties assigned them by the Commission Chair or the Executive Director and shall remain on duty as required.

PART FIVE—PUBLIC MEETINGS AND PUBLIC RECORDS

1.23 Open meetings and records.—

All proceedings and records of the Commission shall be open to the public. *Each member of the Commission shall provide reasonable access to members of the public to any meeting between such member and two or more other members of the Commission, if such members of the public have requested admission and such meeting has been prearranged for the purpose of agreeing to take formal action on a pending proposal or amendment at such meeting or at a subsequent time. No such meeting shall be conducted at any location which is closed to any member of the public or which prohibits admission on the basis of race, religion, gender, national origin, physical handicap, or similar classification.*

RULE TWO

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

PART ONE—COMMITTEE ORGANIZATION, DUTIES, AND RESPONSIBILITIES

2.1 Standing substantive committees; creation.—

There is hereby created the following substantive standing committees:

1. Declaration of Rights (*Article I*)
2. Executive (*Article IV*)
3. Judicial (*Article V*)
4. Legislative (*Article III*)
5. Local Government (*Article VIII*)
6. Finance and Taxation (*Article VII*)
7. Ethics and Elections (*Article VI, part of Article II*)
8. Bonding and Investments (*Article VII*)
9. Education (*Article IX*)
10. *General Provisions (Articles II, X, XI, and XII) Miscellaneous*

Each standing committee shall be composed of no less than five (5) members. Additional standing committees may be named by the chair.

2.2 Substantive standing committees; powers and responsibilities.—

The standing substantive committees shall review proposals referred to them by the Chair in relation to the Constitution of the State of Florida, as revised in 1968 and subsequently amended, and report the results of their deliberations to the full Commission. Any action of a standing committee is advisory only.

2.3 Standing procedural committees.—

There is hereby created the following procedural committees:

1. The Style and Drafting Committee. The Style and Drafting Committee shall have the responsibility for clarifying, codifying, and arranging the proposals adopted by the Commission into an orderly revision of or amendment(s) to an existing Section or Article of the present Constitution. It shall also prepare the Commission's final report.

2. The Rules and Administration Committee. The Rules and Administration Committee shall be responsible for setting the daily calendar and any additions thereto. It shall also see that the proceedings of the Commission, in full session, are in accordance with the Rules of the Commission and consider such matters as may be referred to it by the Chair. It shall also provide a schedule of the days and hours for the meetings of the committees to prevent scheduling conflict among members. The committee will also be responsible for working with the Chair and the Executive Director on administrative matters relating to the Commission's operation.

2.4 Committees; meetings.—

Each committee, substantive or procedural, shall meet publicly at such times as are called by the respective committee chair or as determined by the Committee on Rules and Administration, subject to the approval of the Commission Chair. The Chair may excuse any member from attendance from committee meetings. The Chair shall group standing committees to provide each with an opportunity to meet without conflicting with the meetings of other committees.

2.5 Committees; quorum.—

A majority of the members of a committee shall constitute a quorum.

PART TWO—COMMITTEES; OFFICERS

2.6 Committees; appointment of chair and vice-chair.—

The Commission Chair shall appoint a chair and vice-chair of each committee who shall serve at the pleasure of the Commission Chair.

2.7 Committees; calling committees to order.—

The chair or, in the chair's absence, the vice-chair, shall call the committee to order. On the appearance of a quorum, the committee shall proceed with the order of business. Any member of the committee may question the absence of a quorum.

2.8 Committees; chair's control.—

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

2.9 Chair and vice-chair; vote.—

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

PART THREE—COMMITTEES; VOTING

2.10 Committees; taking the vote.—

The chair shall declare all votes and shall cause the same to be entered on the records of the committee, but if any member questions a vote, then by a show of hands by three (3) members the chair shall call the roll. When the committee shall be equally divided, the question shall be lost.

2.11 Committees; proxy voting.—

Each committee member shall attend all meetings. No member of a committee shall vote by proxy.

