

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Seiler and Rivera offered the following:

3 **Amendment (with title amendment)**

4 Remove everything after the resolving clause and insert:

5 That the Joint Rules of the Florida Legislature are revised  
6 and readopted to read as follows:

8 JOINT RULES

9 JOINT RULE ONE

10 LOBBYIST REGISTRATION AND COMPENSATION REPORTING

11 1.1--Those Required to Register; Exemptions; Committee  
12 Appearance Records

13 (1) All lobbyists before the Florida Legislature must  
14 register with the Lobbyist Registration Office in the Division  
15 of Legislative Information Services of the Office of Legislative

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16 Services. Registration is required for each principal  
17 represented.

18 (2) As used in Joint Rule One, unless the context  
19 otherwise requires:

20 (a) "Compensation" means payment, distribution, loan,  
21 advance, reimbursement, deposit, salary, fee, retainer, or  
22 anything of value provided or owed to a lobbying firm, directly  
23 or indirectly, by a principal for any lobbying activity.

24 (b) "Division" means the Division of Legislative  
25 Information Services within the Office of Legislative Services.

26 (c) "Legislative action" means introduction, sponsorship,  
27 testimony, debate, voting, or any other official action on any  
28 measure, resolution, amendment, nomination, appointment, or  
29 report of, or any matter that may be the subject of action by,  
30 either house of the Legislature or any committee thereof.

31 (d) "Lobby" or "lobbying" means influencing or attempting  
32 to influence legislative action or nonaction through oral or  
33 written communication or an attempt to obtain the goodwill of a  
34 member or employee of the Legislature.

35 (e) "Lobbying firm" means any business entity, including  
36 an individual contract lobbyist, that receives or becomes  
37 entitled to receive any compensation for the purpose of  
38 lobbying, and where any partner, owner, officer, or employee of  
39 the business entity is a lobbyist. "Lobbying firm" does not  
40 include an entity that has employees who are lobbyists if the  
41 entity does not derive compensation from principals for  
42 lobbying, or such compensation is received exclusively from a  
43 subsidiary or affiliate corporation of the employer. As used in

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44 this paragraph, an affiliate corporation is a corporation that  
45 directly or indirectly shares the same ultimate parent  
46 corporation as the employer and does not receive compensation  
47 for lobbying from any unaffiliated entity.

48 (f) "Lobbyist" means a person who is employed and receives  
49 payment, or who contracts for economic consideration, for the  
50 purpose of lobbying, or a person who is principally employed for  
51 governmental affairs by another person or governmental entity to  
52 lobby on behalf of that other person or governmental entity. An  
53 employee of the principal is not a "lobbyist" unless the  
54 employee is principally employed for governmental affairs.

55 "Principally employed for governmental affairs" means that one  
56 of the principal or most significant responsibilities of the  
57 employee to the employer is overseeing the employer's various  
58 relationships with government or representing the employer in  
59 its contacts with government. Any person employed by the  
60 Governor, the Executive Office of the Governor, or any executive  
61 or judicial department of the state or any community college of  
62 the state who seeks to encourage the passage, defeat, or  
63 modification of any legislation by personal appearance or  
64 attendance before the House of Representatives or the Senate, or  
65 any member or committee thereof, is a lobbyist.

66 (g) "Payment" or "salary" means wages or any other  
67 consideration provided in exchange for services, but does not  
68 include reimbursement for expenses.

69 (h) "Principal" means the person, firm, corporation, or  
70 other entity that has employed or retained a lobbyist. When an  
71 association has employed or retained a lobbyist, the association

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72 is the principal; the individual members of the association are  
73 not principals merely because of their membership in the  
74 association.

75 (i) "Unusual circumstances," with respect to any failure  
76 of a person to satisfy a filing requirement, means uncommon,  
77 rare, or sudden events over which the person has no control and  
78 which directly result in the failure to satisfy the filing  
79 requirement.

80 (3) For purposes of this rule, the terms "lobby" and  
81 "lobbying" do not include any of the following:

82 (a) Response to an inquiry for information made by any  
83 member, committee, or staff of the Legislature.

84 (b) An appearance in response to a legislative subpoena.

85 (c) Advice or services that arise out of a contractual  
86 obligation with the Legislature, a member, a committee, any  
87 staff, or any legislative entity to render the advice or  
88 services where such obligation is fulfilled through the use of  
89 public funds.

90 (d) Representation of a client before the House of  
91 Representatives or the Senate, or any member or committee  
92 thereof, when the client is subject to disciplinary action by  
93 the House of Representatives or the Senate, or any member or  
94 committee thereof.

95 (4) For purposes of registration and reporting, the term  
96 "lobbyist" does not include any of the following:

97 (a) A member of the Legislature.

98 (b) A person who is employed by the Legislature.

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99 (c) A judge who is acting in that judge's official  
100 capacity.

101 (d) A person who is a state officer holding elective  
102 office or an officer of a political subdivision of the state  
103 holding elective office and who is acting in that officer's  
104 official capacity.

105 (e) A person who appears as a witness or for the purpose  
106 of providing information at the written request of the chair of  
107 a committee, subcommittee, or legislative delegation.

108 (f) A person employed by any executive or judicial  
109 department of the state or any community college of the state  
110 who makes a personal appearance or attendance before the House  
111 of Representatives or the Senate, or any member or committee  
112 thereof, while that person is on approved leave or outside  
113 normal working hours, and who does not otherwise meet the  
114 definition of lobbyist.

