

## Rule Four

### ORDER OF BUSINESS AND CALENDAR

4.1—The Senate shall meet pursuant to a schedule adopted, from time to time by the Committee on Rules, Calendar, Privileged Business and Ethics and approved by the President, which shall set forth hours of convening and adjournment. This rule notwithstanding the Senate shall meet in session at least once each legislative week during a regular session.

Sessions of  
the Senate

4.2—A majority of the Senate shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. Any Senator at any time may question the existence of a quorum.

Quorum  
necessary to do  
business

4.3—Daily order of business.—The daily order of business shall be as follows:

1. Roll Call
2. Prayer by Chaplain
3. Preliminary correction and approval of Journal
4. Reports of Committees
5. Motions relating to committee reference
6. Messages from the Governor
7. Messages from the House of Representatives
8. Consideration of Senate and other Resolutions
9. Matters on reconsideration
10. Unfinished business
11. Special Order as determined by the Committee on Rules, Calendar, Privileged Business and Ethics
12. Consideration of Bills and Joint Resolutions on Third Reading

13. Consideration of Bills and Joint Resolutions on Second Reading
14. Correction and approval of Journal
15. Miscellaneous Business
16. Petitions and Memorials

On the first legislative day of each week the Daily Order of Business shall include, after prayer, The Pledge of Allegiance to the Flag of the United States of America.

At 8:30 a.m. every legislative day, the President shall call the Senate to order for the sole purpose of conducting the order of business of "Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions". During this period, the Chairman of the Committee on Rules, Calendar, Privileged Business and Ethics or his designate from such Committee and the minority leader or his designate from his party shall attend. A list of the bills, reflecting the number and title of each, and the referencing thereof, shall be delivered to each Senator no later than noon of the day of such referencing. The adoption of this rule shall constitute a waiver of so much of Section 7 of Article III of the Constitution of the State of Florida as pertains to the first reading of a bill.

A vote of two-thirds (2/3) of the Senators present shall be required to establish a Special Order except as provided in Rule 4.15. The Secretary of the Senate shall prepare and cause to be distributed, on each legislative day, a calendar corresponding to the Order of the Day; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

The receiving of reports of committees of conference shall always be in order, except when the Senate is voting on any proposition. After Senate conferees on any bill or resolution in conference between the Senate and House shall have been appointed for seven (7) calendar days and shall have failed to make a report, it is hereby declared to be a

motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees; and, further during this last six (6) calendar days allowed under the Constitution for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after Senate conferees shall have been appointed thirty-six (36) hours without having made a report. There shall accompany every conference report a statement sufficiently explicit to inform the Senate what effect such amendments or propositions will have upon the measures to which they relate. Upon presentation of the report of a conference committee, it shall be read to the Senate and, prior to voting, shall be read a second time on the next day on which the Senate meets. Upon completion of the second reading, the vote first shall be upon the acceptance or rejection thereof as an entirety. During the last five (5) days of a regular session such report shall be read only once, but shall be accompanied by the statement required hereby. The report or reports of a conference committee must be acted upon as a whole, being agreed to or disagreed to as an entirety. When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine. Conference committees shall consider and report on the differences existing between the Senate and the House and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

*(Amended May 7, 1971, Page 296, Senate Journal)*

4.4—All bills and joint resolutions, including those which are strictly local in nature and those prefiled in accordance with these Rules, shall be referred to an appropriate standing committee or committees whose jurisdiction embraces the subject of the bill. The President may refer a bill or a joint resolution introduced by a standing committee to the calendar. When the President refers a bill to a standing committee having a standing subcommittee, the chairman of the standing

Reference generally

committee shall determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by such chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for such consideration. If such subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report such reference and the time allowed for such consideration to the Secretary of the Senate on forms provided for such purpose. The reference of a bill which is strictly local in nature shall be to the Committee on Rules, Calendar, Privileged Business and Ethics for the sole purpose of determining whether such measure is in fact and function local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects only one county. Upon the determination by the Committee on Rules, Calendar, Privileged Business and Ethics that a bill is in fact and law a local bill, it shall forthwith be reported and referred to the calendar on local bills.