PART FOUR—COMMITTEES; CONSIDERATION AND REPORT

2.12 Committees; consideration of proposals.—

All proposals that are referred to a committee established pursuant to these Rules shall be reported from the respective committee in writing, together with the recommendation of approval, disapproval or no recommendation and filed with the Secretary. No proposal may be rejected or defeated by a committee, but a committee, in reporting its recommendation, may draft a new proposal, embracing the same general subject matter of the original proposal(s) to be returned to the Commission with the recommendation that a substitute be considered in lieu of the original proposal(s).

2.13 Committee consideration; time-frame.—

Prior to the convening of the full Commission in session, committees may consider proposals at the pleasure of the chair of the respective committees. When the Commission is meeting in regular sessions, each committee to which a proposal is referred shall have no longer than *eight (8) three (3)* Commission meeting days from the day it received a proposal within which to file its written report, provided however, that on the motion of the committee chair, the time may be extended by the Commission for a period not to exceed five (5) Commission days per motion.

2.14 Committees; failure to report.—

In the event a committee fails to report a proposal within the time allowed by these Rules and the time has not been extended, on point of order by the introducer, the proposal shall be deemed reported without recommendation and transmitted to the Secretary to be placed on the calendar for consideration.

2.16 Committees; signing reports.—

All committee reports shall be signed by the chair, or the vice-chair in the absence of the chair, and filed with the Secretary. Committees shall keep an accurate record of the committee's activity including but not limited to motions, amendments, and votes.

2.17 Committees; transmit proposals to Secretary.—

Proposals after having been reported by a committee shall be placed on the calendar for consideration. Proposals shall be listed in numerical order. The Rules and Administration Committee shall establish a calendar for consideration of proposals and other matters in such order or

manner as it deems proper. *However, the order may be amended by a majority vote of the Commission.*

RULE THREE

PROPOSALS

3.1 Objectives.—

The Constitution Revision Commission is vested with the duty to examine the Constitution of the State of Florida, as revised in 1968, and subsequently amended, hold public hearings, and file with the Secretary of State its proposal, if any. This Rule and each portion thereof addresses itself to the basic document under consideration, proposals for revision and procedures therefor.

3.2 Base document.—

The Constitution of the State of Florida, as revised in 1968 and subsequently amended, shall be the base document for all proposals. The Constitution shall be printed in legislative bill form.

3.3 Commission consideration of public issues.—

Constitutional issues raised by the public shall be identified and listed in numerical order according to the article and section of the Constitution to which they relate. Upon motion of a Commissioner and upon receiving an affirmative vote of at least ten (10) Commission members, issues submitted by the public shall be filed with the Secretary for consideration by the Commission. The moving Commissioner of a public proposal shall be deemed the sponsor of such proposal.

3.35 Commissioners' proposals.—

Those issues submitted by Commissioners shall be reviewed by the Commission and ~~upon an affirmative vote of at least ten (10) members,~~ the issue shall be filed with the Secretary of the Commission for consideration by the Commission.

3.4 Form of proposals.—

Proposed revisions to the 1968 Constitution *filed with the Secretary shall be incorporated onto written forms shall be submitted on written forms* prescribed by the Secretary. The forms shall follow the form for bills used by the Florida Legislature. A proposal for revision shall address itself to the pertinent article, section, page, and line number of the 1968 Constitution, as amended, which it seeks to revise. Existing language proposed to be deleted shall be lined through with hyphens. Proposed new language shall be underlined. A proposal for revision of the Constitution shall be designated a proposal, and shall be referred to as such.

3.5 Proposals for introduction.—

All proposals submitted and receiving requisite consideration by Commission members shall be filed with the Secretary who shall serially number them and submit them to the Commission for any action as determined by the Commission. The Commission Chair shall refer proposals to the appropriate committees.

3.6 Substitute proposals.—

If a substitute proposal has been filed with the Secretary, when the original proposal is reached on the calendar, it shall be automatically tabled and the substitute proposal shall be available in lieu of the original proposal. Upon failure of a motion to consider the substitute proposal, consideration of the original proposal shall be the next order of business. The introducer of the original proposal may be shown by the Secretary as a co-sponsor of a substitute or may withdraw as a co-sponsor.

