**South Carolina General Assembly**

120th Session, 2013-2014

**A239, R245, S1295**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Coleman

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Introduced in the Senate on May 13, 2014

Introduced in the House on May 20, 2014

Passed by the General Assembly on May 29, 2014

Governor's Action: June 2, 2014, Signed

Summary: Midlands Technical College Commission

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 5/13/2014 Senate Introduced and read first time ([Senate Journal‑page 5](file:///H%3A%5CSJ%20Archive%5C2014%5C05-13-14.docx))

 5/13/2014 Senate Referred to Committee on **Education** ([Senate Journal‑page 5](file:///H%3A%5CSJ%20Archive%5C2014%5C05-13-14.docx))

 5/14/2014 Senate Recalled from Committee on **Education** ([Senate Journal‑page 3](file:///H%3A%5CSJ%20Archive%5C2014%5C05-14-14.docx))

 5/15/2014 Senate Read second time ([Senate Journal‑page 15](file:///H%3A%5CSJ%20Archive%5C2014%5C05-15-14.docx))

 5/15/2014 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 15](file:///H%3A%5CSJ%20Archive%5C2014%5C05-15-14.docx))

 5/15/2014 Senate Unanimous consent for third reading on next legislative day ([Senate Journal‑page 15](file:///H%3A%5CSJ%20Archive%5C2014%5C05-15-14.docx))

 5/16/2014 Senate Read third time and sent to House

 5/20/2014 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 11](file:///H%3A%5CHJ%20Archive%5C2014%5C05-20-14.docx))

 5/28/2014 House Read second time ([House Journal‑page 22](file:///H%3A%5CHJ%20Archive%5C2014%5C05-28-14.docx))

 5/28/2014 House Roll call Yeas‑86 Nays‑0 ([House Journal‑page 22](file:///H%3A%5CHJ%20Archive%5C2014%5C05-28-14.docx))

 5/29/2014 House Read third time and enrolled ([House Journal‑page 21](file:///H%3A%5CHJ%20Archive%5C2014%5C05-29-14.docx))

 5/29/2014 Ratified R 245

 6/2/2014 Signed By Governor

 6/13/2014 Effective date 06/02/14

 6/16/2014 Act No. 239

**VERSIONS OF THIS BILL**

[5/13/2014](file:///p%3A%5Cpprever%5C2013-14%5C1295_20140513.docx)

[5/14/2014](file:///p%3A%5Cpprever%5C2013-14%5C1295_20140514.docx)

[5/20/2014](file:///p%3A%5Cpprever%5C2013-14%5C1295_20140520.docx)

(A239, R245, S1295)

**AN ACT TO AMEND SECTION 59‑53‑1710, AS AMENDED, CODE OF LAW OF SOUTH CAROLINA, 1976, RELATING TO THE MIDLANDS TECHNICAL COLLEGE COMMISSION, SO AS TO ADD ONE MEMBER FROM FAIRFIELD COUNTY, AND TO REVISE THE MANNER OF APPOINTING THE CHAIRMAN OF THE COMMISSION; AND TO AMEND SECTIONS 59‑53‑1720, 59‑53‑1730, 59‑53‑1740, AND 59‑53‑1750, ALL RELATING TO THE MIDLANDS TECHNICAL COLLEGE COMMISSION, SO AS TO MAKE CONFORMING CHANGES.**

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

**Member from Fairfield County added, chairman rotation dispensable**

SECTION 1. Section 59‑53‑1710 of the 1976 Code, as last amended by Act 190 of 2004, is further amended to read:

