

SENATE RULES

Rule One

OFFICERS, MEMBERS, EMPLOYEES, AND ETHICS

PART ONE—OFFICERS OF THE SENATE

1.1—A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organizational session preceding the regular session of each odd-numbered year. They are to continue in office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur. They shall take an oath to support the Constitution of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office. At said organizational session, the minority party shall elect a leader, the name of whom shall be certified to the Secretary of the Senate.

Election of
the President,
President
Pro Tempore, and
minority leader

1.2—The President shall call the Senate to order at the hour provided by these Rules or at the hour to which the Senate adjourned at the next preceding session. Upon the appearance of a quorum, he shall cause the Senate to proceed with the daily order of business.

Calling the
Senate to order

1.3—The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. In case of disturbance or disorderly conduct in the galleries or in the lobby, he may cause the same to be cleared.

The President's
control of
Chamber,
corridors, and
rooms

1.4—The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena or authorization for payment or other papers shall issue without the signature of the President. The President shall approve vouchers. He shall decide all questions of order, subject to an appeal by any Senator. The President is authorized

The President's
signature to acts,
warrants,
subpoenas, etc.;
decisions of
questions of
order; travel

to incur such travel and per diem expenses as are necessary in the preparation for the next session of the legislature. For the purposes of carrying on the financial business of the Senate, the President of the Senate and the Chairman of the Rules Committee shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred as authorized.

1.5—The President shall appoint all standing committees and standing subcommittees as well as all conference and select committees which, from time to time, may be ordered by the Senate.

1.6—The President shall not be required to vote in ordinary legislative proceedings other than on final passage of a bill or resolution, except where his vote would be decisive. In all yea and nay votes, the President's name shall be called last.

1.7—The President may name any Senator to perform the duties of the Chair, but such substitution shall not extend beyond one (1) legislative day. In his absence and omission to make such appointment, the President Pro Tempore shall act during his absence.

1.8—Upon the death of the President, the President Pro Tempore shall perform the duties of the office until and unless the Senate shall elect a successor. Upon and during disability, absence, or incapacity of the President beyond one (1) legislative day, the President Pro Tempore shall perform his duties.

1.9—There shall be a Secretary of the Senate who shall be elected for a period of two (2) years, pursuant to the provisions of section 11.15, Florida Statutes. A staff of assistants shall be employed to regularly transact such business as required by law, by Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the Constitution of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

The Secretary shall be under the supervision of the

President of the Senate, who may assign additional duties to the Secretary from time to time. The Secretary shall be the enrolling and engrossing clerk of the Senate but shall designate an assistant enrolling and engrossing clerk. The Secretary shall generally supervise all matters pertaining to Senate business.

All secretaries, stenographers, typists, verifiers, and other clerical assistants not specifically assigned to a Senator, to a committee, or to a permanent office of the Senate shall be under the supervision of the Secretary.

Secretary's duties at organization

1.10—In the absence of the President and the President Pro Tempore of the preceding session, the Secretary of the Senate shall, at the organizational session of the legislature, call the Senators to order and, pending the election of a President or a President Pro Tempore, preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

Duties generally; Keeps Journal

1.11—The Secretary shall cause to be kept a correct Journal of the proceedings of the Senate, and this daily Journal shall be numbered serially from the first day of each session of the legislature. He shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. He shall not permit any records or papers belonging to the Senate to be removed from his custody other than in the regular course of business and upon proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

Prepares daily calendar

1.12—The Secretary shall prepare a daily calendar which shall set forth: (1) the order of business; (2) the committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitutes; (3) the status of each bill, i.e., whether on second or third reading; and (4) notices of committee meetings.

1.13—The Secretary shall have read to the Senate all

Reads papers,
calls roll

papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and note the answers of Senators when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any vote of the Senate is taken by a show of hands or otherwise.

1.14—The Secretary shall attest to all writs, warrants, subpoenas, and authorizations for payment issued by order of the Senate and to the passage of all bills, resolutions, and memorials.

Attests warrants
and subpoenas;
Certifies passage

1.15—The Secretary shall prepare the copy for all printed forms used by the Senate.

Prepares
printed forms

1.16—The Secretary shall examine bills upon their tender for introduction to determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

Responsibility
for legal form
of bills, etc.

1.17—The Secretary shall maintain, in addition to a numerical index of bills and resolutions, a cumulative index of measures by their introducers.

Keeps
indices

1.18—The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay; and each shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

Transmits bills,
etc., to House
of Representatives

1.19—There shall be a Sergeant at Arms of the Senate who shall be elected for a period of two (2) years, pursuant to the provisions of section 11.15, Florida Statutes. The Sergeant at Arms shall be under the supervision of the President and the Secretary of the Senate. He shall take an oath to support the Constitution of the United States

Sergeant
at Arms

and of the State of Florida, and for the true and faithful discharge of the duties of office.