RULE FOUR

FULL COMMISSION; ORDER OF BUSINESS AND CALENDAR

4.1 Session of the Commission.—

The Commission shall meet pursuant to a schedule adopted by the Committee on Rules and Administration and approved by the Commission Chair. The schedule shall set forth the hours to convene and adjourn.

4.2 Quorum.—

A majority of the Commission shall constitute a quorum.

4.3 Daily order of business.—

The daily order of business shall be as follows:

1. Roll call
2. Prayer
3. Pledge of allegiance to the flag
4. Receiving communications
5. Introduction of proposals
6. Reports of committees
7. Matters on reconsideration
8. Special order as determined by the Rules and Administration Committee.
9. Unfinished business
10. Correction and approval of Journal

The Secretary of the Commission shall prepare and distribute, ~~on each day of session,~~ a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order that they appear on the daily calendar.

4.4 Motion to amend daily order of business.—

Any motion to amend the daily order of business shall be deemed as a motion to waive the rules.

RULE SIX

MOTIONS AND PRECEDENCE

6.1 Motions; how made, withdrawn.—

Every motion other than a motion to amend a proposal under consideration, shall be made orally. At the request of the Commission Chair any motion shall be reduced to writing. After a motion has been stated or read by the Commission Chair, it shall be deemed ~~to be~~ in possession of the Commission and, without a second, shall be disposed of by a vote of the Commission. The mover of the motion may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the ~~motion same~~ has been amended or before the vote shall have commenced.

6.2 Motions; precedence.—

When a question is under debate, the Commission Chair shall receive no motion except:

1. To adjourn instant
2. To adjourn at a time certain
3. Questions of privilege
4. To take a recess
5. To reconsider
6. To limit debate
7. To postpone to a day certain
8. To commit to a standing committee
9. To commit to a select committee
10. To amend

Those motions shall have a precedence in the descending order given above. The Commission Chair shall propound all questions in the order in which they are moved unless the subsequent motion *is of a higher precedence be previous in nature*; except that in fixing a time to adjourn, the longest time shall be put first. In all cases where the Commission shall be *evenly* divided, the question shall be lost.

6.3 Motions which can be made but once.—

Motions to adjourn or recess shall be decided without debate by a majority vote of those present and voting. Only one substitute for a motion to adjourn shall be entertained. The substitute motion shall fix a different time for adjournment, and the same shall be put without debate, except that one (1) minute shall be allowed for the movers of the substitute within which to explain their reasons. The substitute motion having been lost, the question shall be put on the original motion, which,

if lost, shall preclude any further motion to adjourn until other business shall have intervened.

6.4 Division of question.—

Any member may call for a division of a question when the sense will admit it. A motion to strike 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.

6.5 Reconsideration; generally.—

When a main question has been made and carried or lost a Commissioner voting with the prevailing side may move for reconsideration of the question on the same or the next day on which the Commission meets. If the question has been decided by voice vote, any Commissioner may so move. Such motion may be made pending a motion to adjourn or if it is time to adjourn. Consideration of a motion to reconsider shall be a special and continuing order of business for the *Commission's full Commission when it next meets as the full Commission meeting after succeeding that on which* the motion was made and, unless considered on *that said* business day, shall be considered abandoned. If the Commission 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 present. When a majority of Commissioners 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 is necessary for adoption or passage, any Commissioner may move for reconsideration. On the last day on which the Commission meets, a motion to reconsider shall be taken up *instanter*.

6.6 Reconsideration; when debate allowed.—

Debate shall be allowed on a motion to reconsider only when the question which it *proposes is proposed* to reconsider is debatable. Where debate upon a motion to reconsider is in order, no member shall speak thereon more than once nor for a longer period than five (5) minutes.

6.7 Reconsideration; collateral matters.—

The adoption of a motion to reconsider a vote upon any secondary matter shall not remove the main subject under consideration from the consideration of the Commission. A motion to reconsider a collateral matter must be disposed of at once during the course of consideration of the main subject to which it is related and such motion shall be out of order after the Commission has passed to other business.

