COMMITTEE REPORT

January 25, 2017

**H. 3146**

Introduced by Reps. Delleney, G.R. Smith, G.M. Smith, Pitts, B. Newton, Daning and Taylor

S. Printed 1/25/17--H.

Read the first time January 10, 2017.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Joint Resolution (H. 3146) proposing an amendment to Section 7, Article VI of the Constitution of South Carolina, 1895, as amended, relating to the constitutional officers of this state, etc., respectfully

**REPORT:**

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

F. GREGORY DELLENEY, JR. for Committee.

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, 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 SENATE TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE.

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, as last amended by Act 1 of 2015, is further amended by adding the following new paragraph at the end:

“Beginning in January 2023, or upon a vacancy in the office of Superintendent of Education after the date of the ratification of the provisions of this paragraph, whichever occurs first, the Superintendent of Education must be appointed by the Governor, with the advice and consent of the Senate. The appointed Superintendent of Education shall serve at the pleasure of the Governor. The General Assembly shall provide by law for the duties, compensation, and qualifications for the 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 provide that beginning in January 2023, or upon a vacancy in the office of Superintendent of Education after the date of the ratification of the provisions of this paragraph, whichever occurs first, the Superintendent of Education must be appointed by the Governor, with the advice and consent of the Senate; to provide that the appointed Superintendent of Education shall serve at the pleasure of the Governor; and to require the General Assembly to provide by law for the duties, compensation, and qualifications for the 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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