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COMMITTEE REPORT

April 11, 2019

**S. 735**

Introduced by Senator Johnson

L. Printed 4/11/19--H.

Read the first time March 9, 2019.

**THE CLARENDON DELEGATION**

To whom was referred a Bill (S. 735) to abolish the Clarendon County Board of Education, to provide that the Clarendon County Legislative Delegation makes four appointments to the Board of Trustees of School District No. 1 in Clarendon, etc., respectfully

**REPORT:**

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

ROBERT L. RIDGEWAY III for Delegation.

**A** **BILL**

TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION, TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY.

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

SECTION 1. The Clarendon County Board of Education is abolished on July 1, 2019. Its functions, duties, and powers are devolved upon the Clarendon County Election Commission, and its remaining functions, duties, and powers are devolved upon the respective boards of trustees of the school districts of Clarendon County.

SECTION 2. Act 593 of 1986, as amended by Act 768 of 1988 and Act 421 of 2002, is further amended to read:

“SECTION 1. The Board of Trustees of School District No. 1 in Clarendon County shall consist of nine members. ~~Each member~~ Five members of the Board of Trustees of School District 1 in Clarendon County must be elected in nonpartisan elections to be held and conducted in the manner provided in this act~~,~~ ~~except for four~~. Four members ~~who~~ of the Board of Trustees of School District 1 in Clarendon County must be appointed ~~in the manner provided by this act~~ by the Clarendon County Legislative Delegation.

~~The board of trustees must consist of nine members after the election in 1986, after the expiration of one appointed member's term and after the appointment in 1987, and after the expiration of two appointed members' terms and after the election and appointment in 1988; and seven members after the expiration of five appointed members' terms and after the election and the appointments in 1989 and each year after 1989.~~

SECTION 2. The elected members of the board of trustees must be elected from the school district at large in a nonpartisan election to be conducted at the same time as the general election in the manner provided in this act.

~~Of the initial elections, two members must be elected in 1986, two members must be elected in 1988, and one member must be elected in 1990 for terms of office of four years each. One member must be appointed by the county board of education subsequent to the expiration of the appointed member’s term in 1987 and two members must be appointed by the county board of education subsequent to the election in 1989 for terms of office of three years each. After the initial elections and appointments, all members~~ Members must be elected for terms of office of four years each. The members shall serve until their successors are elected or appointed and qualify.

Vacancies occurring on the board of trustees must be filled for the remainder of the unexpired term by appointment by the county ~~board of education~~ legislative delegation.

~~Two additional members must be appointed to the board by the County Board of Education. Beginning with appointments made after 2001, terms for all appointed members are for two years.~~

SECTION 3. ~~The county board of education shall make the appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board of trustees is representative of all of the citizens of School District No. 1.~~

~~SECTION 4.~~ The ~~elected~~ members of the board of trustees must be residents of the school district and must be elected from the district at large by the qualified electors of the district. All persons desiring to qualify as candidates and be elected to the board of trustees shall file written notice of candidacy with the ~~county board of education~~ Clarendon County Board of Voter Registration and Elections at least sixty days before the date set for the election but not earlier than ninety days prior to the election. This notice of candidacy must be a sworn statement and must include the candidate’s name, age, voting precinct, period of residence in the district, and other information the ~~county board of education~~ Clarendon County Board of Voter Registration and Elections requires. No filing fee may be required of any person desiring to qualify as a candidate.

The ~~county board of education~~ Clarendon County Board of Voter Registration and Elections shall conduct and supervise the elections in the manner governed by the election laws of this State mutatis mutandi. The ~~board of education~~ Clarendon County Board of Voter Registration and Elections shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results of the elections. The ~~board of education~~ Clarendon County Board of Voter Registration and Elections shall advertise the date of the election ninety days preceding the election in a newspaper of general circulation published in the district and shall publish a second notice thirty days before the election. The costs of the election must be borne by the ~~board of education~~ Clarendon County Board of Voter Registration and Elections.

The results of the election must be determined in accordance with the nonpartisan plurality method prescribed by Section 5-15-61 of the 1976 Code.

The members elected in the nonpartisan elections and the members appointed by the county board of education shall take office at the first official meeting of the board of trustees in the month of January following their election or appointment. The current members continue to serve in office until their present terms expire and their successors are elected or appointed and qualify.”

SECTION 3. The Board of Trustees of School District No. 2 in Clarendon County shall consist of nine members who must be appointed by the Clarendon County Legislative Delegation for a term of three years and until successors are appointed and qualify. Vacancies occurring on the board of trustees must be filled for the remainder of the unexpired term by appointment by the Clarendon County Legislative Delegation.

SECTION 4. Act 236 of 1981 and SECTION 3 of Act 593 of 1986, both relating to the Clarendon County Board of Education making appointments to Clarendon County school district boards of trustees, are repealed. SECTION 3 of Act 768 of 1988, relating to the Clarendon County Board of Education, is repealed.

SECTION 5. All members of the Board of Trustees of School Districts 1 and 2 in Clarendon County as of the effective date of this act shall continue to serve until their successors are elected or appointed and qualify.

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

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