RULE SEVEN

AMENDMENTS

7.1 General form; notice; manner of consideration; *filing deadline*.—

All amendments shall be filed with the Secretary of the Commission on forms prescribed by the Secretary, but shall be considered only after the sponsor gains recognition from the Chair to move for adoption. *All amendments to be considered by the full Commission shall be filed with the Secretary by noon the day before the amendment is to be considered. Amendments to amendments and substitute amendments shall be filed by 5:00 p.m. the day before consideration. All amendments shall be electronically posted by 7:00 p.m. the day before consideration. All amendments properly filed shall be heard and the sponsor given the opportunity to be heard unless the amendment is withdrawn by the sponsor.*

7.2 Sequence of amendments to amendments.—

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:

1. Amendments to the amendment are acted on before the substitute is taken up. Only one amendment to the amendment shall be in order at a time.
2. Amendments to the substitute are next voted on.
3. The substitute then is voted on.

The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the proposal itself.

7.3 Amendment by section.—

The adoption of an amendment to a section shall not preclude further amendment of that section or article. If an article is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The Commission Chair shall, in recognizing members for the purpose of moving for adoption of amendments, try to consider all amendments to Section 1 first, then all amendments to Section 2 and so on. After all sections have been considered separately in lieu of the entire article, the whole article shall be open for amendment.

7.4 Amendment; germanity of amendment.—

No proposition on a subject different from that under consideration shall be admitted under color of amendment.

RULE EIGHT

DECORUM AND DEBATE

8.1 Decorum and debate.—

When any member desires to speak or deliver any matter to the Commission, the member shall rise at his or her seat and address the Chair as "Mr. or Madam Chair," and, on being recognized, may address the Commission from his or her desk, and shall confine any remarks to the question under debate, avoiding personality. A member shall not address or refer to another member by his or her first name. A member shall use the appellation of "Commissioner," or such appellation and the surname of the Commissioner addressed.

8.2 Commission Chair's power of recognition.—

When two (2) or more members rise at once, the Commission Chair shall name the member who is first to be recognized.

8.3 Interruption of members in debate.—

No member shall be interrupted by another member without the consent of the member who has the floor, except *by a member* rising to a question of order.

8.4 Time for debate.—

No member shall speak more than ten (10) minutes in debate on any question. The introducer of a proposal under consideration shall be entitled to five (5) minutes to close, notwithstanding that the introducer may have used ten (10) minutes in opening.

8.5 Limitation on debate.—

When a proposal is under debate by the Commission, a member may move to limit debate, and such motion shall be decided without debate, except the introducer of a proposal shall have five (5) minutes to discuss *the said* motion to limit debate. If, by two-thirds (⅔) vote of those present, the question is decided in the affirmative, debate shall be limited accordingly.

8.6 Priority of business.—

All questions relating to priority of business shall be decided without debate.

8.7 Questions of privilege.—

Questions of privilege shall be: (1) those affecting the Commission collectively, its safety, dignity, and the integrity of its proceedings; and (2) the rights, reputation, and conduct of members individually in their representative capacity only. These shall have precedence over all other questions except motions to adjourn. Upon recognition of the Chair, no member shall be permitted to speak longer than ten (10) minutes on a question of privilege.

RULE NINE

MISCELLANEOUS

9.1 Interpretation of rules.—

The latest edition of Roberts Rules of Order, Newly Revised, shall govern the Commission and committees in all cases in which they are applicable where they are not in conflict with the Rules of the Commission, except that seconds to motions shall not be necessary. It shall be the duty of the Commission Chair, or the presiding officer, to interpret all rules subject to appeal by any member.

9.2 Waiver and suspension of rules.—

These rules shall not be waived or suspended except by a two-thirds ($\frac{2}{3}$) vote of all the members of the Commission. The motion, when made, shall be decided without debate. No motion to waive a rule requiring unanimous consent of the Commission shall be adopted except by unanimous consent of those present.

