

THE FLORIDA LEGISLATURE

JOINT PROCLAMATION

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES:

WHEREAS, it is of critical importance to the citizens of the State of Florida that they be represented by electors appointed to the electoral college and voting on December 18, 2000, and

WHEREAS, the election of electors for President and Vice President of the United States on November 7, 2000, has led to numerous recounts and challenges, and it is increasingly less likely that all legal challenges will have reached finality prior to December 12, 2000, as is necessary to make those election results conclusive when Congress counts the electoral votes, and

WHEREAS, actions by the courts may have rewritten provisions of the Florida Election Code and policies, procedures, or practices of local and state election officials after November 7, 2000, creating serious doubt as to whether the conduct of certain aspects of the recounting and reporting of the 2000 election for electors for President and Vice President of the United States were conducted in accordance with the laws, policies, procedures, and practices in existence prior to November 7, 2000, as required by Title 3, Section 5 of the United States Code, which could jeopardize the conclusiveness of Florida's electors and possibly result in all of the voters of the State of Florida being disenfranchised, and

WHEREAS, there remains serious doubt as to the validity and conclusiveness of any appointment of electors arising out of an election process which failed to fully comply with the laws, practices, and procedures in existence prior to November 7, 2000, and

WHEREAS, Article II, Section 1 of the United States Constitution provides that the Legislature of Florida shall provide for the manner in which electors shall be appointed to the electoral college to represent the voters of the State of Florida, and

WHEREAS, Title 3, Section 2 of the United States Code provides that in the event that an election for presidential electors fails to produce a choice of electors, the electors may be appointed on a subsequent day in such a manner as the legislature of such state may direct, and

WHEREAS, failure of the Florida Legislature to prepare for the possibility that the results of the 2000 General Election may still be in doubt on December 12, 2000, may disenfranchise and deny the citizens of Florida any voice in the selection of the 43rd President of the United States of America,

NOW, THEREFORE, We, John McKay, President of The Florida Senate, and Tom Feeney, Speaker of the Florida House of Representatives, by virtue of the authority vested in us by Article III, Section 3(c), Florida Constitution, and Section 11.011, Florida Statutes, do hereby proclaim:

1. That the Legislature of the State of Florida is convened in Special Session pursuant to Article III, Section 3(c), Florida Constitution, and Section 11.011, Florida Statutes, at the Capitol in Tallahassee, Florida, at 12:00 noon on Friday, the 8th day of December 2000, for a period of 11 days ending on Monday, the 18th day of December, 2000.

2. That the Legislature is convened for the sole and exclusive purpose of exercising its power by resolving or enacting legislative measures:

Providing for the manner in which electors shall be appointed if the 2000 General Election fails to produce a final, constitutional choice of electors, conclusive under Title 3, Section 5, of the United States Code, in accordance with the Constitution of the United States and with statutes enacted, and policies, procedures, and practices in existence, prior to November 7, 2000.

Providing for the appointment of electors for President and Vice President of the United States.

Providing for any other matter necessary to fulfill the duty of the Florida Legislature under Article II, Section 1 of the United States Constitution or federal laws incidental thereto.

Making a final determination of any controversy or contest concerning the appointment of all or any of Florida's Electors for President and Vice President of the United States, appointed by the Legislature.

John McKay, President
The Florida Senate

December 6, 2000

Tom Feeney, Speaker
The Florida House of Representatives

December 6, 2000

Duly filed with and received
by the Florida Department of
State this day of December,
2000 by:

Secretary of State