115 (5) When a person, whether or not the person is registered  
116 as a lobbyist, appears before a committee of the Legislature,  
117 that person must submit a Committee Appearance Record as  
118 required by the respective house.

119 1.2--Method of Registration

120 (1) Each person who is required to register must register  
121 on forms furnished by the Lobbyist Registration Office, on which  
122 that person must state, under oath, that person's full legal  
123 name, business address, and telephone number, the name and  
124 business address of each principal that person represents, and  
125 the extent of any direct business association or partnership  
126 that person has with any member of the Legislature. In addition,  
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127 | if the lobbyist is a partner, owner, officer, or employee of a  
128 | lobbying firm, the lobbyist must state the name, address,  
129 | ~~Federal Employer's Identification Number (FEIN), contact name,~~  
130 | and telephone number of each lobbying firm to which the lobbyist  
131 | belongs. The Lobbyist Registration Office or its designee is  
132 | authorized to acknowledge the oath of any person who registers  
133 | in person. Any changes to the information provided in the  
134 | registration form must be reported to the Lobbyist Registration  
135 | Office in writing within 15 days on forms furnished by the  
136 | Lobbyist Registration Office.

137 |       (2) Any person required to register must do so with  
138 | respect to each principal prior to commencement of lobbying on  
139 | behalf of that principal. At the time of registration, the  
140 | registrant shall provide a statement on a form provided by the  
141 | Lobbyist Registration Office, signed by the principal or  
142 | principal's representative, that the registrant is authorized to  
143 | represent the principal. On the authorization statement the  
144 | principal or principal's representative shall also identify and  
145 | designate the principal's main business pursuant to a  
146 | classification system approved by the Office of Legislative  
147 | Services that shall be the North American Industry  
148 | Classification System (NAICS) six-digit numerical code that most  
149 | accurately describes the principal's main business.

150 |       (3) Any person required to register must renew the  
151 | registration annually for each calendar year.

152 |       (4) A lobbyist shall promptly send a notice to the  
153 | Lobbyist Registration Office, on forms furnished by the Lobbyist  
154 | Registration Office, canceling the registration for a principal  
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155 upon termination of the lobbyist's representation of that  
156 principal. A notice of cancellation takes effect the day it is  
157 received by the Lobbyist Registration Office. Notwithstanding  
158 this requirement, the Lobbyist Registration Office may remove  
159 the name of a lobbyist from the list of registered lobbyists if  
160 the principal notifies the Lobbyist Registration Office that the  
161 lobbyist is no longer authorized to represent that principal.

162 ~~(5) The Lobbyist Registration Office shall publish on the~~  
163 ~~first Monday of each regular session and weekly thereafter~~  
164 ~~through the end of that session a compilation of the names of~~  
165 ~~persons who have registered and the information contained in~~  
166 ~~their registrations.~~

167 (5)~~(6)~~ The Lobbyist Registration Office shall retain all  
168 original registration documents submitted under this rule.

169 (6)~~(7)~~ A person who is required to register under this  
170 rule, or who chooses to register, shall be considered a lobbyist  
171 of the Legislature for the purposes of sections 11.045,  
172 112.3148, and 112.3149, Florida Statutes.

173 1.3--Registration Costs; Exemptions

174 (1) To cover the costs incurred in administering this  
175 joint policy, each person who registers under Joint Senate and  
176 House Rule 1.1 must pay an annual registration fee to the  
177 Lobbyist Registration Office. The annual period runs from  
178 January 1 to December 31. These fees must be paid at the time of  
179 registration.

180 (2) The following persons are exempt from paying the fee,  
181 provided they are designated in writing by the agency head or  
182 person designated in this subsection:

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- 183 (a) Two employees of each department of the executive  
184 branch created under chapter 20, Florida Statutes.
- 185 (b) Two employees of the Fish and Wildlife Conservation  
186 Commission.
- 187 (c) Two employees of the Executive Office of the Governor.
- 188 (d) Two employees of the Commission on Ethics.
- 189 (e) Two employees of the Florida Public Service  
190 Commission.
- 191 (f) Two employees of the judicial branch designated in  
192 writing by the Chief Justice of the Florida Supreme Court.
- 193 (3) The annual fee is up to \$50 per each house for a  
194 person to register to represent one principal and up to an  
195 additional \$10 per house for each additional principal that the  
196 person registers to represent. The amount of each fee shall be  
197 established annually by the President of the Senate and the  
198 Speaker of the House of Representatives. The fees set shall be  
199 adequate to ensure operation of the lobbyist registration and  
200 reporting operations of the Lobbyist Registration Office. The  
201 fees collected by the Lobbyist Registration Office under this  
202 joint policy shall be deposited in the State Treasury and  
203 credited to the Legislative Lobbyist Registration Trust Fund  
204 specifically to cover the costs incurred in administering this  
205 joint policy.

206 1.4--Reporting of Lobbying Firm Compensation

- 207 (1)(a) Each lobbying firm shall file a compensation report  
208 with the division for each calendar quarter during any portion  
209 of which one or more of the firm's lobbyists were registered to  
210 represent a principal. The report shall include the:

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211 1. Full name, business address, and telephone number of  
212 the lobbying firm;

213 2. Registration name of each of the firm's lobbyists; and

214 3. Total compensation provided or owed to the lobbying  
215 firm from all principals for the reporting period, reported in  
216 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to  
217 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to  
218 \$999,999; \$1 million or more.

