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COMMITTEE REPORT

January 13, 2011

**S. 9**

Introduced by Senators L. Martin, Peeler, Rose, Campsen, Verdin and Cromer

S. Printed 1/13/11--S.

Read the first time January 11, 2011.

**THE COMMITTEE ON RULES**

To whom was referred a Senate Resolution (S. 9) to amend Rule 16 of the Rules of the Senate, relating to votes by ayes and noes and the requirement that Senators present must vote, to provide that recorded votes must, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the resolution, as and if amended, by striking all after the title and inserting:

/ Be it resolved by the Senate:

That Rule 16 of the Rules of the Senate is amended to read:

“RULE 16.

Vote by Ayes and Noes

Senators Present Must Vote

Except as otherwise provided, the decision of the Senate on any question other than unanimous consent shall be taken by all members voting ‘viva voce’ or electronically when a roll call is required, if an electronic voting system is available. Votes on the following matters shall be taken by roll call and the names of the Senators voting shall be recorded in the Journal:

(1) Second reading of Joint Resolutions proposing amendments to the South Carolina Constitution and third reading of such Joint Resolutions that are substantively amended on third reading;

(2) The question on any act returned from the Governor with his or her objections;

(3) Second reading of ~~the General Appropriations Bill and any other Bill or Resolution authorizing the expenditure of funds~~ Bills and Resolutions having the force and effect of law and third reading of such Bills and Resolutions that are substantively amended on third reading;

~~(4)~~ ~~Second reading of any state or congressional reapportionment plan and third reading of any such plan that is substantively amended on third reading;~~

~~(5)~~ ~~Second reading of contested Bills and Joint Resolutions and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(6)~~ ~~Second reading of any Bill or Resolution that impacts the pay, benefits, or retirement of members of the General Assembly, the Executive Branch, the Judicial Branch, or the provisions of the Ethics Act or the Campaign Finance Act and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(7)~~ ~~Second reading of Bills or Resolutions that contain provisions that would create a fee or tax, raise the amount of an existing fee or tax, or reduce an existing fee or tax and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(8)~~ ~~Second reading of any Bill or Resolution that has a fiscal impact statement greater than $10,000 and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(9)~~(4) Adoption of reports of conference committees and free conference committees and the granting of free conference powers;

~~(10)~~(5) The question on concurrence or the adoption of a substantive amendment proposed to Bills or Resolutions returned from the House of Representatives; and

~~(11)~~(6) Any vote on the main question of ~~a Bill, Joint Resolution, or~~ an amendment for which there is a request for a roll call by three (3) Senators and the vote on any other motion for which there is a request for a roll call by five (5) Senators.

Upon a call of the Senate and unless a division is ordered, the Senators present shall vote alphabetically, unless voting electronically when a roll call is required and every Senator present must give his or her vote as aye, no, or abstain unless excused by the Senate. No Senator who is absent when the vote is taken and the result announced by the President shall be allowed to vote without leave of the Senate. A Senator who is absent from a vote may not be recorded as voting on that matter.

Renumber sections to conform.

Amend title to conform.

LARRY A MARTIN for Committee.

**A** **SENATE RESOLUTION**

TO AMEND RULE 16 OF THE RULES OF THE SENATE, RELATING TO VOTES BY AYES AND NOES AND THE REQUIREMENT THAT SENATORS PRESENT MUST VOTE, TO PROVIDE THAT RECORDED VOTES MUST BE TAKEN ON SECOND READING OF ALL BILLS AND RESOLUTIONS HAVING THE FORCE AND EFFECT OF LAW AND ON CERTAIN OTHER MATTERS.

That Rule 16 of the Rules of the Senate is amended to read:

“RULE 16.

Vote by Ayes and Noes

Senators Present Must Vote

Except as otherwise provided, the decision of the Senate on any question other than unanimous consent shall be taken by all members voting ‘viva voce’ or electronically when a roll call is required, if an electronic voting system is available. Votes on the following matters shall be taken by roll call and the names of the Senators voting shall be recorded in the Journal:

(1) Second reading of Joint Resolutions proposing amendments to the South Carolina Constitution and third reading of such Joint Resolutions that are substantively amended on third reading;

(2) The question on any act returned from the Governor with his or her objections;

(3) Second reading of ~~the General Appropriations Bill and any other Bill or Resolution authorizing the expenditure of funds~~ Bills and Resolutions having the force and effect of law and third reading of such Bills and Resolutions that are substantively amended on third reading;

~~(4)~~ ~~Second reading of any state or congressional reapportionment plan and third reading of any such plan that is substantively amended on third reading;~~

~~(5)~~ ~~Second reading of contested Bills and Joint Resolutions and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(6)~~ ~~Second reading of any Bill or Resolution that impacts the pay, benefits, or retirement of members of the General Assembly, the Executive Branch, the Judicial Branch, or the provisions of the Ethics Act or the Campaign Finance Act and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(7)~~ ~~Second reading of Bills or Resolutions that contain provisions that would create a fee or tax, raise the amount of an existing fee or tax, or reduce an existing fee or tax and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(8)~~ ~~Second reading of any Bill or Resolution that has a fiscal impact statement greater than $10,000 and third reading of such Bills and Resolutions that are substantively amended on third reading;~~

~~(9)~~(4) Adoption of reports of conference committees and free conference committees and the granting of free conference powers;

~~(10)~~(5) The question on concurrence or the adoption of a substantive amendment proposed to Bills or Resolutions returned from the House of Representatives;

(6) Each section of the annual general appropriations bill prior to the consideration of second reading, unless the section is agreed to by unanimous consent; and

~~(11)~~(7) Any vote on the main question of ~~a Bill, Joint Resolution, or~~ an amendment for which there is a request for a roll call by three (3) Senators and the vote on any other motion for which there is a request for a roll call by five (5) Senators.

Upon a call of the Senate and unless a division is ordered, the Senators present shall vote alphabetically, unless voting electronically when a roll call is required and every Senator present must give his or her vote as aye, no, or abstain unless excused by the Senate. No Senator who is absent when the vote is taken and the result announced by the President shall be allowed to vote without leave of the Senate. A Senator who is absent from a vote may not be recorded as voting on that matter.

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