The doorkeepers, janitors, pages, messengers, and other attaches, except where otherwise specifically provided in these Rules or by the President, shall be under the supervision of the Sergeant at Arms.

The Sergeant at Arms shall attend the Senate during its sessions and maintain order under the direction of the President or other presiding officer; he shall execute the commands of the President of the Senate and of the Senate, and all processes issued by authority thereof. The Sergeant shall have charge of all property of the Senate and will disburse the expendable materials to Senators for their official use; he shall distribute the number of Journals and Calendars certified to him by the Secretary of the Senate. The Sergeant shall have general charge of the gallery of the Senate and shall maintain order therein and shall police the Chamber and committee rooms of the Senate and shall be responsible therefor.

PART TWO—SENATORS

Attendance
and voting

1.20—Every Senator shall be within the Senate Chamber during its sessions unless excused or necessarily prevented and shall vote on each question, except that no Senator shall be required or permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

Excused
absence

1.21—The President may excuse any Senator from attendance on the Senate and its committees for any stated period, and such excused absence shall be noted on the Journal.

Papers shall
be left

1.22—Any Senator necessarily absent from a session of the Senate or its committees and having in his possession any papers relating to the business of the Senate shall leave such papers with the Secretary before departing from the Capitol Building.

1.23—Any Senator who answers roll call at the opening of any session or who enters after roll call and announces his presence to the Senate shall thereafter be considered present unless leave of absence is obtained from the President.

Members deemed present unless excused

1.24—In cases of contest concerning a seat in the Senate, notice setting forth the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organizational session of the legislature; and in such case, the contest shall be determined by majority vote as speedily as is reasonably possible.

Contested seat

1.25—Each Senator shall be entitled to such facilities and expense as may be necessary and expedient to the fulfilment of the duties of the office, the location and sufficiency of which shall be determined by the Committee on Rules and Calendar.

Facilities for members

PART THREE—EMPLOYEES OF THE SENATE

1.26—Disputes or complaints involving the competency or decorum of a legislative employee or attache of the Senate, except those officers elected by it, shall be referred to the Senate Rules Committee. The Committee, in its discretion and with the approval of the President, shall have the right to discharge or suspend the employee or attache of the Senate, and the pay of such employee or attache shall stop upon the day of discharge.

Dismissal of employees

1.27—No employee or attache of the Senate shall directly or indirectly interest or concern himself or herself with passage or consideration of any measure whatsoever. Violation of this rule by an employee or attache shall be grounds for summary dismissal. This rule shall not preclude the performance of such duties as may be delegated to a Senator's aide.

Employees forbidden to lobby

1.28—Employees and attaches shall perform the duties

Hours of employment and duties of employees assigned to them by the President and required of them by rule and custom of the Senate. When the Senate is in session, attaches and employees will remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the same hours of employment as regular capitol employees.

1.29—If employees are absent without prior permission, save for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

Penalty for absence of employees without permission

1.30—Senate employees shall be regulated concerning their political activity pursuant to Florida Statutes, Section 110.092.

Senate employees' political activity

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

1.31—Every Senator shall so conduct himself to justify the confidence placed in him by the people and by personal example and admonition to colleagues shall maintain the integrity and responsibility of his office.

Legislative conduct

1.32—A Senator shall not accept anything which will improperly influence his official act, decision, or vote.

Improper influence

1.33—A member of the Senate shall not allow his personal employment to impair his independence of judgment in the exercise of his official duties.

Conflicting employment

1.34—A member of the Senate shall not use his influence as a Senator within a state board, commission, or public agency in any matter which involves substantial conflict between his personal interest and his duties in the public interest.

Undue influence

1.35—A member of the Senate prior to taking any action or voting upon a measure in which he has a personal, private, or professional interest which would inure to his special

Disclosure

private gain or the special gain of any principal to which he is obligated, shall disclose the nature of his interest as a public record in a memorandum filed with the Secretary of the Senate.

1.36—Upon disclosure, a member may disqualify himself from voting on a measure in which he has a conflict of interest.

1.37—Senate employees shall be accountable to the intent of this rule.

1.38—All questions relating to the interpretation and enforcement of these Rules touching upon legislative conduct and ethics shall be referred to the Committee on Ethics or shall emanate therefrom. A member of the Senate may submit a factual situation to the Committee on Ethics with a request for an advisory opinion establishing the standard of public duty. The Committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without his consent.

1.39—Separately from any prosecutions or penalties otherwise provided by law, any member of the Senate determined to have violated the requirements of the rule may be censured, reprimanded, placed on probation, or expelled. Such determination and disciplinary action shall be taken by a two-thirds ($\frac{2}{3}$) vote of the Senate, upon recommendation of the Committee on Ethics. The Committee, before making said recommendation, shall conduct a hearing after giving reasonable notice to the Senator alleged to have violated this rule and granting said Senator an opportunity to appear at the hearing.

Rule Two

COMMITTEES

2.1—Permanent standing committees and standing subcommittees, when created and designated