219 (b) For each principal represented by one or more of the  
220 firm's lobbyists, the lobbying firm's compensation report shall  
221 also include the:

222 1. Full name, business address, and telephone number of  
223 the principal; and

224 2. Total compensation provided or owed to the lobbying  
225 firm for the reporting period, reported in one of the following  
226 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
227 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
228 more. If the category "\$50,000 or more" is selected, the  
229 specific dollar amount of compensation must be reported, rounded  
230 up or down to the nearest \$1,000.

231 (c) If the lobbying firm subcontracts work from another  
232 lobbying firm and not from the original principal:

233 1. The lobbying firm providing the work to be  
234 subcontracted shall be treated as the reporting lobbying firm's  
235 principal for reporting purposes under this paragraph; and

236 2. The reporting lobbying firm shall, for each lobbying  
237 firm identified as the reporting lobbying firm's principal under

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238 paragraph (b), identify the name and address of the principal  
 239 originating the lobbying work.

240 (d) The senior partner, officer, or owner of the lobbying  
 241 firm shall certify to the veracity and completeness of the  
 242 information submitted pursuant to this Rule 1.4, and certify  
 243 that no compensation has been omitted from this report by  
 244 deeming such compensation as "consulting services," "media  
 245 services," "professional services," or anything other than  
 246 compensation, and certify that no officer or employee of the  
 247 firm has made an expenditure in violation of section 11.045,  
 248 Florida Statutes, as amended by chapter 2005-359, Laws of  
 249 Florida.

250 (2) For each principal represented by more than one  
 251 lobbying firm, the division shall aggregate the reporting-period  
 252 and calendar-year compensation reported as provided or owed by  
 253 the principal. Compensation reported within a category shall be  
 254 aggregated as follows: ~~the arithmetic mean of the category.~~

| Category (dollars) | Dollar amount to use aggregating |
|--------------------|----------------------------------|
| 0                  | \$ 0                             |
| 1-9,999            | 5,000                            |
| 10,000-19,999      | 15,000                           |
| 20,000-29,999      | 25,000                           |

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266 30,000-39,999 35,000

267

268 40,000-49,999 45,000

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270 \$50,000 or more Actual amount reported

271 (3) The reporting statements shall be filed no later than  
272 45 days after the end of each reporting period. The four  
273 reporting periods are from January 1 through March 31, April 1  
274 through June 30, July 1 through September 30, and October 1  
275 through December 31, respectively. The statements shall be  
276 rendered in the identical form provided by the respective houses  
277 and shall be open to public inspection. Effective April 1, 2007,  
278 reporting statements shall may be filed by electronic means  
279 through the electronic filing system developed by the division,  
280 conforming to subsection (4), ~~when feasible.~~

281 (4) The electronic filing system for compensation  
282 reporting shall include the following:

283 (a) As used in this rule, the term "electronic filing  
284 system" means an Internet system for recording and reporting  
285 lobbying compensation and other required information by  
286 reporting period.

287 (b) A report filed pursuant to this Rule 1.4 must be  
288 completed and filed through the electronic filing system not  
289 later than 11:59 p.m. of the day designated in subsection (3). A  
290 report not filed by 11:59 p.m. of the day designated is a late-  
291 filed report and is subject to the penalties under Rule 1.5(1).

292 (c) Each person given secure sign-on credentials to file  
293 via the electronic filing system is responsible for protecting  
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294 the credentials from disclosure and is responsible for all  
295 filings made by use of such credentials, unless and until the  
296 division is notified that the person's credentials have been  
297 compromised. Each report filed by electronic means pursuant to  
298 this section shall be deemed certified in accordance with  
299 paragraph (1)(d) by the person given the secure sign-on  
300 credentials and, as such, subjects the person and the lobbying  
301 firm to the provisions of s. 11.045(8), Florida Statutes, as  
302 well as any discipline provided under the rules of the Senate or  
303 House of Representatives.

304 (d) The electronic filing system shall:

305 1. Be based on access by means of the Internet.

306 2. Be accessible by anyone with Internet access using  
307 standard web-browsing software.

308 3. Provide for direct entry of compensation-report  
309 information as well as upload of such information from software  
310 authorized by the division.

311 4. Provide a method that prevents unauthorized access to  
312 electronic filing system functions.

313 5. Provide for the issuance of an electronic receipt to  
314 the person submitting the report indicating and verifying the  
315 date and time that the report was filed.

316 (5) The division shall provide reasonable public notice of  
317 the electronic filing procedures and of any significant changes  
318 in such procedures. In the event that the President of the  
319 Senate and the Speaker of the House of Representatives jointly  
320 declare the electronic system to be not operable, the reports  
321 shall be filed in the manner required prior to April 1, 2007,

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322 unless the President of the Senate and the Speaker of the House  
323 of Representatives direct use of an alternate means of  
324 reporting. The division shall develop and maintain such  
325 alternative means as may be practicable. Public notice of  
326 changes in filing procedures and any declaration or direction of  
327 the President of the Senate and the Speaker of the House of  
328 Representatives may be provided by publication for a continuous  
329 period of reasonable time on one or more Internet websites  
330 maintained by the Senate and the House of Representatives.