9.3 Changes in rules.—

All proposed amendments to these Rules shall be presented to the Rules and Administration Committee for recommendation to the Commission. Such recommendation may be amended by a two-thirds ($\frac{2}{3}$) vote of the Commission and shall be adopted by a two-thirds ($\frac{2}{3}$) vote of the Commission.

9.4 Majority action.—

Unless otherwise indicated by these rules, all action by the Commission shall be by majority vote of those members present.

9.5 Supreme Court library temporary repository for Commission records.—

The Supreme Court library shall be provided with copies of the records for the purpose of creating an electronic record of the Commission process. All records of the Commission will be permanently stored with the Secretary of State, Division of Library Information Services, Bureau of Archives and Records Management.

9.6 Alternates.—

Alternates shall have the same privileges as Commissioners, but shall not have voting privileges.

MOTION

Commissioner Connor moved to divide the question on **Amendment 3** by rule number. The motion failed.

The question recurred on **Amendment 3** which failed.

Commissioner Hawkes offered the following amendment to the Rules as amended which failed:

Amendment 4—

On page 5, delete lines 5-8, and insert:

1.17 Attendance and voting.—

Unless a Commission member has submitted the written notice provided in Rule 1.18, every Commission member shall be within the Commission's chamber during its sessions and shall vote on each question, as provided in section 286.012, Florida Statutes.

MOTION

On motion by Commissioner Barkdull, without objection, the Secretary was instructed to make necessary technical corrections to the rules.

**COMMITTEES OF THE
CONSTITUTION REVISION COMMISSION**

(Substantive Committees)

Bonding and Investments

Commissioner Hawkes, Chair; Commissioner Crenshaw, Vice-chair; Commissioners Argiz, Marshall, Nabors, Sullivan and West

Declaration of Rights

Commissioner Smith, Chair; Commissioner Connor, Vice-chair; Commissioners Barton (Alternate), Evans, Freidin, Kogan, Mathis, Mills, Riley and Rundle

Education

Commissioner Jennings, Chair; Commissioner Riley, Vice-chair; Commissioners Alfonso, Argiz, Evans, Logan (Alternate), Marshall, Smith and Wetherington

Ethics and Elections

Commissioner Kogan, Chair; Commissioner Freidin, Vice-chair; Commissioners Brochin, Barton (Alternate), Corr, Leesfield (Alternate), Planas and West

Executive

Commissioner Alfonso, Chair; Commissioner Morsani, Vice-chair; Commissioners Barkdull, Corr, Evans-Jones, Henderson, Leesfield (Alternate) and Thompson

Finance and Taxation

Commissioner Scott, Chair; Commissioner Brochin, Vice-chair; Commissioners Anthony, Argiz, Barnett, Planas, Ford-Coates, Lowndes and Nabors

General Provisions

Commissioner Anthony, Chair; Commissioner Barkdull, Vice-chair; Commissioners Crenshaw, Henderson, Mathis and Sullivan

Judicial

Commissioner Wetherington, Chair; Commissioner Langley, Vice-chair; Commissioners Butterworth, Jennings, Logan (Alternate), Sundberg and Zack

Legislative

Commissioner Thompson, Chair; Commissioner Evans-Jones, Vice-chair; Commissioners Connor, Langley, Mills, Scott, Sundberg and Zack

Local Government

Commissioner Ford-Coates, Chair; Commissioner Butterworth, Vice-chair; Commissioners Barnett, Hawkes, Lowndes, Morsani, Nabors and Rundle

(Procedural Committees)

Rules and Administration Committee

Commissioner Barkdull, Chair; Commissioner Scott, Vice-chair; Commissioners Evans-Jones, Langley and Thompson

Style and Drafting Committee

(Members to be named at a later date.)

RECESS

On motion by Commissioner Barkdull, the Commission recessed at 11:53 a.m.

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**CONSTITUTION REVISION COMMISSION
B-11 HISTORIC CAPITOL
TALLAHASSEE, FLORIDA 32399-1300**