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BASIC CITATION FORMS

3. LEGISLATIVE MATERIALS

3.1 FLORIDA LEGISLATIVE JOURNALS

3.1.1 In Text

Both the House and the Senate publish an official journal for each day that each house is in formal session. Specific references to the House or Senate journals should be italicized.

Representative Jones reported in the *Journal* that she abstained from voting on House Bill 256 because she had a financial interest in the subject matter of the bill.

3.1.2 In Footnotes

(a) *Basic Form*

The form is: FLA. [S. or H.R.] JOUR. [page] (session designation and year).

124. FLA. S. JOUR. 1 (Spec. Sess. 1978).

(b) *Numbering Problems*

The reason for indicating in the parenthetical whether it is a regular session, special session, or an organizational session is that the legislature begins a new set of page numbers each time a new session convenes (the 1976 House Journal is one of the few exceptions). Consequently, more than one session may be bound in the same volume.

EXAMPLE [the following are in the same volume]:

FLA. H.R. JOUR. (Org. Sess. 1982).

FLA. H.R. JOUR. (Reg. Sess. 1983).

EXAMPLE [the following are in the same volume]:

FLA. S. JOUR. (Spec. Sess. 1974).

FLA. S. JOUR. (Reg. Sess. 1975).

FLA. S. JOUR. (Org. Sess.—Court of Impeachment 1975).

(c) Multiple Special Sessions

If a single volume reports more than one special session, regular session, or organizational session, cite the exact dates.

EXAMPLE [the following are in the same volume]:

FLA. H.R. JOUR. (Spec. Sess. Dec. 1-10, 1969).

FLA. H.R. JOUR. (Spec. Sess. June 10, 1970).

(d) Unbound Copies of the Journals

Use the same basic forms except include in the parenthetical the exact date for the page number being cited. Ordinarily, this will arise only for the journals of the immediate past session.

135. FLA. H.R. JOUR. 658 (Reg. Sess. May 27, 1985).

136. FLA. S. JOUR. 1073 (Reg. Sess. May 31, 1985).

(d) Special Parentheticals

In addition to the basic form, it is often helpful to include a second parenthetical that pinpoints the exact action being cited. This may include a particular bill, amendment, conference committee report, bill reference, or any other relevant action. If this form is used, it may also be necessary to indicate two page numbers: the first page number indicates where the relevant action starts and the second page number pinpoints the exact item being cited.

73. FLA. H.R. JOUR. 665 (Reg. Sess. May 27, 1985) (Report of Standing Committees).

EXAMPLE [The first page number references where the bill was taken up for action on the floor and the second page number indicates where the vote was recorded]:

111. FLA. S. JOUR. 1005, 1006 (Reg. Sess. May 31, 1985)
(Conference Committee Report on Fla. CS for HJR 386).

(e) Short Forms: The Use of "Id."

Complete Reference: Use "*id.*" alone only when the footnote refers to everything in the preceding note.

Partial Reference: If the reference is to the same general matter or to a different matter then use the form: "*Id.*" followed by the word "at" and the page number the citation is to (if the cite is to a

different page), and then an appropriate parenthetical to pinpoint the matter.

EXAMPLE [same bill, different amendment]:

134. FLA. S. JOUR. 513, 524 (Reg. Sess. May 27, 1985)
(Amendment 1G).

135. *Id.* at 525 (Amendment 1L).

EXAMPLE [Different bills. The first page number references where the report starts and the second page number is where the vote is recorded]:

111. FLA. S. JOUR. 1005, 1006 (Reg. Sess. May 31, 1985)
(Conference Committee Report on Fla. CS for HJR 386); *id.* at
1006, 1008 (Conference Committee Report on Fla. CS for HB
387); FLA. H.R. JOUR. 1160, 1162 (Reg. Sess. May 31, 1985)
(Conference Committee Report on Fla. CS for HB 387); *id.* at
1162, 1163 (Reg. Sess. May 31, 1985) (Conference Committee
Report on Fla. CS for HJR 386).

3.1.3 Index

There is a separate index for each session but no master index for the bound volume. For the current session, prior to the time that the index is available, the daily legislative computer printout (the *Bill History Index, Citator and Sponsor Report*) will contain a cross-reference to the journal for each entry.