331 ~~(6)-(4)~~ Prior to April 1, 2007, reports must shall be filed  
332 no later than 5 p.m. of the report due date. However, any report  
333 that is postmarked by the United States Postal Service no later  
334 than ~~midnight~~ of the due date shall be deemed to have been filed  
335 in a timely manner, and a certificate of mailing obtained from  
336 and dated by the United States Postal Service at the time of the  
337 mailing, or a receipt from an established courier company that  
338 bears a date on or before the due date, shall be proof of  
339 mailing in a timely manner.

340 1.5--Failure to File Timely Compensation Report; Notice and  
341 Assessment of Fines; Appeals

342 (1) Upon determining that the report is late, the person  
343 designated to review the timeliness of reports shall immediately  
344 notify the lobbying firm as to the failure to timely file the  
345 report and that a fine is being assessed for each late day. The  
346 fine shall be \$50 per day per report for each late day, not to  
347 exceed \$5,000 per report.

348 (2) (a) Effective April 1, 2007, upon receipt of the  
349 report, the person designated to review the timeliness of

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350 reports shall determine the amount of the fine based on when the  
351 report is actually received by the division or when the  
352 electronic receipt issued by the electronic filing system is  
353 dated, whichever is earlier.

354 (b) Prior to April 1, 2007, upon receipt of the report,  
355 the person designated to review the timeliness of reports shall  
356 determine the amount of the fine due based upon the earliest of  
357 the following:

358 1.(a) When a report is actually received by the division.

359 2.(b) When the report is postmarked.

360 3.(c) When the certificate of mailing is dated.

361 4.(d) When the receipt from an established courier company  
362 is dated.

363 (3) Such fine shall be paid within 30 days after the  
364 notice of payment due is transmitted by the person designated to  
365 review the timeliness of reports, unless appeal is made to the  
366 division. The moneys shall be deposited into the Legislative  
367 Lobbyist Registration Trust Fund.

368 (4) A fine shall not be assessed against a lobbying firm  
369 the first time the report for which the lobbying firm is  
370 responsible is not timely filed. However, to receive the one-  
371 time fine waiver, the report for which the lobbying firm is  
372 responsible must be filed within 30 days after notice that the  
373 report has not been timely filed is transmitted by the person  
374 designated to review the timeliness of reports. A fine shall be  
375 assessed for any subsequent late-filed reports.

376 (5) Any lobbying firm may appeal or dispute a fine, based  
377 upon unusual circumstances surrounding the failure to file on  
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378 the designated due date, and may request and shall be entitled  
379 to a hearing before the General Counsel of the Office of  
380 Legislative Services, who shall recommend to the President of  
381 the Senate and the Speaker of the House of Representatives, or  
382 their respective designees, that the fine be waived in whole or  
383 in part for good cause shown. The President of the Senate and  
384 the Speaker of the House of Representatives, or their respective  
385 designees, may by joint agreement concur in the recommendation  
386 and waive the fine in whole or in part. Any such request shall  
387 be made within 30 days after the notice of payment due is  
388 transmitted by the person designated to review the timeliness of  
389 reports. In such case, the lobbying firm shall, within the 30-  
390 day period, notify the person designated to review the  
391 timeliness of reports in writing of his or her intention to  
392 request a hearing.

393 (6) A lobbying firm may request that the filing of a  
394 report be waived upon good cause shown, based on unusual  
395 circumstances. The request must be filed with the General  
396 Counsel of the Office of Legislative Services, who shall make a  
397 recommendation concerning the waiver request to the President of  
398 the Senate and the Speaker of the House of Representatives. The  
399 President of the Senate and the Speaker of the House of  
400 Representatives may, by joint agreement, grant or deny the  
401 request.

402 (7) (a) All lobbyist registrations for lobbyists who are  
403 partners, owners, officers, or employees of a lobbying firm that  
404 fails to timely pay a fine are automatically suspended until the  
405 fine is paid or waived, and the division shall promptly notify

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406 all affected principals and the President of the Senate and the  
407 Speaker of the House of Representatives of any suspension or  
408 reinstatement. All lobbyists who are partners, owners, officers,  
409 or employees of a lobbying firm are jointly and severally liable  
410 for any outstanding fine owed by a lobbying firm.

411 (b) No such lobbyist may be reinstated in any capacity  
412 representing any principal until the fine is paid or until the  
413 fine is waived as to that lobbyist. A suspended lobbyist may  
414 request a waiver upon good cause shown, based on unusual  
415 circumstances. The request must be filed with the General  
416 Counsel of the Office of Legislative Services who shall, as soon  
417 as practicable, make a recommendation concerning the waiver  
418 request to the President of the Senate and the Speaker of the  
419 House of Representatives. The President of the Senate and the  
420 Speaker of the House of Representatives may, by joint agreement,  
421 grant or deny the request.

422 (8) The person designated to review the timeliness of  
423 reports shall notify the director of the division of the failure  
424 of a lobbying firm to file a report after notice or of the  
425 failure of a lobbying firm to pay the fine imposed.

426 1.6--Open Records; Internet Publication of Registrations  
427 and Compensation Reports

428 (1) All of the lobbyist registration forms and  
429 compensation reports received by the Lobbyist Registration  
430 Office shall be available for public inspection and for  
431 duplication at reasonable cost.