General bills and joint resolutions introduced after the thirtieth (30th) day of the regular annual session shall be referenced, but delivery thereof shall be withheld from the committee or committees of reference until adjournment sine die of such session. The bills and joint resolutions affected hereby shall be known as prefiled bills and considered in accordance with these rules. A motion to waive this rule shall be referred to the Committee on Rules, Calendar, Privileged Business and Ethics for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill or joint resolution notwithstanding this rule, which recommendation must be reported back to the Senate not later than the next legislative day.

*(Amended January 27, 1971, Page 8, Senate Journal)*

4.5—In case of multiple reference of a bill, resolution, or memorial to two or more committees, said bill, resolution, or memorial shall be considered by each committee separately in the order in which

Reference to  
more than one  
committee

the multiple reference is made; but if any committee to which the bill, resolution, or memorial is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except on two-thirds (2/3) vote of the membership of the Senate. If a committee reports a committee substitute favorably, other committee consideration shall be directed to the substitute and not to the original.

4.6—All bills authorizing, carrying, requiring or affecting appropriations, authorizing bond issues or modifying financial procedures, shall be referred to the Ways and Means Committee. All bills substantially affecting tax revenue matters, so as to increase, decrease, alter, impose, or remove a tax, license fee or charge, or amend its exemptions, use, disposition, distribution, or collection procedures, shall be referred to the Ways and Means Committee, except that the President, in his discretion, and with the consent of the Chairman of the Committee on Ways and Means, may waive the requirement that bills relating to license fees be also referred to the Committee on Ways and Means. Such bills may also be referred to other standing committees at the discretion of the President. If a bill which in its original form did not meet the criteria for Ways and Means referral is amended, either in committee or on the floor, so as to meet these criteria, the bill with amendment shall then be referred to Ways and Means Committee. If a bill which has been referred to Ways and Means Committee as a result of a floor amendment is then reported favorably by the Committee, it shall be returned to the calendar at the same reading as when referred and shall be a continuing and special order of business for the day following the receipt of the report by the Secretary.

Claims bills shall not require referral to the Ways and Means Committee. However, the Committee on Personnel, Retirement and Claims, shall provide the Ways and Means Committee the amount recommended for payment and the identity of the fund from which payment is to be made in each claims bill reported favorably.

*(Amended December 8, 1971, Page 48, Senate Journal)*

4.7—All resolutions shall be referred by the President to a standing committee, except that resolutions on Senate organization and of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office, may be taken up upon motion and adopted at time of introduction without reference.

Reference of resolutions;  
concurrent resolutions;  
Exception

4.8—When the President has referred a bill or joint resolution, any Senator may, no later than under the Order of Business of "Motions Relating to Committee Reference" on the next succeeding legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee which motion may be adopted by a two-thirds (2/3) vote.

Reference to different committee or removal

4.9—Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When the reading of a paper other than one upon which the Senate is called to give a final vote is demanded, and the same is objected to by any Senator, it shall be determined by a majority vote of the Senate.

Reference of papers of miscellaneous nature

4.10—Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote upon final passage unless two-thirds (2/3) of the Senators present decide otherwise.

Reading of bills and joint resolutions

(Constitution: Article III, section 7—"Any bill may originate in either house and after passage in one may be amended in the other. It shall be read in each house on three separate days, unless this rule is waived by two-thirds vote. On each reading, it shall be read by title only, unless one-third of the members present desire it read in full. On final passage, the vote of each member voting shall be entered on the journal. Passage of a bill shall require a majority vote in each house. Each bill and joint resolution passed in both houses shall be signed by the presiding officers of the respective houses and

by the secretary of the senate and the clerk of the house of representatives during the session or as soon as practicable after its adjournment sine die.”)

4.11—Each concurrent resolution or memorial shall receive two (2) readings on two (2) separate days previous to a voice vote upon adoption, unless two-thirds (2/3) of the Senators present decide otherwise. If the reading on the second day be dispensed with by this waiver, then the concurrent resolution or memorial may be read the second time by title only.

Reading of concurrent resolutions and memorials

4.12—Each Senate resolution shall be read by title only upon introduction. Each Senate resolution then shall be read an additional time in full before the question is put on adoption by voice vote.