3.1.4 Uses of the Journals

The journals should be cited whenever there is a footnote reference to committee or floor actions, including floor amendments. Do not cite to the legislature's computer printout (either the daily *Bill History Index, Citator and Sponsor Report* or the end of the session's *History of Legislation*). Note that the legislature's computer printouts cross-reference committee and floor actions to the respective journals.

The most important use for the journals is for tracing bill history. There are indices by subject and by bill number. Be sure to check the journals and the legislature's computer printout (either the daily *Bill History Index, Citator and Sponsor Report* or the end of the session's *History of Legislation*) since each has information that the other does not.

Each journal has basic data about the number of bills introduced each session, a listing of the bills introduced by each legislator, all roll call votes, and a verbatim statement of every amendment to a bill in floor debate. It usually reproduces the governor's messages to the legislature.

3.1.5 Limitations

Unlike the *Congressional Record*, the journals do not reproduce a transcript of the floor debate. Debate must be listened to by tape recording.

Each journal begins only as of the first day of a legislative session and is published only for each day in which the house meets in formal session. The journals are not published during the interim and do not carry any reports of interim committee activity.

When reporting the date a bill was introduced, note that the first reading of each bill reported in the journal at the start of each session is a formality observed for state constitutional reasons. Many bills are prefiled and often committee activity has taken place before the legislative session officially commences. To determine the date of prefiling and to learn of any interim committee action, examine the appropriate bill report in either the daily *Bill History Index*, *Citator and Sponsor Report* or the end of the session's *History of Legislation*.

3.2 THE "CITATOR" AND THE "HISTORY OF LEGISLATION"

3.2.1 Introduction

Each day of the legislative session the Legislative Information Division produces a report in the form of a bound computer printout entitled *Bill History Index*, *Citator and Sponsor Report*. At the end of the session, the Division produces a final version of this computer printout and renames the report the *History of Legislation*.

Both of these documents are indexed by subject, bill number, and legislator, with each day's report including the cumulative action to date and whether there are any companion or similar bills for each bill as of the date of publication. Additionally, the *History of Legislation* shows the final disposition of all bills, including the date of the governor's signing or vetoing, the session law chapter numbers of approved legislation, and various statistical reports for the session.

These documents also have an index by statute number that lists all bills introduced that relate to identified chapters or sec-

tions of the Florida Statutes. This is a quick way to find out if a statute has been repealed or modified. Note, however, that this is not foolproof because not all bills are keyed to specific statutes.

3.2.2 In Text

It should never be necessary to mention these legislative computer printouts in the text because it is more appropriate to discuss the action or source referenced by the printout rather than to discuss the printout's memorialization of the action.

3.2.3 In Footnotes

Only the *History of Legislation* is ever cited, and then only for actions that are not otherwise indicated in the journals or session laws.

The form is:

FLA. LEGIS., HISTORY OF LEGISLATION, [YEAR OF SESSION AND TYPE OF SESSION], HISTORY OF [HOUSE OR SENATE] BILLS at [page number], [bill number under discussion].

90. FLA. LEGIS., HISTORY OF LEGISLATION, 1985 REGULAR SESSION, HISTORY OF HOUSE BILLS at 13, HB 95.

92. FLA. LEGIS., HISTORY OF LEGISLATION, 1985 REGULAR SESSION, HISTORY OF SENATE BILLS at 23, SB 159.

(a) *Short Forms: The Use of "Id."*

Complete Reference: When the next reference is to the same year's report and to the same house's bill report, use "*id.*," the page number cited and the bill number under discussion.

173. FLA. LEGIS., HISTORY OF LEGISLATION, 1985 REGULAR SESSION, HISTORY OF HOUSE BILLS at 111, HB 787; *id.* at 123, HB 882.

Partial Reference: When the next reference is to the same year's report but to the other house's history, use the following form.

173. FLA. LEGIS., HISTORY OF LEGISLATION, 1985 REGULAR SESSION, HISTORY OF HOUSE BILLS at 111, HB 787; *id.* at 123, HB 882.

174. *Id.*, HISTORY OF SENATE BILLS at 106, SB 818; *id.* at 107, SB 823.

4. See, e.g., FLA. LEGIS., HISTORY OF LEGISLATION, 1976 REGULAR SESSION, HISTORY OF SENATE BILLS at 123, SB 387; *id.*, HISTORY OF HOUSE BILLS at 390, HB 2590; FLA. LEGIS., HISTORY OF LEGISLATION, 1977 REGULAR SESSION, HISTORY OF HOUSE BILLS at 56, HB 219.