432 (2) The division shall make information filed pursuant to  
433 Rules 1.2 and 1.4 reasonably available on the Internet in an  
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434 easily understandable and accessible format. The Internet  
435 website shall include, but not be limited to, the names and  
436 business addresses of lobbyists, lobbying firms, and principals,  
437 the affiliations between lobbyists and principals, and the  
438 classification system designated and identified with respect to  
439 principals pursuant to Rule 1.2.

440 1.7--Records Retention and Inspection and Complaint  
441 Procedure

442 (1) Each lobbying firm and each principal shall preserve  
443 for a period of 4 years all accounts, bills, receipts, computer  
444 records, books, papers, and other documents and records  
445 necessary to substantiate compensation reports.

446 (2) Upon receipt of a complaint based upon the personal  
447 knowledge of the complainant made pursuant to the Senate Rules  
448 or Rules of the House of Representatives, any such documents and  
449 records may be inspected when authorized by the President of the  
450 Senate or the Speaker of the House of Representatives, as  
451 applicable. The person authorized to perform the inspection  
452 shall be designated in writing and shall be a member of The  
453 Florida Bar or a certified public accountant licensed in  
454 Florida. Any information obtained by such an inspection may only  
455 be used for purposes authorized by law, this Joint Rule One,  
456 Senate Rules, or Rules of the House of Representatives, which  
457 purposes may include the imposition of sanctions against a  
458 person subject to this rule or Senate Rules or the Rules of the  
459 House of Representatives. Any employee who uses that information  
460 for an unauthorized purpose is subject to discipline. Any member

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461 who uses that information for an unauthorized purpose is subject  
462 to discipline under the applicable rules of each house.

463 (3) The right of inspection may be enforced by appropriate  
464 writ issued by any court of competent jurisdiction.

465 1.8--Questions Regarding Interpretation of this Joint Rule  
466 One

467 (1) A person may request in writing an informal opinion  
468 from the General Counsel of the Office of Legislative Services  
469 as to the application of this Joint Rule One to a specific  
470 situation. The General Counsel shall issue the opinion within 10  
471 days after receiving the request. The informal opinion may be  
472 relied upon by the person who requested the informal opinion. A  
473 copy of each informal opinion that is issued shall be provided  
474 to the presiding officer of each house. A committee of either  
475 house designated pursuant to section 11.045(5), Florida  
476 Statutes, may revise any informal opinion rendered by the  
477 General Counsel through an advisory opinion to the person who  
478 requested the informal opinion. The advisory opinion shall  
479 supersede the informal opinion as of the date the advisory  
480 opinion is issued.

481 (2) Persons in doubt about the applicability or  
482 interpretation of this Joint Rule One may submit in writing the  
483 facts for an advisory opinion to the committee of either house  
484 designated pursuant to section 11.045(5), Florida Statutes, and  
485 may appear in person before the committee in accordance with  
486 section 11.045(5), Florida Statutes.

487 1.9--Effect of Reoption and Revision

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488 All obligations existing under Joint Rule One as of the  
489 last day of the previous legislative biennium are hereby  
490 ratified, preserved, and reimposed pursuant to the terms thereof  
491 as of that date. The provisions of Joint Rule One are imposed  
492 retroactively to the first day of the present legislative  
493 biennium except that provisions new to this revision are  
494 effective on the date of adoption or as otherwise expressly  
495 provided herein.

496 ~~1.9 Effect of Former Joint Rule One~~

497 ~~Every fine and penalty finally due and owing on or before~~  
498 ~~December 31, 2005, under the Rules of the Senate or the House of~~  
499 ~~Representatives or under former Joint Rules 1.1-1.9, with no~~  
500 ~~appeal pending under such rules, is hereby ratified and~~  
501 ~~preserved and shall be collected as previously finally~~  
502 ~~determined. Every other obligation under former Joint Rule One,~~  
503 ~~rescinded upon adoption of this Joint Rule One, is hereby waived~~  
504 ~~and abolished. The obligations under Joint Rules 1.1, 1.2, and~~  
505 ~~1.3 are to be enforced retroactively to January 1, 2006,~~  
506 ~~provided that substantial compliance with the provisions of~~  
507 ~~former Joint Rules 1.1, 1.2, and 1.3 on or before the effective~~  
508 ~~date of this Joint Rule One shall be deemed to be in compliance~~  
509 ~~with any retroactive requirements of this Joint Rule One.~~

510 JOINT RULE TWO

511 GENERAL APPROPRIATIONS BILL

512 2.1--General Appropriations Bill; Review Period

513 (1) A general appropriations bill shall be subject to a  
514 72-hour public review period before a vote is taken on final

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515 passage of the bill in the form that will be presented to the  
516 Governor.

517 (2) If a bill is returned to the house in which the bill  
518 originated and the originating house does not concur in all the  
519 amendments or adds additional amendments, no further action  
520 shall be taken on the bill by the nonoriginating house, and a  
521 conference committee shall be established by operation of this  
522 rule to consider the bill.

523 (3) If a bill is referred to a conference committee by  
524 operation of this rule, a 72-hour public review period shall be  
525 provided prior to a vote being taken on the conference committee  
526 report by either house.

