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CHAPTER 43.

MIGRANT FARM WORKERS COMMISSION

**SECTION 46‑43‑10.** Creation of Commission; members; terms.

There is created the Migrant and Seasonal Farm Workers Commission appointed by the Governor and comprised of six farmers whose principle source of income is derived from farming, five of whom contract for migrant or seasonal farm workers, or both, two of whom represent the peach growers in this State, one of whom represents the apple growers, two of whom represent vegetable growers and producers of other row crops in this State which are planted, cultivated, or harvested, partially or completely, by migrant or seasonal farm workers, and one general farmer who may or may not contract for migrant or seasonal farm workers; four members who represent state agencies with statewide jurisdiction which are involved with migrant or seasonal farm workers; five members who represent organizations in South Carolina which are presently involved with migrant or seasonal farm workers in this State; and one person to represent the interests of migrant farm workers or seasonal farm workers, or both. However, an organization created subsequent to May 25, 1976, may become eligible to have representatives appointed to this commission upon approval of the Migrant Farm Workers Commission as then constituted. Terms of office are for four years and until a successor is appointed and qualifies.

HISTORY: 1962 Code Section 40‑411; 1972 (57) 2811; 1976 Act No. 593 Section 2; 1996 Act No. 386, Section 1, eff June 4, 1996.

**SECTION 46‑43‑20.** Duties and authority.

The duties and authority of the Commission shall be:

(a) To maintain a continuing consultative examination and supervision of the migrant labor programs relating to living conditions; health, housing and sanitation; labor laws; education; transportation safety; public assistance; and the coordination of Federal, State and local programs relating thereto;

(b) To cooperate with executive branches of State government in developing improvements in existing programs in order to discover and establish better coordination of migrant labor programs;

(c) To cooperate with commissions, agencies and committees of other states having similar responsibilities;

(d) In cooperation with commissions, agencies and committees of other states having similar responsibilities, to develop and enter into agreements for the establishment of cooperative arrangements whereby migrant labor programs shall have a continuing administration, application and effectiveness from state to state;

(e) To develop plans relative to particular migrant programs, and ultimately a comprehensive plan, which will permit the operation in this State and cooperatively in participating states of concerted action on problems relating to migrant labor, with the ultimate purpose of improving the conditions for migrant labor and of the reduction of problems relating thereto;

(f) To accept and expend funds from any source made available for improvement of living conditions and housing accommodations for migrant farm workers;

(g) To develop an accurate statewide census of migrant and seasonal farm workers and determine the cost of supportive programs associated with such workers;

(h) To report its findings, recommendations and proposed legislation to each regular session of the General Assembly.

HISTORY: 1962 Code Section 40‑412; 1972 (57) 2811; 1979 Act No. 151 Section 1.

**SECTION 46‑43‑30.** Officers; meetings; members shall receive mileage and subsistence.

The Commission shall elect a chairman and such other officers as it deems necessary. Commission meetings shall be held at least once in each quarter and at such other times as may be necessary upon the call of the chairman. Members who are not officials or employees of either the state or federal government shall receive mileage and subsistence as paid state employees when on official business. The migrant labor division of the South Carolina Department of Labor is designated the administrative agency of the Commission.

HISTORY: 1962 Code Section 40‑413; 1972 (57) 2811; 1977 Act No. 219 Pt II Section 16; 1979 Act No. 151 Section 2.

**SECTION 46‑43‑40.** Cooperation of State agencies and departments.

(A) An administrative or service agency, public or private, which receives state or federal funds to provide services to migrant or seasonal farm workers shall file an annual written report with the commission describing the amount of state and federal funds received, inspection activities, the services offered, the number of migrant and seasonal workers and their family members served, and all other pertinent information requested by the commission.

(B) If adequate state funds are available, the South Carolina Department of Employment and Workforce shall contract to provide a pre‑occupancy housing inspection program and shall report the results of any inspections to the Migrant and Seasonal Farm Workers Commission before October first of each year. However, the Migrant and Seasonal Farm Workers Commission and the South Carolina Department of Employment and Workforce are immune from liability, pursuant to Section 15‑78‑60, for any action that may be brought in connection with the inspection program.

HISTORY: 1962 Code Section 40‑414; 1972 (57) 2811; 1979 Act No. 151 Section 3; 1996 Act No. 386, Section 2, eff June 4, 1996.