(b) *Short Forms: Use of "Hereinafter"*

As a general rule, "hereinafter" forms should not be used with the *History of Legislation* if there is more than one house's bill report cited in the entire article. However, if within an article there are references to only one *History of Legislation* and it is to only one house's bill report, then the hereinafter form may be used. Note that the hereinafter form takes the same type style as the full citation form.

EXAMPLE [this is the only bill report cited in the article]:

82. FLA. LEGIS., HISTORY OF LEGISLATION, 1985 REGULAR SESSION, HISTORY OF SENATE BILLS at 8, SJR 27 [hereinafter HISTORY OF SENATE BILLS].

3.3 REGULAR COMMITTEES AND SELECT COMMITTEES

In a citation sentence in a footnote, the form is:

Fla. [H.R. or S.] Comm. on [abbreviation for committee].

Fla. [H.R. or S.] Select Comm. on [abbreviation for committee].

When citing to a subcommittee, the form is:

[full committee cite], Subcomm. on [full name of subcommittee, not abbreviated].

Whether the name appears in ordinary roman type or large and small capitals will depend upon the exact materials being cited.

26. Staff of Fla. S. Comm. on Commerce, CS for SB 1 (1985) Staff Analysis 2 (final June 10, 1985) (on file with committee).

133. Fla. H.R. Comm. on Govtl. Ops., Subcomm. on Administrative Procedures, tape recording of proceedings (Apr. 4 1974).

143. STAFF OF FLA. S. COMM. ON NAT. RESOURCES & CONSER., PUBLIC LANDS IN FLORIDA 13-14 (Oct. 1978) (on file with committee).

[Note—see Official Legislative Branch Reports, Rule 3.6].

3.4 JOINT LEGISLATIVE COMMITTEES

There are two types of joint committees in the Florida Legislature. One type are those committees that the speaker and the president create for a definite period to investigate a particular topic. The second type of joint committee is created by statute and continues indefinitely.

3.4.1 Statutory Joint Committees

Use the statutory name specified in chapter 11, Florida Statutes. See abbreviations, Rule 2.2.2.

3.4.2 Nonstatutory Joint Committees

Use the abbreviations on Rule 2.2.2. Follow the basic rules for committee names set out above, except that the form will be:

Jt. Comm. on [abbreviation for committee]

3.5 LEGISLATIVE STAFF ANALYSES AND FISCAL NOTES

3.5.1 Staff Analysis

The form is:

Staff of Fla. [H.R. or S.] Comm. on [abbreviation of committee name], [bill and number] (year of bill) Staff Analysis [page cited] (parenthetical indicating version of analysis and date) (location of analysis).

The original version will have only the date. Use the abbreviation “rev.” for revised, “2d rev.” for a second revision that is not indicated as the final version, and spell out “final” if the analysis indicates that it is the final version.

25. Staff of Fla. H.R. Comm. on HRS, HB 19-A (1984)
Staff Analysis 2 (final Dec. 12, 1984) (on file with committee).

33. Staff of Fla. H.R. Comm. on HRS, HB 715 (1985) Staff Analysis 3 (rev. Apr. 16, 1985) (on file with committee).

3.5.2 Senate Staff Analysis and Economic Impact Statement

The Senate "Staff Analysis and Economic Impact Statement" is cited only as a "Staff Analysis" and follows the basic form.

175. Staff of Fla. S. Comm. on Commerce, CS for SB 1162 (1985) Staff Analysis 2 (May 2, 1985) (on file with committee).

3.5.3 Fiscal Notes

The fiscal notes produced by the House Finance and Taxation Committee and the House Appropriations Committee are cited like a staff analysis except that the phrase "Fiscal Note" is substituted for the phrase "Staff Analysis." Since the Senate fiscal note is a part of the "Staff Analysis and Economic Impact Statement" there will be no references to Senate fiscal notes.

55. Staff of Fla. H.R. Comm. on Approp., HB 261 (1985) Fiscal Note 1 (May 22, 1985) (on file with committee).

3.5.4 Short Forms: Use of "Hereinafter"

Short forms should include enough information to identify and distinguish the citation from any other short forms that might be used in the article. This may include as little as an abbreviation for the committee and the phrase "Staff Analysis." Note that the hereinafter form takes the same type style as the full citation.