527 (4) A copy of the bill, a copy of the bill with amendments  
528 adopted by the nonoriginating house, or the conference committee  
529 report shall be furnished to each member of the Legislature, the  
530 Governor, the Chief Justice of the Supreme Court, and each  
531 member of the Cabinet. Copies for the Governor, Chief Justice  
532 and members of the Cabinet shall be furnished to the official's  
533 office in the Capitol or Supreme Court Building. A member's copy  
534 shall be furnished to the member's desk in the appropriate  
535 chamber. The Secretary of the Senate shall be responsible for  
536 furnishing copies under this rule for Senate bills, House bills  
537 as amended by the Senate, and conference committee reports on  
538 Senate bills. The Clerk of the House shall be responsible for  
539 furnishing copies under this rule for House bills, Senate bills  
540 as amended by the House, and conference committee reports on  
541 House bills.

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542 (5) The 72-hour public review period shall begin to run  
543 upon completion of the furnishing of copies required to be  
544 provided herein. The Speaker of the House and the President of  
545 the Senate, as appropriate, shall be informed of the completion  
546 time and such time shall be announced on the floor prior to vote  
547 on final passage in each house and shall be entered in the  
548 journal of each house. Saturdays, Sundays, and holidays shall be  
549 included in the computation under this rule.

550 2.2--General Appropriations Bill; Definition

551 For the purposes of Joint Rule 2, the term "general  
552 appropriations bill" means a bill which provides for the  
553 salaries of public officers and other current expenses of the  
554 state and contains no subject other than appropriations. A bill  
555 which contains appropriations which are incidental and necessary  
556 solely to implement a substantive law is not included within  
557 this term.

558 JOINT RULE THREE

559 LEGISLATIVE SUPPORT SERVICES

560 3.1--Organizational Structure

561 The Legislature shall be supported by the Office of  
562 Legislative Services, the Office of Legislative Information  
563 Technology Services, and the Office of Economic and Demographic  
564 Research. These offices shall provide support services that are  
565 determined by the President of the Senate and the Speaker of the  
566 House of Representatives to be necessary and that can be  
567 effectively provided jointly to both houses and other units of  
568 the Legislature. Each office shall be directed by a coordinator

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569 selected by the President of the Senate and the Speaker of the  
570 House of Representatives.

571 (1) The Office of Legislative Services shall provide  
572 legislative support services other than those prescribed in  
573 subsections (2) and (3). The Division of Statutory Revision and  
574 the Division of Legislative Information shall be two of the  
575 divisions within the Office of Legislative Services.

576 (2) The Office of Legislative Information Technology  
577 Services shall provide support services to assist the  
578 Legislature in achieving its objectives through the application  
579 of cost-effective information technology.

580 (3) The Office of Economic and Demographic Research shall  
581 provide research support services, principally regarding  
582 forecasting economic and social trends that affect policymaking,  
583 revenue, and appropriations.

584 3.2--Policies

585 The President of the Senate and the Speaker of the House of  
586 Representatives shall jointly adopt policies they consider  
587 advisable to carry out the functions of the Legislature.

588 JOINT RULE FOUR

589 JOINT LEGISLATIVE AUDITING COMMITTEE

590 4.1--Responsibilities

591 (1) On or before December 31 of the year following each  
592 decennial census, the Legislative Auditing Committee shall  
593 review the performance of the Auditor General and shall submit a  
594 report to the Legislature which recommends whether the Auditor  
595 General should continue to serve in office.

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596 (2) The expenses of the members of the committee shall be  
597 approved by the chair of the committee and paid from the  
598 appropriation for legislative expense.

599 (3) The committee shall submit to the President of the  
600 Senate and the Speaker of the House of Representatives, for  
601 approval, an estimate of the financial needs of the committee,  
602 the Auditor General, and the Office of Program Policy Analysis  
603 and Government Accountability, and the Public Counsel.

604 (4) The committee and the units it oversees, including the  
605 Auditor General, the Office of Program Policy Analysis and  
606 Government Accountability, and the Public Counsel, shall submit  
607 their budget requests and operating budgets to the President of  
608 the Senate and the Speaker of the House of Representatives for  
609 prior written approval by the presiding officers acting  
610 together.

611 (5) The committee may receive requests for audits and  
612 reviews from legislators. Staff of the committee shall review  
613 each request and make a recommendation to the committee  
614 concerning its disposition. The manner of disposition  
615 recommended may be:

616 (a) Assignment to the Auditor General for inclusion in a  
617 regularly scheduled agency audit;

618 (b) Assignment to the Auditor General for special audit or  
619 review;

620 (c) Assignment to the Office of Program Policy Analysis  
621 and Government Accountability for inclusion in a regularly  
622 scheduled performance audit;

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623 (d) Assignment to the Office of Program Policy Analysis  
624 and Government Accountability for special audit or review;

625 (e) Assignment to committee staff; or

626 (f) Rejection as being an unnecessary or inappropriate  
627 application of legislative resources.

628 (6) The committee may at any time, without regard to  
629 whether the Legislature is in session, take under investigation  
630 any matter within the scope of an audit either completed or then  
631 being conducted by the Auditor General or the Office of Program  
632 Policy Analysis and Government Accountability, and in connection  
633 with such investigation may exercise the powers of subpoena by  
634 law vested in a standing committee of the Legislature.

