POLLED OUT OF COMMITTEE

MAJORITY FAVORABLE

March 29, 2012

**S. 1386**

Introduced by Senators Cleary and Grooms

S. Printed 3/29/12--S.

Read the first time March 28, 2012.

**THE COMMITTEE ON TRANSPORTATION**

To whom was referred a Joint Resolution (S. 1386) to provide for the transition of membership on the Department of Transportation Commission regarding the addition of the seventh congressional district, and to provide , etc., respectfully

**REPORT:**

Has polled the Joint Resolution out majority favorable.

**A** **JOINT RESOLUTION**

TO PROVIDE FOR THE TRANSITION OF MEMBERSHIP ON THE DEPARTMENT OF TRANSPORTATION COMMISSION REGARDING THE ADDITION OF THE SEVENTH CONGRESSIONAL DISTRICT, AND TO PROVIDE FOR NOTICE OF VACANCIES ON THE COMMISSION.

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

SECTION 1. The provisions contained in SECTION 5 of Act 75 of 2011 do not apply to the Department of Transportation Commission. This joint resolution shall provide for the transition of membership on the Department of Transportation Commission regarding the addition of the seventh congressional district.

SECTION 2. Pursuant to the provisions contained in SECTION 1, a vacancy is declared in the First, Third, Fifth, and Seventh Department of Transportation Commission districts. The vacancy in each district must be filled by the election of a commissioner in the manner provided in Article 3, Chapter 1, Title 57 of the 1976 Code for a term as provided in Section 57-1-330.

SECTION 3. Pursuant to the provisions contained in SECTION 1, a vacancy is declared in the Second Department of Transportation Commission district because the commissioner elected to represent that district no longer resides in the district due to a change in composition of the district by Act 75 of 2011. The vacancy must be filled by the election of a commissioner for only the unexpired term of the former commissioner in the manner provided in Article 3, Chapter 1, Title 57.

SECTION 4. A commissioner who must forfeit his seat on the commission because his residency is transferred to another congressional district by a change in composition of the congressional district by Act 75 of 2011 may stand for election in the district where he is now a resident.

SECTION 5. Section 57-1-740(B)(1)(a) and (2) shall not apply to Department of Transportation Commission elections held pursuant to this act.

SECTION 6. This joint resolution takes effect upon approval by the Governor.

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