

1982 WL 189256 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 19, 1982

*1 Dr. Hudson L. Barksdale, Sr.
Member
House of Representatives
402-A Blatt Building
Columbia, South Carolina 29211

Dear Dr. Barksdale:

You have requested an opinion of this Office on the question of whether the rule of the South Carolina House of Representatives regarding filibusters violates the constitutional principle of 'one man, one vote.' The filibuster rule that you refer to is contained in Rule 8.6 of the Rules of the House of Representatives and provides that upon a vote of 68 of the members of the House on a motion for the previous question a debate may be interrupted.

The 'one man, one vote' principle of which you speak guarantees the equality of each person's vote in popular elections. [Baker v. Carr](#), 396 U.S. 186, 82 S.Ct. 691, 7 L.Ed.2d 663; [Gray v. Sanders](#), 372 U.S. 368, 83 S.Ct. 801, 9 L.Ed.2d 821; and [Reynolds v. Sims](#), 377 U.S. 533, 84 S.Ct. 1362, 12 L.Ed.2d 506. I can see nothing in the provisions of Rule 8.6 which would have the effect of violating the 'one man, one vote' principle.

Very truly yours,

Helen T. Zeigler
Staff Attorney

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