~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 26, 2019

**S. 540**

Introduced by Senator Alexander

S. Printed 3/26/19--H.

Read the first time March 7, 2019.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (S. 540) to amend Section 41-29-35(b) of the 1976 Code, relating to the appointment of the executive director of the Department of Employment and Workforce, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Notwithstanding Section 41‑29‑35(B), the Department of Employment and Workforce Review Committee may submit less than three applicants to serve as Executive Director of the Department of Employment and Workforce until that position is filled or July 1, 2019, whichever occurs first.

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER III for Committee.

**A** **BILL**

TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR’S CONSIDERATION.

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

SECTION 1. Section 41-29-35(B) of the 1976 Code is amended to read:

“(B) The committee must nominate up to three applicants found qualified to serve as executive director for the Governor’s consideration. In making nominations to the Governor, the committee should consider race, gender, national origin, and other demographic factors to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State. The committee must also give due consideration to a person’s ability, area of expertise, dedication, compassion, common sense, and integrity. ~~If fewer than three applicants are found qualified to serve as executive director, the committee must resolicit for applicants and continue the screening process until three applicants are found qualified and nominated.~~

(1) A person may not be appointed to serve as permanent executive director unless the committee finds the person qualified.

(2) The Governor must transmit the name of his appointee to the Senate for advice and consent.

(3) If the Governor rejects all of the nominees, the committee must reopen the nominating process.”

SECTION 2. This act takes effect upon approval by the Governor.

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