

## Session 114 - (2001-2002)

### H\*3510 (Rat #0201, Act #0185 of 2002) General Bill, By McLeod, Davenport, Lourie and Scott

**Summary:** Environmental systems operators, under Labor, Licensing and Regulation Department; well driller licenses; Environmental Certification Board, Water and Sewer

A BILL TO AMEND CHAPTER 23, TITLE 40 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROFESSIONAL ENVIRONMENTAL SYSTEMS OPERATORS, SO AS TO CONFORM THE CHAPTER TO THE STATUTORY ORGANIZATIONAL FRAMEWORK OF CHAPTER 1, TITLE 40 FOR BOARDS UNDER THE ADMINISTRATION OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF ENVIRONMENTAL SYSTEMS OPERATORS; AND AMONG OTHER THINGS, TO EXPAND THE NUMBER OF WELL DRILLER LICENSE TYPES AND TO ORGANIZE THESE LICENSES INTO WELL CONSTRUCTION CATEGORIES; TO PROVIDE FOR BONDING REQUIREMENTS FOR THE PRACTICE OF WELL DRILLING; TO ELIMINATE PERCOLATION TEST TECHNICIAN LICENSURE; TO PROVIDE FOR ADMINISTRATIVE CITATIONS AND PENALTIES FOR UNLICENSED PRACTICE AND PROFESSIONAL MISCONDUCT OF LICENSEES; TO PROHIBIT COLLECTION ACTIONS BY PERSONS DRILLING WELLS WITHOUT A LICENSE AND TO PROVIDE FOR A CIVIL CAUSE OF ACTION TO PLAINTIFFS TO RECOVER PAYMENTS MADE FOR WELL DRILLING PERFORMED WITHOUT A LICENSE; TO EXPAND UPON AND CLARIFY THE GROUNDS FOR SANCTIONABLE MISCONDUCT OF LICENSEES; TO REQUIRE TEMPORARY AUTOMATIC SUSPENSION OF A LICENSEE UPON CONVICTION OF CERTAIN CRIMES; TO CLARIFY THAT THE BOARD'S JURISDICTION OVER MISCONDUCT OF LICENSEES INCLUDES PRELICENSURE MISCONDUCT AND ACTIONS DURING LICENSURE BUT PROSECUTED AFTER A LICENSE BECOMES INACTIVE; TO CLARIFY THE PRIVILEGES AND IMMUNITIES OF WITNESSES, INVESTIGATORS, THE BOARD, AND OTHERS INVOLVED IN DISCIPLINARY ACTIONS; TO PROVIDE FOR CONFIDENTIALITY OF INVESTIGATIONS AND COMPLAINANT INFORMATION; TO MODIFY THE POWERS OF THE BOARD IN GRANTING LICENSURE TO NONRESIDENTS; AND TO EXPRESSLY REQUIRE LIBERAL INTERPRETATION OF THE PRACTICE ACT IN FAVOR OF ENVIRONMENTAL PROTECTION.

02/08/01	House	Introduced and read first time HJ-9
02/08/01	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-10
04/19/01	House	Recalled from Committee on Agriculture, Natural Resources and Environmental Affairs HJ-39
04/25/01	House	Amended HJ-55
04/25/01	House	Read second time HJ-57
04/25/01	House	Reconsidered HJ-57
04/25/01	House	Debate adjourned until Thursday, April 26, 2001 HJ-58
04/26/01	House	Read second time HJ-13
04/26/01	House	Unanimous consent for third reading on next legislative day HJ-15
04/27/01	House	Read third time and sent to Senate HJ-1
05/01/01	Senate	Introduced and read first time SJ-10
05/01/01	Senate	Referred to Committee on Labor, Commerce and Industry SJ-10
02/14/02	Senate	Committee report: Favorable with amendment Labor, Commerce and Industry SJ-10
02/19/02	Senate	Amended SJ-39
02/19/02	Senate	Read second time SJ-39
02/19/02	Senate	Ordered to third reading with notice of amendments SJ-39
02/20/02	Senate	Read third time and returned to House with amendments SJ-19
02/26/02	House	Concurred in Senate amendment and enrolled HJ-30
02/27/02		Ratified R 201
03/05/02		Signed By Governor
03/12/02		Act No. 185
03/13/02		Copies available
03/13/02		Effective date 03/05/02