**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3280**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. T.R. Young, Allison, Parker, D.C. Smith, G.R. Smith, J.R. Smith, Stewart, Millwood, Horne, Funderburk, Wylie, Bedingfield, Harrell, A.D. Young, Viers, Gunn, Erickson, Clemmons and Loftis

Document Path: l:\council\bills\swb\5668sd09.docx

Companion/Similar bill(s): 129, 158, 160, 161, 163, 164, 165, 3145, 3276

Introduced in the House on January 14, 2009

Last Amended on January 14, 2010

Rejected by the House on April 29, 2010

Summary: Superintendent of Education

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/14/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-14-09.docx)‑21

1/14/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-14-09.docx)‑21

1/28/2009 House Member(s) request name added as sponsor: Millwood

2/17/2009 House Member(s) request name added as sponsor: Horne

3/31/2009 House Member(s) request name added as sponsor: Funderburk

4/22/2009 House Committee report: Favorable with amendment **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\04-22-09.docx)‑9

4/28/2009 House Member(s) request name added as sponsor: Viers

4/28/2009 House Debate adjourned until Wednesday, April 29, 2009 [HJ](file:///h:\HJ%20Archive\2009\04-28-09.docx)‑30

4/29/2009 House Member(s) request name added as sponsor: Wylie, Bedingfield, Hart

4/29/2009 House Requests for debate‑Rep(s). Ott, Harvin, JE Smith, Jefferson, Williams, Hosey, Cobb‑Hunter, JH Neal, McEachern, Hart, RL Brown, Brantley, Harrison, and Clemmons [HJ](file:///h:\HJ%20Archive\2009\04-29-09.docx)‑165

5/12/2009 House Member(s) request name added as sponsor: Harrell, A.D.Young

5/13/2009 House Debate adjourned until Thursday, May 14, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-13-09.docx)‑53

5/14/2009 House Debate adjourned until Tuesday, May 19, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-14-09.docx)‑68

5/19/2009 House Debate adjourned until Wednesday, May 20, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-19-09.docx)‑65

5/20/2009 House Member(s) request name added as sponsor: Viers

5/20/2009 House Debate adjourned until Thursday, May 21, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-20-09.docx)‑57

1/13/2010 House Member(s) request name added as sponsor: Gunn

1/13/2010 House Debate adjourned until Thursday, January 14, 2010 [HJ](file:///h:\HJ%20Archive\2010\01-13-10.docx)‑33

1/14/2010 House Member(s) request name added as sponsor: Erickson

1/14/2010 House Amended [HJ](file:///h:\HJ%20Archive\2010\01-14-10.docx)‑546

1/14/2010 House Debate adjourned until Tuesday, January 19, 2010 [HJ](file:///h:\HJ%20Archive\2010\01-14-10.docx)‑549

1/20/2010 House Debate adjourned until Tuesday, January 26, 2010 [HJ](file:///h:\HJ%20Archive\2010\01-20-10.docx)‑19

2/3/2010 House Debate adjourned until Tuesday, February 16, 2010 [HJ](file:///h:\HJ%20Archive\2010\02-03-10.docx)‑17

2/17/2010 House Member(s) request name added as sponsor: Clemmons

2/17/2010 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2010\02-17-10.docx)‑31

2/24/2010 House Member(s) request name added as sponsor: Loftis

2/24/2010 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2010\02-24-10.docx)‑25

3/2/2010 House Member(s) request name removed as sponsor: Hart

2/25/2010 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2010\02-25-10.docx)‑33

3/2/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\03-02-10.docx)‑28

3/2/2010 House Roll call Yeas‑70 Nays‑38 [HJ](file:///h:\HJ%20Archive\2010\03-02-10.docx)‑30

3/3/2010 House Debate adjourned until Thursday, March 4, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-03-10.docx)‑28

3/3/2010 Scrivener's error corrected

3/4/2010 House Debate adjourned until Tuesday, March 9, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-04-10.docx)‑20

3/9/2010 House Debate adjourned until Wednesday, March 10, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-09-10.docx)‑31

3/10/2010 House Debate adjourned until Tuesday, March 23, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-10-10.docx)‑28

3/23/2010 House Debate adjourned until Wednesday, March 24, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-23-10.docx)‑62

3/25/2010 House Debate adjourned until Tuesday, March 30, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-25-10.docx)‑51

4/21/2010 House Debate adjourned until Thursday, April 22, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-21-10.docx)‑25

4/22/2010 House Debate adjourned until Tuesday, April 27, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑85

4/27/2010 House Debate adjourned until Thursday, April 29, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-27-10.docx)‑78

4/29/2010 House Rejected [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑63

4/29/2010 House Roll call Yeas‑72 Nays‑36 [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑63

**VERSIONS OF THIS BILL**

[1/14/2009](file:///p:\pprever\2009-10\3280_20090114.docx)

[4/22/2009](file:///p:\pprever\2009-10\3280_20090422.docx)

[1/14/2010](file:///p:\pprever\2009-10\3280_20100114.docx)

[3/2/2010](file:///p:\pprever\2009-10\3280_20100302.docx)

[3/3/2010](file:///p:\pprever\2009-10\3280_20100303.docx)

AMENDED

March 2, 2010

**H. 3280**

Introduced by Reps. T.R. Young, Allison, Parker, D.C. Smith, G.R. Smith, J.R. Smith, Stewart, Millwood, Horne, Funderburk, Wylie, Bedingfield, Hart, Harrell, A.D. Young, Viers, Gunn, Erickson, Clemmons and Loftis

S. Printed 3/2/10--H. [SEC 3/3/10 12:54 PM]

Read the first time January 14, 2009.

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

Amend Title To Conform

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

SECTION 1. It is proposed that Section 7, Article VI of the Constitution of this State be amended by adding the following new paragraph at the end:

“Beginning upon the expiration of the term of the Superintendent of Education serving in office on the date of the ratification of the provisions of this paragraph, the Superintendent of Education must be appointed by the Governor, upon the advice and consent of the General Assembly. The term of office must be for four years, coterminous with that of the Governor. The General Assembly shall provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Superintendent of Education may be removed from office.”

SECTION 2. The proposed amendment in Section 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article VI of the Constitution of this State, relating to state constitutional officers, be amended so as to delete the Superintendent of Education from the list of state officers which the Constitution requires to be elected; to provide that upon the expiration of the term of the Superintendent of Education serving in office on the date of the ratification of this provision, the superintendent must be appointed by the Governor, upon the advice and consent of the General Assembly; and to require the General Assembly to provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Superintendent of Education may be removed from office?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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