16. Staff of Fla. S. Comm. on HRS, SB 708 (1985) Staff Analysis 1 (May 2, 1985) (on file with committee) [hereinafter HRS Comm. SB 708 Staff Analysis].

3.6 OFFICIAL LEGISLATIVE BRANCH REPORTS

The basic form is that for books.

143. STAFF OF FLA. S. COMM. ON NAT. RESOURCES & CONSER., PUBLIC LANDS IN FLORIDA 13-14 (Oct. 1978) (on file with committee).

3.6.1 Author

The author's name, whether a person or an institution, will appear in large and small capital letters. Institutional authors may be

abbreviated. For legislative committee staff authors, use the appropriate committee abbreviations. For individuals, use the first initial of the author followed by the last name.

3.6.2 Title

In large and small capital letters, reproduce the title exactly as it appears on the title page. Do not abbreviate the title unless it is abbreviated in the original. For some reports there will not be a formal title; it will be "Final Report" or something similar.

3.6.3 Date

Abbreviate the month, if used.

3.6.4 Location

The place where someone may acquire or examine the report should be indicated in a parenthetical.

3.6.5 Short Forms: Use of "Hereinafter"

Short forms should include enough information to identify and distinguish the citation from any other short forms that might be used in the article.

3.6.6 Conference Committee Reports

These reports are not formal reports in the sense that they are formally published or printed. Rather, they are usually short summaries prepared by the conference committee for a bill that explains to each house which version of the underlying bill is being recommended. These reports should be cited to the House or Senate journal, see Rule 3.1, when they are reproduced therein, otherwise the typewritten report may be cited, with a parenthetical indicating where a copy may be obtained.

111. FLA. S. JOUR. 1005 (Reg. Sess. May 31, 1985)
(Conference Committee Report on Fla. CS for HJR 386); FLA.
H.R. JOUR. 1160 (Reg. Sess. May 31, 1985) (Conference
Committee Report on Fla. CS for HJR 386).

3.7 TAPE RECORDINGS OF LEGISLATIVE PROCEEDINGS

Ordinarily, legislative debates and testimony are not transcribed in full. Tape recordings for formal sessions of either house are available through the Clerk of the House or Secretary of the Senate. Tapes of committee debates are made by the respective com-

mittees. Each recording is retained by the Clerk, Secretary, or the individual committees for several years. When finished with the tapes, usually after each biennium, they are sent to the Legislative Library. The Legislative Library eventually sends all legislative materials to the Florida State Archives in the R.A. Gray Building, Tallahassee, Florida.

3.7.1 House or Senate Formal Proceedings

The basic form is:

Fla. [S. or H.R.], tape recording of proceedings (date) (location) (nature of matter under discussion or person who spoke).

Generally, the location parenthetical will be either "on file with Secretary" or "on file with Clerk."

170. Fla. S., tape recording of proceedings (May 22, 1985) (on file with Secretary) (statements of Sen. Carlucci, Dem., Jacksonville).

3.7.2 Committee Proceedings

The basic form is:

Fla. [S or H.R.], Comm. on [abbreviation for committee], Subcomm. on xxxxx [if appropriate], tape recording of proceedings (date) (location) (nature of matter under discussion or person who spoke).

Generally, both committee and subcommittee tapes are kept on file with the committee.

122. Fla. S., Comm. on Approp., tape recording of proceedings (Apr. 23, 1985) (on file with committee).

113. Fla. H.R., Comm. on Commerce, Subcomm. on Small Business, tape recording of proceedings (Apr. 16, 1985) (on file with committee) (testimony of Barbara Garrett, representing the Northwest Fla. Creek Indians).

3.7.3 Short Forms: The Use of "Hereinafter"

Short form references may be used with either chamber or committee tapes. These short forms should include enough information to identify and distinguish the citation from any other of the short forms. This may include a committee's proper abbreviation or the

date of the tape. Note that the hereinafter form takes the same type style as the full citation.

367. Fla. H.R., tape recording of proceedings (May 14, 1985) (on file with Clerk) (statement of Rep. Wallace, Chairman, Subcomm. on Growth Management) [hereinafter May 14 House Debate].

