~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 25, 2010

**S. 1268**

Introduced by Senators Matthews, Scott and Williams

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

Read the first time March 10, 2010.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 1268) to amend Section 59‑127‑20 of the 1976 Code, relating to the South Carolina State University Board of Trustees, to remove two at‑large seats and replace, 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, page 1, by striking lines 26 through 30 and inserting:

/ ~~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. One member, who must be a graduate of South Carolina State University, to be elected by the /

Amend the bill further, as and if amended, page 2, by striking lines 3 through 4 and inserting:

/ in number to each congressional district ~~and~~, Seats 7‑12 at large, and, beginning on January 1, 2011, Seat 14 /

Amend the bill further, as and if amended, page 2, by striking lines 37 through 40 and inserting:

/ (C) Beginning January 1, 2011, Seat 14 must be occupied by a member elected by the alumni association.” /

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON 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 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA STATE UNIVERSITY BOARD OF TRUSTEES, TO REMOVE TWO AT‑LARGE SEATS AND REPLACE THEM WITH TWO SEATS TO BE ELECTED BY THE SOUTH CAROLINA STATE UNIVERSITY NATIONAL ALUMNI ASSOCIATION.

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 members, ~~twelve~~ ten of whom are elected by the General Assembly, one member from each congressional district and ~~six~~ four at large for terms of four years each and until their successors are elected and qualify. Two members, both of whom must be graduates of South Carolina State University, to be elected by the South Carolina State University National Alumni Association or its successors. In electing members of the board, the General Assembly and alumni association shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure 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. 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~~, 8, 10, and 12 at large, and, beginning on January 1, 2011, Seats 9 and 11 elected by the alumni association. The Governor or his designee occupies Seat 13. Of the three present members of the board who reside in the sixth congressional district, the member with the longest remaining current term shall 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 considered at‑large members of the board occupying Seats 8 and 12, respectively. The terms of each of these three members shall 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.

(C) The terms of members occupying Seats 9 and 11 are terminated on December 31, 2010. Beginning January 1, 2011, Seats 9 and 11 must be occupied by members elected by the alumni association.”

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

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