

8.12—Questions of privilege shall be first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Senators individually, in their representative capacity only; and shall have precedence of all other questions except motions to adjourn. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

What is a question of privilege

1. Questions which relate to the body or its members in such a manner as to affect proper functioning of the body are questions of privilege. It is necessary that these questions be under the immediate control of the body. They relate to the rights and privileges of the body or any of its members in their official capacity, or to the comfort and convenience of the body or its members in the performance of their official duties.

2. "Questions of privilege" should be distinguished from "privileged questions" which is a class of motions having the highest precedence.

3. Questions of privilege are of two types: They may relate to the privilege of the entire body, which are known as questions of "privilege of the house," and questions of "privilege" which relate to a member, which are known as questions of "personal privilege." In case of conflict, questions of privilege of the house take precedence over questions of personal privilege.

Rule Nine

LOBBYING

9.1—All persons, except members of the Florida Legislature, or duly authorized aides designated in writing by such members, who seek to encourage the passage, defeat, or modification of any legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business asso-

Those required
to register

ciation or partnership with any current member of the legislature.

9.2—Every such person shall register on forms prepared by the Secretary and shall state under oath his name and business address, the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of of his agency.

The Secretary shall publish in the Journal, in tabulation form, a list of those filing the registration statements under this Rule together with the information contained therein, on the first Monday of the session and weekly thereafter.

No registered lobbyist shall be permitted upon the floor of the Senate while it is in session.

9.3—Any person who, on an isolated basis and without intent to continue beyond a single legislative day, merely appears before a committee or committees of the Senate in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other than reasonable and ordinary travel expense, to express support of or opposition to any legislation, and who shall so declare to the Senators or committees with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

9.4—A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any

writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.5—A lobbyist shall submit to the Secretary of the Senate at the end of every second legislative week, commencing with the beginning of the session, a signed and certified statement listing all expenditures incurred, the purpose thereof, and sources from which funds for making such expenditures have come. Lobbying expenditures to be reported shall not include personal expenses for lodging, meals and/or travel. At the end of each calendar quarter, between the first and the tenth day of the ensuing month, each lobbyist, as long as his activity continues, shall submit to the Secretary of the Senate like reports covering those periods in which the legislature is not in session. Within thirty days after the adjournment of the legislature, every lobbyist shall file with the Secretary of the Senate a complete and detailed statement, verified under oath by person making the same, of all expenses paid or incurred in connection with their employment as lobbyist. Said statements shall be rendered in the form provided by the Secretary and shall be open to public inspection.

Periodic
reports
required

9.6—A lobbyist when in doubt about the applicability and interpretation of this Rule in a particular context may submit in writing a statement of the facts involved to the Committee on Ethics and may appear in person before said Committee.

Ethics Com-
mittee Advisory
Opinions

The Committee on Ethics may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case would constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.7—The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Ethics as well as a current list of registered lobbyists and their respective reports required under these Rules, all of which shall be open to public inspection.

Compilation of
Opinions; List
of Lobbyists

9.8—Separately from any prosecutions or penalties

Penalties for
violations otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate, upon recommendation of the Committee on Ethics. The Committee on Ethics, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

9.9—The Secretary shall provide blank affidavits for the convenience of registrants but the burden of compliance nevertheless always shall be upon the person required to register.

Secretary to
provide forms

9.10—Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this Rule, and to report violations. No Committeeman knowingly shall permit an unregistered lobbyist to be heard.

Committees to
be diligent

Rule Ten

CHAMBER OF THE SENATE

10.1—No person shall be admitted to the main floor of the Senate Chamber while the Senate is in daily session except present members of the Senate and all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. A special section of the gallery shall be reserved for members of the families of Senators. Also entitled to admission are the Governor or one (1) representative designated by him, the Lieutenant Governor, Cabinet officers, former governors, present and former United States Senators, members or former members of the House of Representatives of the United States and of this State, Justices of the Supreme and Appellate Courts of Florida, Circuit Judges of Florida, former State Sen-

Persons entitled
to admission