

## Session 113 - (1999-2000)

### H 4781 General Bill, By W. McLeod

**Summary:** Environmental system operator, Certification Board; well driller license, Water & Sewer, Labor, Licensing and Regulation

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 EXPAND THE NUMBER OF WELL DRILLER LICENSE TYPES FROM ONE TO FOUR LEVELS, OR "CLASSES", AND TO ORGANIZE SUCH LICENSES INTO THREE WELL CONSTRUCTION CATEGORIES: ROCK, COASTAL, AND ENVIRONMENTAL WELLS; TO PROVIDE FOR BONDING REQUIREMENTS FOR THE PRACTICE OF WELL DRILLING; TO ELIMINATE THE REQUIREMENT FOR A PERCOLATION TEST TECHNICIAN LICENSEE; TO PROVIDE FOR ISSUANCE OF ADMINISTRATIVE CITATIONS FOR BOTH 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 SPECIFIED 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 EXISTING RECIPROCITY POWERS OF THE BOARD TO PERMIT CASE BY CASE ASSESSMENT OF INDIVIDUAL APPLICANTS SEEKING LICENSURE BASED ON LICENSURE IN FOREIGN JURISDICTIONS; TO EXPRESSLY REQUIRE LIBERAL INTERPRETATION OF THE PRACTICE ACT IN FAVOR OF ENVIRONMENTAL PROTECTION; TO ADD CLARIFYING DEFINITIONS; AND TO MODIFY THE CURRENT DEFINITION OF WELL TO INCLUDE ANY EXCAVATION MADE FOR THE PURPOSE OF ENVIRONMENTAL OR GEOLOGIC INVESTIGATION THAT IS REASONABLY LIKELY TO PENETRATE THE WATER TABLE.

03/15/00	House	Introduced and read first time HJ-4
03/15/00	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-5
04/19/00	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs HJ-4
04/26/00	House	Amended HJ-21
04/26/00	House	Requests for debate-Rep(s). Hayes, Littlejohn, Bales, Howard and Moody-Lawrence HJ-22
05/16/00	House	Requests for debate removed-Rep(s). Hayes and Bales HJ-36
05/17/00	House	Read second time HJ-30
05/18/00	House	Read third time and sent to Senate HJ-7
05/18/00	Senate	Introduced and read first time SJ-7
05/18/00	Senate	Referred to Committee on Labor, Commerce and Industry SJ-7