

# Ways and Means Committee Meeting

## AGENDA December 3, 2014

### Immediately Upon Adjournment

- I. Election of Committee Officers
  - II. Welcome and Introduction of New Committee Members
  - III. Adoption of Committee Rules
  - IV. Committee Administrative Business
  - V. Closing Remarks
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## WAYS AND MEANS COMMITTEE RULES

*Adopted January 9, 2013*

Rule 1. The Rules of the House as they are now or as hereafter adopted shall be the House Ways and Means Committee rules as determined to be appropriate by the Chairman and except as otherwise provided below.

Rule 2. The adopted rules must be taken as an expression of the normal operating procedure of the Committee, but the procedure, excluding voting requirements, may be departed from with the approval of two-thirds of the Committee members present. Permanent changes to the rules require approval by two-thirds of the appointed membership. The rules shall remain in effect beyond the two-year session to serve as the temporary rules until the subsequent Committee membership adopts rules.

Rule 3. During the organizational session at the beginning of each two-year session, the Committee shall meet and elect a 1<sup>st</sup> Vice-Chairman, a 2<sup>nd</sup> Vice-Chairman, and a 3<sup>rd</sup> Vice-Chairman. The 1<sup>st</sup> Vice-Chairman shall preside over Committee meetings in the absence of the Chairman. The 2<sup>nd</sup> Vice-Chairman shall preside over Committee meetings in the absence of the Chairman and 1<sup>st</sup> Vice-Chairman.

Rule 4. The Chairman shall determine the number and size of subcommittees and shall appoint subcommittee chairmen. Legislation is assigned to a subcommittee at the discretion of the Chairman and the Chairman may modify assignments as he deems appropriate. The Chairman may appoint ad hoc subcommittees to study specific legislation or issues. An ad hoc subcommittee shall cease to exist upon completion of the assigned task(s) and any specific legislation produced by an ad hoc committee may be placed on the full committee agenda for consideration by the Committee.

Rule 5. The Committee, in order to ensure that all full committee meetings are available to the public, may allow access to S.C. ETV for the availability of internet streaming whenever technologically feasible.

Rule 6. A majority of the appointed membership constitutes a quorum.

Rule 7. Pursuant to the provisions of S.C. Code Section 2-69-30 and Article III, Section 12, of the South Carolina Constitution, the committee or a subcommittee, in the discharge of its duties, may administer oaths and affirmations, take depositions, and receive testimony and evidence as necessary in connection with its work, study, or investigation.

Rule 8. A matter to be considered at a meeting shall be listed on the agenda. Preparation of the agenda for a Committee meeting and designation of the meeting time is the responsibility of the Chairman. Each item on the agenda shall include the bill number, the primary sponsor, an abbreviated bill title, and a summary of the bill that includes a statement of fiscal impact.

Rule 9. A matter that is not listed on the agenda may be considered at the meeting for which the agenda is prepared with unanimous consent of those members present. A matter shall be added to the agenda for the subsequent meeting of the Committee if approved by a two-thirds vote of the appointed members of the Committee at any regularly scheduled meeting.

Rule 10. The Committee may recall a bill or resolution from a subcommittee, by majority vote of the members present, for consideration by the Committee; however, the bill or resolution will not be eligible for consideration until the next meeting of the Committee.

Rule 11. To address the Committee, a person must be scheduled on the agenda, a constitutional officer of the state or member of the General Assembly granted permission by the Chairman, or granted permission during the meeting by the Chairman without objection of five or more members of the Committee.

Rule 12. Any member of the Committee may request a roll-call vote on any question pending consideration. The Chairman shall direct a roll-call vote to be taken if at least five Committee members second the requesting member's action.

Rule 13. The Chairman may vote on any issue; however, he must vote in case of a tie.

Rule 14. Any member desiring to sign a minority report to a bill or resolution must do so or express the intent to do so to the Chairman before adjournment of the Committee meeting at which the Committee approves the bill or resolution.

Rule 15. Any legislation that receives a favorable motion to adjourn debate at either a subcommittee or committee hearing will not be immediately placed on the next meeting agenda for that subcommittee or the committee. It will only be placed on a future agenda at the discretion of the full committee chairman.

Rule 16. Half of the membership of a subcommittee constitutes a quorum. The Chairman of the Ways and Means Committee serves as an ex-officio member of each subcommittee and may vote in any subcommittee meeting, but only when a member of that subcommittee is absent.

Rule 17. A subcommittee chairman is responsible for scheduling a meeting of the subcommittee.

