**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3276**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. T.R. Young, Allison, Parker, D.C. Smith, G.R. Smith, J.R. Smith, Millwood, Daning, Horne and Funderburk

Document Path: l:\council\bills\swb\5666sd09.docx

Companion/Similar bill(s): 129, 158, 160, 161, 163, 164, 165, 3145, 3280

Introduced in the House on January 14, 2009

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

Summary: Agriculture Commissioner

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/14/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-14-09.docx)‑19

1/14/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-14-09.docx)‑19

1/28/2009 House Member(s) request name added as sponsor: Millwood

2/5/2009 House Member(s) request name added as sponsor: Daning

2/17/2009 House Member(s) request name added as sponsor: Horne

3/31/2009 House Member(s) request name added as sponsor: Funderburk

**VERSIONS OF THIS BILL**

[1/14/2009](file:///p:\pprever\2009-10\3276_20090114.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 COMMISSIONER OF AGRICULTURE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMMISSIONER OF AGRICULTURE 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 COMMISSIONER OF AGRICULTURE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT 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 COMMISSIONER OF AGRICULTURE MAY BE REMOVED FROM OFFICE.

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 Commissioner of Agriculture serving in office on the date of the ratification of the provisions of this paragraph, the Commissioner of Agriculture 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 Commissioner of Agriculture 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 Commissioner of Agriculture from the list of state officers which the Constitution requires to be elected; provide that upon the expiration of the term of the Commissioner of Agriculture serving in office on the date of the ratification of this provision, the Commissioner of Agriculture must be appointed by the Governor, upon the advice and consent of the Senate; and 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 Commissioner of Agriculture 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’.”

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