Reading of Senate resolutions

4.13—Upon the third reading of any bill or joint resolution, it shall not be committed (save to the Ways and Means Committee) or amended, except as to title, without consent of two-thirds (2/3) of the Senators voting, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those voting.

Referral or postponement on third reading

4.14—A general bill or joint resolution may be considered out of its regular order on the calendar upon unanimous consent obtained in the following manner: The Senator moving the Senate for such unanimous consent shall have, prior to the entertainment of such motion, orally given the membership not less than fifteen (15) minutes' notice of his intention to so move which said notice shall specify the number of the bill or joint resolution and its position on the calendar. The moving Senator shall be allowed one (1) minute upon the entertainment of such motion to explain his purpose, and unanimous consent shall then be given or refused without further debate.

Consideration of bills out of regular order

4.15-Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension thereof by virtue of membership of the legislature as permitted under the Constitution, the Special order calendar Committee on Rules, Calendar, Privileged Business and Ethics shall on each day submit a Special Order Calendar determining the priority for consideration of bills and joint resolutions. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills or joint resolutions shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate except that any bill or joint resolution appearing on this calendar may be stricken therefrom by a two-thirds (2/3) vote of the Senators present. All bills or joint resolutions set as special orders for consideration at the same hour shall take precedence in the order in which they were given preference. Provided however, that the Committee on Rules, Calendar, Privileged Business and Ethics shall, except for the last week of a regular session, reserve one legislative day each week for the consideration by the Senate of the General Order Calendar.

4.151-Notwithstanding anything in these rules to the contrary each Senator may each regular session designate on notice forms to be supplied by the Secretary of the Senate, any two bills or resolutions introduced by said Senator or by a Committee on which he serves, as bills or resolutions of preference on the General Order Calendar, and said bills or resolutions shall preempt the General Order Calendar in the order that such notice is received in the office of the Secretary of the Senate. Said notice shall be filed no later than 4:30 p.m. on any legislative day, preceding the day of publication of the General Order Calendar, unless such day should be a Friday, in which event the said notice shall be filed no later than 2:30 p.m. Any bills designated by any Senator as bills or resolutions of preference not considered at the legislative session in which they first appear on the General Order Calendar shall retain their position of preference on the General Order Calendar until such time as they are considered or otherwise removed.

4.16-Local bills shall be disposed of according to the calendar of a local nature and shall be taken up and considered only at such time as shall be determined by the President.  
Calendar of local bills

4.17-The order of disposition of any bill or joint resolution which has been read the second time shall be its reference to the Engrossing Clerk to be engrossed after all questions relative to it while on a second reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third reading to be taken up on some separate succeeding legislative day, unless otherwise ordered by a two-thirds (2/3) vote of those present. No bill shall be committed to the Engrossing Clerk or placed on the calendar of bills on third reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which has not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill or joint resolution shall be on its third reading when it has

been read a second time on a previous day and no motion left pending. Bills calendared for second or third reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

4.18—The Secretary of the Senate shall be responsible for the enrolling of all bills. After Enrolling enrollment, all bills shall be signed by the President and the Secretary, and the fact of such signing shall be noted in the Journal.

4.19—Whenever the Senator who introduced any bill or resolution is absent from the Chamber when such bill or resolution is Absence of introducer reached in its regular order on any of its readings, such bill or resolution shall be passed and placed at the foot of the calendar, and shall not be taken up out of order or its place on the calendar changed against the order of progress, except by unanimous consent; and if such bill or resolution shall not be finally voted upon when for the third time it is reached in regular order, it shall be automatically tabled.

## Rule Five

### VOTING

5.1—The President shall declare all votes; but, if any Senator rises to question a vote, then, Taking the yeas and nays upon a showing of hands by five (5) Senators, the President shall take the sense of the Senate by yeas and nays or electrical roll call. When taking the yeas and nays on any question, the electrical roll call system may be used, and when so used shall have the force and effect of a roll call taken as provided in these Rules. This system likewise may be used to determine the presence of a quorum. When the Senate is ready to vote upon a question requiring roll call, and the vote is by electrical roll