102. Fla. S., Comm. on Approp., tape recording of proceedings (May 23, 1985) (on file with committee) [hereinafter S. Approp. Tape].

3.8 TRANSCRIPTS OF LEGISLATIVE PROCEEDINGS

3.8.1 Basic Form

The form is:

Fla. [S. or H.R.], [committee, if applicable], transcript of proceedings [or hearing, as appropriate] at [page] (date of tape) (location of tape) (nature of matter under discussion or person who spoke).

126. Fla. H.R., Select Comm. on Sovereignty Lands, transcript of hearing at 40 (June 7, 1978) (available at Fla. Dep't of State, Div. of Archives, ser. 18, carton 767, Tallahassee, Fla.) (statement of David Gluckman) [hereinafter H.R. SCSL Transcript].

3.8.2 Unusual Pagination

If the transcript is not continuously paginated or the transcript is only of part of the hearing or proceeding, modify the usual form so that the citation will properly direct the reader to the location of the information.

228. Fla. S., Select Comm. on Sovereignty Lands, unpaginated partial transcript of tape recording of proceedings, lines 375-83 (June 6, 1978, tape 1) (available at Fla. Dep't of State, Div. of Archives, ser. 18, carton 1091, Tallahassee, Fla.) (statement of Dean Frank E. Maloney).

EXAMPLE: [where the statement of the witness has its own pagination]:

48. Fla. H.R., Select Comm. on Oil Spill Legislation, Statement of C. Jensen at 2 (Oct. 11, 1973) (on file with committee).

3.9 LEGISLATIVE COMPUTER PRINTOUTS

3.9.1 Statutory Revision Division Computer

The Legislature's Statutory Revision Division has the full text of the Florida Statutes on computer. When requested, the Division will conduct searches of the statutes, which can be of key words or phrases.

When used as a citation, the form is:

Fla. Legis., Jt. Legis. Mgt. Comm., Div. of Statutory Revision, computer printout at [page] (date) (nature of search or matter under discussion) (location where copy of printout may be obtained).

122. Fla. Legis., Jt. Legis. Mgt. Comm., Div. of Statutory Revision, computer printout (Mar. 27, 1984) (report on the appearance of the phrase "legislative intent" in the 1983 Florida Statutes) (printout on file, *Florida State University Journal of Land Use and Environmental Law*).

3.9.2 Economic and Demographic Research Division

The legislature's Economic and Demographic Research Division has a computer database that contains numerous statistical analyses regarding the State of Florida, including invaluable data concerning tax revenues and forecasts.

When used as a citation, the form is:

Fla. Legis., Jt. Legis. Mgt. Comm., Div. of Econ. & Demographic Research, computer printout at [page number] (date) (nature of the search or matter under discussion) (location).

122. Fla. Legis., Jt. Legis. Mgt. Comm., Div. of Econ. & Demographic Research, computer printout at 15 (Feb. 5, 1986) (report on 1985 Florida sales tax receipts, Leon County data) (printout on file, *Florida State University Law Review*).

3.10 IDENTIFYING INFORMATION FOR LEGISLATORS

3.10.1 General Rule

The first time a member of the legislature is mentioned in the text, cite to the member's party and home district. The basic form is: [party abbrev.], [home town].

Representative Betty Metcalf⁴¹ said . . .

41. Dem., Coral Gables.

3.10.2 First Reference Occurs in a Footnote

If the first reference to the member occurs in a footnote, then simply follow the member's name with the party and hometown.

6. The committee consisted of Reps. Charles Canady, Dem., Lakeland; Mary Figg, Dem., Temple Terrace; Tom Gustafson; Dennis Jones, Repub., Seminole; Hamilton Upchurch, Dem., St. Augustine; and Tom Woodruff. [Note: example shows some legislators who had been previously mentioned, thus, no party or hometown designation.]

3.10.3 Former Legislators

If the legislator is no longer in the legislature, then the footnote should indicate the term of office.

In 1983, with encouragement from the Florida Press Association and the Florida Society of Newspaper Editors and the support of the Speaker of the House, Representative H. Lee Moffitt,¹³ the Legislature

12. Dem., Tampa, 1974-1984.

3.10.4 Committee Heads

The Florida Legislature has no uniform method of title when referring to committee heads. Therefore, always use either "chairman" or "chairwoman" as appropriate. Never use "chairperson."