 “Section 59‑53‑1710. There is created, as an administrative agency of Richland, Lexington, and Fairfield counties, the Midlands Technical College Commission. The commission is composed of thirteen members who must be appointed by the Governor for a term of four years as follows: seven members must be appointed upon the recommendation of a majority of the legislative delegation representing Richland County, five members must be appointed upon the recommendation of a majority of the legislative delegation representing Lexington County, and one member must be appointed upon the recommendation of a majority of the legislative delegation representing Fairfield County. If a vacancy occurs, a successor must be appointed in the same manner as the original appointment for the unexpired portion of the term. Any member may be removed by the appointing authority for neglect of duty, misconduct, or malfeasance in office after being given a written statement of reasons and an opportunity to be heard. Members serve until their successors are appointed and qualify, but any delay in appointing a successor does not extend the term of the succession. The members of the commission shall receive per diem as provided for members of boards, commissions, and committees and actual expenses incurred in the performance of their duties. The commission shall elect from its membership a chairman, a vice chairman, a treasurer, and a secretary to serve for terms of two years and until their successors are elected and qualify. The office of chairman must be rotated among the representatives of the three counties, but the practice of rotating the office of chairman may be dispensed with by a three‑fourths vote of the commission. If the office of chairman becomes vacant, a successor must be elected for the remainder of the term and must be from the members representing the same county as the former chairman. The same rotation must be applied to the office of vice chairman, but the practice of rotating the office of vice chairman may be dispensed with if, by three‑fourths vote, the commission finds that the rotation is impracticable.”

**Powers and duties, conforming change**

SECTION 2. Section 59‑53‑1720 of the 1976 Code is amended to read:

 “Section 59‑53‑1720. The commission shall promote the objects of the state technical and vocational education and training and shall:

 (1) adopt and use a corporate seal;

 (2) adopt bylaws and regulations for the conduct of business and the expenditure of its funds as it may consider advisable;

 (3) acquire one or more sites within Richland, Lexington, and Fairfield counties and construct and equip appropriate facilities in accordance with the standards and specifications promulgated by the State Board for Technical and Comprehensive Education;

 (4) acquire by gift, purchase, or otherwise all kinds and descriptions of real and personal property;

 (5) accept gifts, grants, donations, devises, and bequests;

 (6) provide appropriate supervision of the maintenance of any facility established by the commission;

 (7) provide the necessary administrative services required by the state program;

 (8) employ personnel necessary to enable the commission to fulfill its functions;

 (9) promulgate and enforce regulations, in conjunction with those promulgated by the state agency, for the operation of its facilities;

 (10) operate its affairs on a fiscal year coinciding with that of the State;

 (11) expend funds received in any manner, including the proceeds derived from bonds issued by Richland, Lexington, and Fairfield counties, to defray costs incident to the establishment of adequate facilities for the program and then to expend the funds for the operation, maintenance, and improvement of the facilities;

 (12) apply for, receive, and expend monies from all governmental agencies, both state and federal;

 (13) exercise all powers contemplated for local agencies by Article 1 of this chapter, and all other laws modifying or implementing it.”

**Participating counties**’ **contributions, conforming change**

SECTION 3. Section 59‑53‑1730 of the 1976 Code is amended to read:

 “Section 59‑53‑1730. The participating counties shall appropriate and contribute annually to the commission sufficient funds to enable it to defray costs for the operation, maintenance, and improvement of its facilities and to make payment of principal and interest on bonds issued by Richland, Lexington, and Fairfield counties for the acquisition of land and construction of facilities. The counties shall make funds available on a proportional basis equal to the population of the participating counties.”

**Recordkeeping and audits, conforming change**

SECTION 4. Section 59‑53‑1740 of the 1976 Code is amended to read:

 “Section 59‑53‑1740. The commission shall keep full and accurate account of its activities, receipts, and expenditures, and within four months, following the close of its fiscal year, a complete audit of its affairs must be made by a qualified public accountant. Copies of the audit must be filed with the clerks of court for Richland, Lexington, and Fairfield counties, secretaries of the Richland, Lexington, and Fairfield County Legislative Delegations, and the secretaries of the county councils for Richland, Lexington, and Fairfield counties.”

**Reporting requirements, conforming change**

SECTION 5. Section 59‑53‑1750 of the 1976 Code is amended to read:

 “Section 59‑53‑1750. The commission shall make a written report of its activities at least annually and file a copy with the secretaries of the Richland, Lexington, and Fairfield County Legislative Delegations and county councils.”

**Time effective**

SECTION 6. This act takes effect upon approval by the Governor.

Ratified the 29th day of May, 2014.

Approved the 2nd day of June, 2014.

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