635 (7) The committee shall review the performance of the  
636 director of the Office of Program Policy Analysis and Government  
637 Accountability every 4 years and shall submit a report to the  
638 Legislature recommending whether the director should be  
639 reappointed. A vacancy in the office must be filled in the same  
640 manner as the original appointment.

641 JOINT RULE FIVE

642 AUDITOR GENERAL

643 5.1--Rulemaking authority

644 The Auditor General shall make and enforce reasonable rules  
645 and regulations necessary to facilitate audits that he or she is  
646 authorized to perform.

647 5.2--Budget and accounting

648 (1) The Auditor General shall prepare and submit annually  
649 to the President of the Senate and the Speaker of the House of



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650 Representatives for their joint approval a proposed budget for  
651 the ensuing fiscal year.

652 (2) Within the limitations of the approved operating  
653 budget, the salaries and expenses of the Auditor General and the  
654 staff of the Auditor General shall be paid from the  
655 appropriation for legislative expense or any other moneys  
656 appropriated by the Legislature for that purpose. The Auditor  
657 General shall approve all bills for salaries and expenses for  
658 his or her staff before the same shall be paid.

659 5.3--Audit report distribution

660 (1) A copy of each audit report shall be submitted to the  
661 Governor, to the Comptroller, and to the officer or person in  
662 charge of the state agency or political subdivision audited. One  
663 copy shall be filed as a permanent public record in the office  
664 of the Auditor General. In the case of county reports, one copy  
665 of the report of each county office, school district, or other  
666 district audited shall be submitted to the board of county  
667 commissioners of the county in which the audit was made and  
668 shall be filed in the office of the clerk of the circuit court  
669 of that county as a public record. When an audit is made of the  
670 records of the district school board, a copy of the audit report  
671 shall also be filed with the district school board, and  
672 thereupon such report shall become a part of the public records  
673 of such board.

674 (2) A copy of each audit report shall be made available to  
675 each member of the Legislative Auditing Committee.

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676 (3) The Auditor General shall transmit a copy of each  
677 audit report to the appropriate substantive and fiscal  
678 committees of the Senate and House of Representatives.

679 (4) Other copies may be furnished to other persons who, as  
680 in the opinion of the Auditor General, are directly interested  
681 in the audit or who have a duty to perform in connection  
682 therewith.

683 (5) The Auditor General shall transmit to the President of  
684 the Senate and the Speaker of the House of Representatives, by  
685 December 1 of each year, a list of statutory and fiscal changes  
686 recommended by audit reports. The recommendations shall be  
687 presented in two categories: one addressing substantive law and  
688 policy issues and the other addressing budget issues. The  
689 Auditor General may also transmit recommendations at other times  
690 of the year when the information would be timely and useful for  
691 the Legislature.

692 JOINT RULE SIX

693 OFFICE OF PROGRAM POLICY

694 ANALYSIS AND GOVERNMENT ACCOUNTABILITY

695 6.1--Responsibilities of the director

696 (1) The director may adopt and enforce reasonable rules  
697 necessary to facilitate the studies, reviews, and reports that  
698 the office is authorized to perform.

699 (2) The director shall prepare and submit annually to the  
700 President of the Senate and the Speaker of the House of  
701 Representatives for their joint approval the annual projected  
702 work plan of the office in conjunction with a proposed operating  
703 budget for the ensuing fiscal year.

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704 (3) Within the monetary limitations of the approved  
705 operating budget, the salaries and expenses of the director and  
706 the staff of the Office of Program Policy Analysis and  
707 Government Accountability shall be paid from the appropriation  
708 for legislative expense or any other moneys appropriated by the  
709 Legislature for that purpose. The director shall approve all  
710 bills for salaries and expenses before the same shall be paid.

711 (4) Within the monetary limitations of the approved  
712 operating budget, the director shall make all spending  
713 decisions, including entering into contracts on behalf of the  
714 Office of Program Policy Analysis and Government Accountability.

715 (5) The director shall transmit to the President of the  
716 Senate and the Speaker of the House of Representatives, by  
717 December 1 of each year, a list of statutory and fiscal changes  
718 recommended by office reports. The recommendations shall be  
719 presented in two categories: one addressing substantive law and  
720 policy issues and the other addressing budget issues. The  
721 director may also transmit recommendations at other times of the  
722 year when the information would be timely and useful for the  
723 Legislature.

724 JOINT RULE SEVEN

725 JOINT LEGISLATIVE BUDGET COMMISSION

726 7.1--General Responsibilities

727 (1) The commission, as provided in chapter 216, Florida  
728 Statutes, shall receive and review notices of budget and  
729 personnel actions and proposed actions taken or to be taken by  
730 the executive and judicial branches and shall approve or  
731 disapprove such actions.

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732 (2) Through the chairperson ~~chairman~~, the commission shall  
733 advise the Governor and the Chief Justice of actions or proposed  
734 actions that exceed delegated authority or that are contrary to  
735 legislative policy and intent.

736 (3) To the extent possible, the commission shall inform  
737 members of the Legislature of budget amendments requested by the  
738 executive or judicial branches.

739 (4) The commission shall consult with the Chief Financial  
740 Officer ~~Comptroller~~ and the Executive Office of the Governor on  
741 matters as required by chapter 216, Florida Statutes.

