



SCPC  
1323 Pendleton Street  
Columbia, South Carolina 29201  
P 803 779 5022  
F 803 779 4953  
scpolicycouncil.com

#### OUR MISSION

is to educate members and all South Carolinians about state and local public policy based on the traditional South Carolina values of individual liberty and responsibility, free enterprise and limited government.

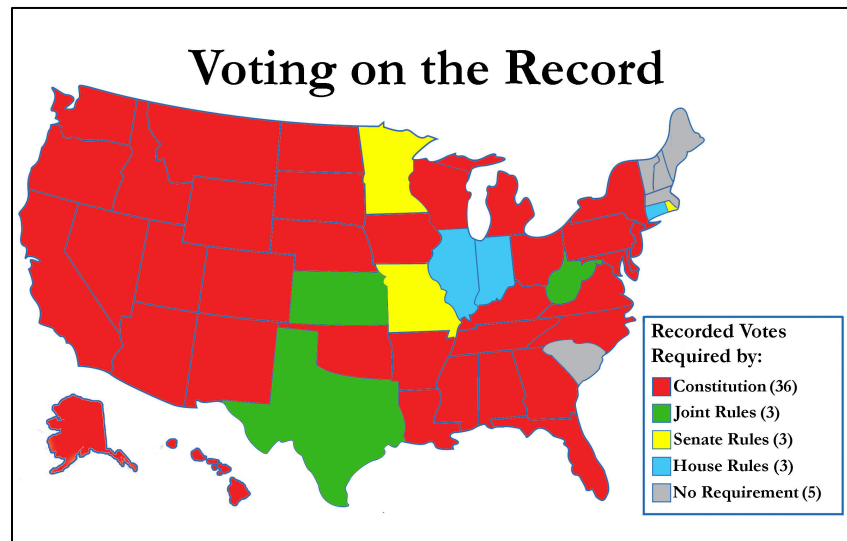
November 12, 2008

## SOUTH CAROLINA NATION'S WORST AT REQUIRING RECORDED VOTES

A Policy Council study of the Constitutional and legislative procedural rules in all 50 states finds that South Carolina is one of just five states that do not require lawmakers to record their votes when passing bills. South Carolina has the nation's most burdensome requirement for requesting a recorded vote among the five states that do not require them.

Constitutions in 36 states require lawmakers to hold a recorded vote on bills they consider. Among the 14 states without any constitutional requirement, joint House and Senate rules in three states mandate recorded votes on final passage. In three states, House rules mandate recorded votes, and Senate rules mandate them in three other states, for a total of 45 states with a constitutional or procedural requirement that votes be recorded before a bill may become law.

- 41 states mandate a recorded vote on all bills in at least one legislative chamber
- Georgia, Minnesota, North Carolina and Wisconsin require a recorded vote on revenue bills
- Maine, Massachusetts, New Hampshire, South Carolina and Vermont are the only states that do not require lawmakers to vote on the record when passing bills.



- Among states that do not require recorded votes, South Carolina has the nation's highest threshold to request a vote on the record:
  - Maine Senate Rule 9 and Vermont Senate Rule 68 let a single Senator force a vote
  - Massachusetts House Rule 50 lets a single Representative force a vote
  - New Hampshire Senate Rule 12 requires two Senators to force a vote
  - South Carolina requires five Senators, or ten House members, to force a vote



The South Carolina Constitution mandates a recorded vote only on elections by the General Assembly, taking up the Governor's vetoes, contested Supreme Court elections, removal of officers and amendments to the state Constitution. The lack of any requirement for lawmakers to record their votes on most legislation allows lawmakers to rely on anonymous voice votes for most matters. This makes it impossible for citizens to hold their representatives accountable.

In 2008, when voting on general bills or joint resolutions that members voted to become law:

- The South Carolina House of Representatives recorded votes 8 percent of the time
- The South Carolina Senate recorded votes 1 percent of the time
- In total, the General Assembly recorded votes an average of 5 percent of the time

South Carolina's reliance on anonymous voice votes is prohibited by nearly every other state in the nation as these states recognize the absence of recorded votes betrays the very principles of representative democracy and open government.

States with a Constitutional requirement to record votes on final passage of bills:

- Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia\*, Hawaii, Idaho, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina\*, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, Wisconsin\* and Wyoming (\*Only for revenue bills)

States where House and/or Senate rules address recorded votes on final passage of all bills:

- House and Senate Rules require: Kansas, Texas and West Virginia
- Senate Rules require: Minnesota\*, Missouri, Rhode Island (\*Only for revenue bills)
- House Rules require: Connecticut, Illinois, Indiana
- No requirement: Maine, Massachusetts, New Hampshire, South Carolina, Vermont

South Carolina ranks last in the nation on legislative voting accountability. 45 states mandate elected officials vote on the record when they pass bills. South Carolina requires the most lawmakers to force a recorded vote among the five states that do not. This lack of public input in government encourages corruption, wasteful spending and discourages government reform.

There should be no vote taken off the record except the most perfunctory and frivolous resolutions. Every vote is taken on behalf of the people, and every vote affects the public – that means every vote should be on the record so citizens can hold their legislators directly accountable. South Carolina's archaic form of government is responsible for the state's last-in-the-nation status in many areas and the state must move from worst to first in government accountability. The best way to expose the nation's most-secretive legislature is to implement the nation's strongest recorded voting standards. Tough new recorded voting measures would restore power to the people as the ultimate check on government, and establish South Carolina as the national model for government transparency.

Nothing in the foregoing should be construed as an attempt to aid or hinder passage of any legislation. Copyright 2008. South Carolina Policy Council Education Foundation, 1323 Pendleton Street, Columbia, South Carolina 29201. Visit the Policy Council online at [www.scpolicycouncil.com](http://www.scpolicycouncil.com)