Rule 18. All hearings on legislation shall be conducted by the subcommittee studying that legislation. With the exception of members of the General Assembly and those granted permission by the subcommittee chairman, persons requesting to be heard at a hearing shall submit a written request to the Committee office at least twenty-four hours before the day and time of the hearing.

Rule 19. Unless recalled by the Committee, a bill or resolution must be reported out of a subcommittee as favorable, favorable with amendments, or unfavorable to be considered by the full Committee.

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#### Selected House Rules Relevant to Committee Procedure<sup>i</sup>

Whenever feasible twenty-four hour advance notice shall be given for all committee meetings. Such notice shall be mailed to the members by the committee chairmen when the House is not in session. Notice of regular and special meetings shall also be given by the administrative assistants to each member of the committees and to the Sergeant at Arms in the manner the committee deems proper. Failure of notice of any meeting shall not invalidate committee action unless bad faith is shown. House Rule 4.4.

No committee shall sit unless a quorum be present and all bills introduced by committees must carry the statement of the Chairman that the bill has the approval of two-thirds of the membership of the committee, except that the State Appropriations Bill, the Supplemental Appropriations Bill, a Rescission Bill, and the Deficiency Appropriations Bill may be introduced by a majority vote of the Ways and Means Committee. House Rule 4.4.

All meetings of all committees shall be open to the public at all times, subject always to the power and authority of the Chairman to maintain order and decorum with the right to go into Executive Session as provided for in the South Carolina Freedom of Information Act, Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended. House Rule 4.5.

No committee shall file a report unless the committee has met formally at an authorized time and place with a quorum present. House Rule 4.5.

No member of a committee shall be allowed under any circumstances to vote by proxy. House Rule 4.14.

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<sup>i</sup> The House Rules included in this document are listed for informational purposes only and are not intended to be a part of the formal Ways and Means Committee Rules. Additionally, the House Rules listed are not exhaustive and may be updated as rule changes are adopted by the House of Representatives.

# Ways and Means Committee

## Budget Schedule 2015:\*

January 13 - 15:	First week of session & budget subcommittees meetings
January 20 - 22:	Budget subcommittees meetings
January 27 - 29:	Budget subcommittees meetings
February 3 - 5:	Budget subcommittees meetings
February 10 - 12:	PROVISO SUBCOMMITTEE MEETING
February 17 - 19:**	FULL COMMITTEE BUDGET DELIBERATIONS
February 24 - 26:	Appropriation bill printed
March 3 - 5:	Printed appropriation bills placed on House members' desks
March 10 - 12:**	HOUSE FLOOR BUDGET DELIBERATIONS

## Important Dates:

February 4, 2015:	Deadline for proviso submittals
February 15, 2014:	Final BEA estimate due

\* Schedule subject to change at the discretion of the chairman.

\*\* Full committee and House floor deliberations may begin on the Monday of the weeks indicated.

**Note:** S.C. Code sections 11-11-15 and 11-11-70 provide that the governor shall submit to the presiding officer of each house printed copies of a budget within five days after the beginning of each regular session of the General Assembly.

**Note:** Section 2-1-180 requires third reading of Appropriations Bill by March 31. If that does not happen the date of sine die adjournment is extended by one statewide day for each statewide day after March 31 that the House of Representatives fails to give the bill third reading. Art. III, Sect. 36 (B)(3)(a) of the Constitution requires that after March 1 of a fiscal year, if the BEA has not declared a shortfall, Capital Reserves may be appropriated by the General Assembly in separate legislation.

### Capital Reserve Fund

Article III, Section 36 of the S. C. Constitution provides:

"(B) (1) In any fiscal year in which the General Reserve Fund does not maintain the required percentage of general fund revenue, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in subsection (A)(2) of this section. After the General Reserve Fund is fully replenished to the required percentage, the monies in the Capital Reserve Fund may be appropriated, except that the Capital Reserve Fund must not be used to offset a midyear budget reduction.

"(B) (2) Subsequent to appropriations required by item (1) of this subsection, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less than three-fifths of the total membership in each branch for the following purposes:

- (a) to finance in cash previously authorized capital improvement bond projects;
- (b) to retire interest or principal on bonds previously issued;
- (c) for capital improvements or other nonrecurring purposes."

"(B) (3) (a) Any appropriation of monies from the Capital Reserve Fund as provided in this subsection must be ranked in priority of expenditure and is effective thirty days after completion of the fiscal year."