

## Session 105 - (1983-1984)

### H\*2483 (Rat #0184, Act #0104 of 1983) General Bill, By Sheheen, T.J. Ervin, Kirsh, E.M. Middleton and Wilkins Similar (S 0232)

A Bill to amend Section 40-23-40, Code of Laws of South Carolina, 1976, relating to the South Carolina Board of Certification of Environmental Systems Operators, so as to provide that no member of the Board or its employees may be held liable while performing official duties except where there is actual malice and to authorize the Board, relevant to investigations, to subpoena witnesses, require the production of evidence, order persons to refrain from violations of this Chapter, and apply to the Court of Common Pleas to enforce its authority and for injunctions; to amend Section 40-23-120, relating to the Board of Certification of Environmental Systems Operators, so as to provide for new procedures to be used in handling complaints against certified operators and to preserve the respondent's constitutional right of due process; to amend Chapter 23 of Title 40, relating to environmental systems operators, by adding Section 40-23-35, so as to provide for removal by the Governor of a board member found guilty of neglect of his duties, incompetency, or unprofessionalism and for a replacement if a board member is disqualified; by adding Section 40-23-125, so as to provide for the Board to revoke or restrict the certificate of an operator or to discipline an operator and to define misconduct of an operator; by adding Section 40-23-127, so as to authorize the Board to take certain action when it decides an operator is guilty of any offense charged in a formal accusation, to provide that any final order of the Board finding that an operator is guilty of the offense becomes public knowledge except for a final order dismissing the accusation or determining that a private reprimand is in order, and to provide for any decision by the Board to be reviewed by the Court of Common Pleas; to reauthorize the existence of the Board of Certification of Environmental Systems Operators for six years; to amend Section 40-23-90, relating to requirements for certification as environmental systems operators, so as to delete the requirement of good moral character; and to amend Section 40-23-20, as amended, relating to the Board of Certification of Environmental Systems Operators, so as to revise the membership of the Board, to provide that the terms are for four years, not to exceed two terms, and to authorize the Governor to reject any or all of the nominees found unacceptable.-amended title

02/10/83	House	Introduced and read first time HJ-816
02/10/83	House	Referred to Committee on Labor, Commerce and Industry HJ-817
02/15/83	House	Recalled from Committee on Labor, Commerce and Industry HJ-880
02/15/83	House	Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-880
04/05/83	House	Committee report: Favorable with amendment Medical, Military, Public and Municipal Affairs HJ-1844
04/06/83	House	Amended HJ-1909
04/06/83	House	Read second time HJ-1913
04/07/83	House	Read third time and sent to Senate HJ-1959
04/12/83	Senate	Introduced and read first time SJ-967
04/12/83	Senate	Referred to Committee on Medical Affairs SJ-968
05/04/83	Senate	Committee report: Favorable with amendment Medical Affairs SJ-1209
05/19/83	Senate	Amended SJ-1420
05/19/83	Senate	Read second time SJ-1422
05/20/83	Senate	Read third time SJ-1426
05/20/83	Senate	Returned SJ-1426
05/31/83	House	Concurred in Senate amendment and enrolled HJ-3262
06/08/83		Ratified R 184
06/13/83		Signed By Governor
06/13/83		Effective date 06/13/83
06/13/83		Act No. 104
06/21/83		Copies available