~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 25, 2010

**H. 4636**

Introduced by Reps. Govan and Harrison

S. Printed 3/25/10--H.

Read the first time February 25, 2010.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4636) to amend Section 59‑127‑20, Code of Laws of South Carolina, 1976, relating to the South Carolina State University Board of Trustees, so as to add, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by deleting in its entirety Section 59‑127‑20(A), as contained in SECTION 1, pages 1 and 2, and inserting:

/ (A) South Carolina State University is managed and controlled by a board of trustees, composed of ~~thirteen~~ fourteen members, twelve of whom are elected by the General Assembly, one member from each congressional district and six at large for terms of four years each and until their successors are elected and qualify. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to ~~assure~~ ensure that the membership of the board is representative of all citizens of the State of South Carolina. The Governor of the State or his designee is ex officio, the thirteenth member of the board of trustees. One member must be elected by the National Alumni Association of the university by the means and methods as may be determined by the association, the result of the election to be certified by the president of the association to the Secretary of State. The member elected by the association shall serve as the fourteenth member of the board of trustees. The member elected by the association must be a graduate of South Carolina State University and shall serve for a term of four years, beginning on July 1, 2010, until his successor is elected and qualifies. In case of a vacancy on the board, the Governor may fill it by appointment until the next session of the General Assembly. Members of the board are entitled to subsistence, per diem, and mileage authorized for members of state boards, committees, and commissions.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively, one corresponding in number to each congressional district and Seats 7‑12 at large. The Governor or his designee occupies Seat 13. The member elected by the National Alumni Association of the university occupies Seat 14. Of the three present members of the board who reside in the sixth congressional district, the member with the longest remaining current term ~~shall~~ must be the resident member selected from that congressional district occupying Seat 6. The two remaining members not determined to be the resident member from the sixth congressional district ~~shall be~~ are considered at‑large members of the board occupying Seats 8 and 12, respectively. The terms of each of these three members ~~shall~~ are not ~~be~~ affected by the provisions of this paragraph.

The terms of the present members of the board who are elected by the General Assembly expire on the thirtieth day of June of the year in which the terms are scheduled to expire. The General Assembly shall elect successors to the elective trustees not earlier than the first day of April for a term to begin the following July first. Elections to fill vacancies on the board which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

South Carolina State University indicates this bill will have no impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 59‑127‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA STATE UNIVERSITY BOARD OF TRUSTEES, SO AS TO ADD AN ADDITIONAL MEMBER TO THE BOARD TO BE APPOINTED BY THE NATIONAL ALUMNI ASSOCIATION OF THE UNIVERSITY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59‑127‑20 of the 1976 Code is amended to read:

“Section 59‑127‑20. (A) South Carolina State University is managed and controlled by a board of trustees, composed of ~~thirteen~~ fourteen members, twelve of whom are elected by the General Assembly, one member from each congressional district and six at large for terms of four years each and until their successors are elected and qualify. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to ~~assure~~ ensure that the membership of the board is representative of all citizens of the State of South Carolina. The Governor of the State or his designee is ex officio, the thirteenth member of the board of trustees. One member must be appointed by the National Alumni Association of the university, who shall serve as the fourteenth member of the board of trustees, and who shall serve for a term of four years. In case of a vacancy on the board, the Governor may fill it by appointment until the next session of the General Assembly. Members of the board are entitled to subsistence, per diem, and mileage authorized for members of state boards, committees, and commissions.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively, one corresponding in number to each congressional district and Seats 7‑12 at large. The Governor or his designee occupies Seat 13. The member appointed by the National Alumni Association of the university occupies Seat 14. Of the three present members of the board who reside in the sixth congressional district, the member with the longest remaining current term ~~shall~~ must be the resident member selected from that congressional district occupying Seat 6. The two remaining members not determined to be the resident member from the sixth congressional district ~~shall be~~ are considered at‑large members of the board occupying Seats 8 and 12, respectively. The terms of each of these three members ~~shall~~ are not ~~be~~ affected by the provisions of this paragraph.

The terms of the present members of the board who are elected by the General Assembly expire on the thirtieth day of June of the year in which the terms are scheduled to expire. The General Assembly shall elect successors to the elective trustees not earlier than the first day of April for a term to begin the following July first. Elections to fill vacancies on the board which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired.

(B) Beginning with members elected to the board during 1992, terms of members are four years. In 1993, members from Seats 1, 2, 3, 4, 5, and 11 must be elected, and the term of the member elected in 1993 from Seat 3 shall be one year, the terms of the members elected in 1993 from Seats 1, 2, and 4 shall be two years each, the term of the member elected in 1993 from Seat 11 shall be three years, and the term of the member elected in 1993 from Seat 5 shall be four years. Thereafter, successors to the members of the board elected in 1993 and successors to members of the board provided six‑year terms by the provisions of this subsection must be elected for terms of four years each.”

SECTION 2. This act takes effect upon approval by the Governor.

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