**A** **BILL**

TO AMEND SECTION 1‑30‑25, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF COMMERCE, SO AS TO CREATE WITHIN THE DEPARTMENT A BUREAU OF LABOR TO BE HEADED BY A SECRETARY OF LABOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY WHO SHALL REPORT DIRECTLY TO THE GOVERNOR, TO PROVIDE THAT THE BUREAU OF LABOR MUST BE RESPONSIBLE FOR ADMINISTERING ALL JOB CREATION, LOCATION AND DEVELOPMENT ACTIVITIES FOR WORKERS IN THIS STATE; AND TO AMEND SECTION 1‑30‑65, RELATING TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, SO AS TO TRANSFER ITS DIVISION OF LABOR TO THE NEW BUREAU OF LABOR ESTABLISHED ABOVE EFFECTIVE JULY 1, 2010; TO TRANSFER JOB CREATION, LOCATION AND DEVELOPMENT RESPONSIBILITIES OF THE EMPLOYMENT SECURITY COMMISSION AND THE DEPARTMENT OF COMMERCE TO THE BUREAU OF LABOR, AND TO PROVIDE FOR TRANSITION PROVISIONS IN REGARD TO THESE TRANSFERS OF RESPONSIBILITY.

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

SECTION 1. Section 1‑30‑25 of the 1976 Code, as last amended by Act 359 of 2008, is further amended to read:

“Section 1‑30‑25. (A) The following agencies, boards, and commissions, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with any such agency, except for those subdivisions specifically included under another department, are transferred to and incorporated in and must be administered as part of the Department of Commerce to be initially divided into divisions for Aeronautics, Advisory Coordinating Council for Economic Development, State Development, Public Railways, and Savannah Valley Development:

~~(A)~~(1) South Carolina Aeronautics Commission, formerly provided for at Section 55‑5‑10~~, et seq.~~;

~~(B)~~(2) Coordinating Council for Economic Development, formerly provided for at Section 41‑45‑30~~, et seq.~~;

~~(C)~~(3) Savannah Valley Authority, formerly provided for at Section 13‑9‑10~~, et seq.~~;

~~(D)~~(4) existing divisions or components of the Department of Commerce formerly a part of the State Development Board excluding the South Carolina Film Commission; and

~~(E)~~(5) South Carolina Public Railways Commission, formerly provided for at Section 58‑19‑10~~, et seq~~.

(B)(1) On July 1, 2010, there is hereby created within the Department of Commerce a Bureau of Labor to be headed by a Secretary of Labor appointed by the Governor upon the advice and consent of the General Assembly to serve a term coterminous with that of the Governor. The Secretary of Labor shall report directly to the Governor and must be responsible for administering all activities of the department and bureau relating to job creation, location and development activities for workers in this State.

(2) Included within the responsibilities of this new Bureau of Labor are the responsibilities of the Division of Labor of the Department of Labor, Licensing and Regulation, formerly known as the State Department of Labor, all responsibilities for job creation of the Department of Commerce as determined by the Secretary of Commerce, all responsibilities of the Employment Security Commission for job creation, location or enhancement as determined by the State Budget and Control Board, and any other job creation, location or enhancement responsibilities given to this Bureau of Labor by the General Assembly by law.”

SECTION 2. Section 1‑30‑65(B) of the 1976 Code is amended to read:

“(B) Effective July 1, 2010, the functions, powers, duties, responsibilities, and authority statutorily exercised by the former State Department of Labor, formerly provided for at Title 12, Chapter 37; Title 46, Chapter 43; and Title 41, Chapters 1‑25; and now at the Division of Labor of the Department of Labor, Licensing and Regulation are transferred to the Bureau of Labor of the Department of Commerce.”

SECTION 3. Where the provisions of this section transfer offices, or portions of offices of particular state agencies to the new bureau of labor of the department of commerce, the employees, authorized appropriations, and assets and liabilities of the transferred offices are also transferred to and become part of the bureau of labor. All classified or unclassified personnel employed by these offices on the effective date of this section, either by contract or by employment at will, shall become employees of the bureau of labor, with the same compensation, classification, and grade level, as applicable. The State Budget and Control Board shall cause all necessary actions to be taken to accomplish this transfer in accordance with state laws and regulations.

SECTION 4. This act takes effect upon approval by the Governor.

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