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Indicates New Matter

COMMITTEE REPORT

February 4, 2010

**H. 4244**

Introduced by Rep. Limehouse

S. Printed 2/4/10--H.

Read the first time January 12, 2010.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4244) to amend Section 59‑130‑10, Code of Laws of South Carolina, 1976, relating to the College of Charleston Board of Trustees, so as to add an, etc., respectfully

**REPORT:**

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

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The estimated annual per diem per Board of Trustee member is $450 for four meetings, costs the College of Charleston has indicated will be absorbed by the institution. There is no fiscal impact on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 59‑130‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COLLEGE OF CHARLESTON BOARD OF TRUSTEES, SO AS TO ADD AN ADDITIONAL TRUSTEE TO BE APPOINTED BY THE COLLEGE OF CHARLESTON ALUMNI ASSOCIATION BOARD OF DIRECTORS, TO SET HIS TERM, AND TO PROVIDE CRITERIA FOR HIS SELECTION.

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

SECTION 1. Section 59‑130‑10 of the 1976 Code is amended to read:

“Section 59‑130‑10. The board of trustees for the College of Charleston is composed of the Governor of the State or his designee, who is an ex officio of the board, and ~~sixteen~~ seventeen members, with fifteen of these members to be elected by the General Assembly ~~and~~, one member to be appointed from the State at large by the Governor, and one member to be appointed by the College of Charleston Alumni Association Board of Directors. The General Assembly shall elect and the Governor and alumni association board shall appoint these 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 this State.

Of the fifteen members to be elected, two members must be elected from each congressional district and the remaining three members must be elected by the General Assembly from the State at large.

The term of office of the at‑large trustee appointed by the Governor is effective upon certification to the Secretary of State and is coterminous with the term of the Governor appointing him. He shall serve after his term has expired until his successor is appointed and qualifies. The member appointed by the College of Charleston Alumni Association Board of Directors shall serve for a term of four years, beginning on July 1, 2010, until his successor is appointed and qualifies. The member must be a South Carolina resident and hold an undergraduate or graduate degree from the College of Charleston.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively as follows: for the First Congressional District, seats one and two; for the Second Congressional District, seats three and four; for the Third Congressional District, seats five and six; for the Fourth Congressional District, seats seven and eight; for the Fifth Congressional District, seats nine and ten; for the Sixth Congressional District, seats eleven and twelve; for the at‑large positions elected by the General Assembly, seats thirteen, fourteen, and fifteen. The member appointed by the Governor shall occupy seat sixteen. The member appointed by the alumni association board shall occupy seat seventeen.

~~Any~~ A person who, as of July 1, 1988, is serving as president of the State College Board of Trustees or is serving on the Planning Committee for the College of Charleston within the State College Board of Trustees has the option of serving as a trustee on the board of trustees for the College of Charleston for an appropriate two‑year term expiring June 30, 1990. ~~Such~~ This option must be exercised on the first day of the filing period. If two such members file for the same seat, the General Assembly shall elect the board member from those ~~so~~ filing.

Effective July 1, 1988, the even‑numbered seats of those members elected by the General Assembly must be filled for four‑year terms expiring June 30, 1992. The remaining elective odd‑numbered seats on the board must be filled for two‑year terms beginning July 1, 1988, and expiring June 30, 1990. The trustees for the odd‑numbered seats must then be elected for four‑year terms beginning July 1, 1990, and expiring June 30, 1994. The General Assembly shall hold elections every two years to select successors of the trustees whose four‑year terms are then expiring. Except as otherwise provided in this chapter, no election may be held before April first of the year in which the successor’s term is to commence. The term of office of an elective trustee commences on the first day of July of the year in which the trustee is elected.

If an elective office becomes vacant, the Governor may fill it by appointment until the next session of the General Assembly. The General Assembly shall hold an election at any time during the session to fill the vacancy for the unexpired portion of the term. A vacancy occurring in the appointed office on the board must be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment.”

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

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