**South Carolina General Assembly**

118th Session, 2009-2010

**S. 164**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senators Campsen, Rose, Bryant, Massey, Davis and Bright

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Companion/Similar bill(s): 129, 158, 160, 161, 163, 165, 3145, 3276, 3280

Introduced in the Senate on January 13, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Superintendent of Education

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2008 Senate Prefiled

12/10/2008 Senate Referred to Committee on **Judiciary**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑148

1/13/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑148

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\164_20081210.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION; AND PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XI, RELATING TO THE STATE BOARD OF EDUCATION, SO AS TO ABOLISH THE BOARD EFFECTIVE UPON THE STATE SUPERINTENDENT OF EDUCATION BEING APPOINTED BY THE GOVERNOR.

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

SECTION 1. It is proposed that Section 7, Article VI of the Constitution of this State be amended by adding the following new paragraph at the end:

“Beginning upon the expiration of the term of the Superintendent of Education serving in office on the date of the ratification of the provisions of this paragraph, the Superintendent of Education must be appointed by the Governor, upon the advice and consent of the Senate. The term of office must be for four years, coterminous with that of the Governor. The General Assembly shall provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Superintendent of Education may be removed from office.”

SECTION 2. The proposed amendment in Section 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article VI of the Constitution of this State, relating to state constitutional officers, be amended so as to delete the Superintendent of Education from the list of state officers which the Constitution requires to be elected; to provide that upon the expiration of the term of the Superintendent of Education serving in office on the date of the ratification of this provision, the superintendent must be appointed by the Governor, upon the advice and consent of the Senate; and to require the General Assembly to provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Superintendent of Education may be removed from office?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

SECTION 3. It is proposed that Section 1, Article XI of the Constitution of this State be amended by adding the following new paragraph at the end:

“Effective upon the State Superintendent of Education being appointed by the Governor as provided in this Constitution, the State Board of Education is abolished.”

SECTION 4. The proposed amendment in Section 3 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 1, Article XI of the Constitution of this State, relating to the State Board of Education, be amended so as to abolish the board effective upon the State Superintendent of Education being appointed by the Governor?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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