742 (5) The President of the Senate and the Speaker of the  
743 House of Representatives may jointly assign other  
744 responsibilities to the commission in addition to those assigned  
745 by law.

746 (6) The commission shall develop policies and procedures  
747 necessary to carry out its assigned responsibilities.

748 (7) The commission, with the approval of the President of  
749 the Senate and the Speaker of the House of Representatives, may  
750 appoint subcommittees as necessary to facilitate its work.

751 ~~7.2 Zero based Budgeting~~

752 ~~(1) The commission shall develop a schedule and apply~~  
753 ~~zero based budgeting principles in reviewing the budget of each~~  
754 ~~state agency at least once every 8 years.~~

755 ~~(2) By July 1 of each year, the commission shall issue~~  
756 ~~instructions to the agencies whose budgets are to be reviewed~~  
757 ~~prior to the next legislative session.~~

758 ~~(3) The commission shall provide these reviews to the~~  
759 ~~President of the Senate and the Speaker of the House of~~

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760 ~~Representatives by December 31 of the year in which they are~~  
761 ~~completed.~~

762 ~~(4) By February 1, 2001, the commission shall provide to~~  
763 ~~the President of the Senate and the Speaker of the House of~~  
764 ~~Representatives a schedule for completing zero-based budgeting~~  
765 ~~reviews of all state agencies prior to December 31, 2008.~~

766 7.2 ~~7.3~~--Organizational Structure

767 (1) The commission shall be composed of seven members of  
768 the Senate appointed by the President of the Senate and seven  
769 members of the House of Representatives appointed by the Speaker  
770 of the House of Representatives. ~~The appointees shall include~~  
771 ~~the chairman of the Fiscal Responsibility Council in the House~~  
772 ~~of Representatives and the chairman of the Committee on~~  
773 ~~Appropriations in the Senate.~~

774 ~~(2) The members of the commission shall elect a chairman~~  
775 ~~and a vice chairman. In even numbered years, a Senator shall be~~  
776 ~~chairman and a House member vice chairman. In odd numbered~~  
777 ~~years, a House member shall be chairman and a Senator vice~~  
778 ~~chairman.~~

779 ~~(3) The commission shall meet at least quarterly and more~~  
780 ~~frequently at the direction of the presiding officers or the~~  
781 ~~chairman. Meetings may be conducted through teleconferences or~~  
782 ~~other electronic means.~~

783 ~~(4) A quorum shall consist of a majority of the commission~~  
784 ~~members of each house plus one additional member of the~~  
785 ~~commission.~~

786 ~~(5) Action by the commission shall require a majority vote~~  
787 ~~of the members present of each house.~~

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788        ~~(2)(6)~~ The commission shall be jointly staffed by the  
789 appropriations committees of both houses. ~~During even-numbered~~  
790 ~~years,~~ The Senate shall provide the lead staff when the  
791 chairperson is a Senator. ~~During odd-numbered years,~~ The House  
792 of Representatives shall provide the lead staff when the  
793 chairperson is a Representative.

794        7.3 ~~7.4~~--Notice of Commission Meetings

795        Not less than 7 days prior to a meeting of the commission,  
796 a notice of the meeting, stating the items to be considered,  
797 date, time, and place, shall be filed with the Secretary of the  
798 Senate when the chairperson ~~chairman~~ is a Senator or with the  
799 Chief Clerk of the House of Representatives when the chairperson  
800 ~~chairman~~ is a Representative. The Secretary or the Chief Clerk  
801 shall distribute notice to the Legislature and the public,  
802 consistent with the rules and policies of their respective  
803 houses.

804        7.4--Effect of Adoption; Intent

805        This Joint Rule Seven replaces all prior joint rules  
806 governing the Joint Legislative Budget Commission and is  
807 intended to implement constitutional provisions relating to the  
808 Joint Legislative Budget Commission existing as of the date of  
809 the rule's adoption.

810                                    ~~JOINT RULE EIGHT~~

811                                    ~~CONTINUING EXISTENCE OF JOINT RULES~~

812        ~~8.1~~ ~~Continuing Existence of Joint Rules~~

813        ~~All joint rules adopted by concurrent resolution, and~~  
814 ~~amendments thereto, shall continue in effect from session to~~

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815 ~~session or Legislature to Legislature until repealed by~~  
816 ~~concurrent resolution.~~

817  
818 ===== T I T L E A M E N D M E N T =====

819 Remove lines 1-18 and insert:

820 House Concurrent Resolution

821 A concurrent resolution adopting the Joint Rules of the  
822 Florida Legislature and amending Joint Rule One, relating  
823 to lobbyist registration and compensation reporting, and  
824 Joint Rule Seven, relating to the organization and duties  
825 of the Legislative Budget Commission.

826  
827 WHEREAS, chapter 2005-359, Laws of Florida, established  
828 lobbyist compensation reporting, and further provided for  
829 electronic filing of compensation reports and other information  
830 effective April 1, 2007, and

831 WHEREAS, in the 2006 general election, the electors of  
832 Florida amended Section 19 of Article III of the Constitution of  
833 Florida to create within the Legislature the Joint Legislative  
834 Budget Commission, and

835 WHEREAS, Section 19, as so amended, provides that the Joint  
836 Legislative Budget Commission shall be governed by the Joint  
837 Rules of the Senate and the House of Representatives, NOW,  
838 THEREFORE,