

MINUTES
SOUTH CAROLINA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS
SPECIAL CALLED MEETING BY CONFERENCE CALL
10:00 A.M., APRIL 29, 2013
SYNERGY BUSINESS PARK, KINGSTREE BUILDING
110 CENTERVIEW DRIVE, ROOM 202-13
COLUMBIA, SC

Call to Order

Chairperson Hodge called the meeting to order at 10:03 a.m.

Statement of Public Notice

Chairperson Hodge stated that public notice of this meeting was properly posted at the South Carolina Board of Registration for Professional Engineers and Surveyors office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Introduction of Board Members and Other Persons Attending

Board members present included Gene L. Dinkins, PE, PLS, and Miller L. Love, Jr., PE

Board members participating by conference call included Theresa Hodge, PE, Chairperson; Timothy W. Rickborn, PE, Vice-Chairman; Dennis J. Fallon, Ph.D, PE, Secretary; and John P. Johnson, PE, PLS.

Nancy Cottingham was unable to participate in the conference call due to travel.

Staff members present included Jan B. Simpson, Administrator; Sherri Moorner, Program Assistant; Debbie Granger, Program Assistant; and Sara McCartha, Esq., Advice Counsel.

Others present included Jill Vickers, Creel Court Reporting; Joe Jones; Marguerite McClam; F. William Fairey; Bill Tripp; Kim Long; Greg Jenness; Kent Hudson; and Brian Bonds.

Review of Industrial Exemption Bill

The Board discussed the Industrial Exemption Bill, which is in the House as H4038 and in the Senate as S655 (see attached). There are four concerns regarding this bill:

1. It has a detrimental effect on the health, safety, and welfare of the public;
2. Actions from such bills often result in catastrophes;
3. Allowing one person to be in responsible charge for each corporation could result in a violation of ethical standards because it's impossible for one individual to have the knowledge of every project they are legally and ethically required to have; and
4. Allowing the exemption for affiliates results in a "never ending tree" that is in conflict with Certificate of Authorization requirements.

MOTION: That the Board go on record as opposing H4038 and S655 due to detrimental effects to the health, safety, and welfare of the public of South Carolina.
Dinkins/Johnson/approved.

MOTION: To draft a letter stating the Board position on the bills and a request that it be returned to committee for further discussion for distribution to appropriate staff members for every legislative committee. Dinkins/Fallon/approved.

Notice of Next Meeting

The next meeting of the SC Board of Registration for Professional Engineers and Surveyors will be held on Tuesday, July 10, 2013, at the SC Department of Labor, Licensing and Regulation, Synergy Business Park, Kingstree Building, 110 Centerview Drive, Room 204, Columbia, SC and will begin at 9:30 a.m.

There being no further business:

MOTION: To adjourn. Dinkins/Love/approved.

The meeting adjourned at 10:53 a.m.

Respectfully Submitted,



Sherri F. Moorer, Program Assistant

INTRODUCED
April 25, 2013

H. 4038

Introduced by Reps. Sandifer and Harrell

S. Printed 4/25/13--H.
Read the first time April 25, 2013.

A BILL

TO AMEND SECTION 40-22-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE APPLICATION OF THE CHAPTER CONCERNING ENGINEERS AND SURVEYORS, SO AS TO ADD AN EXEMPTION FOR CERTAIN ENGINEERS.

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

SECTION 1. Section 40-22-280 (A) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() the work of a person rendering engineering or land surveying services to a corporation engaged in textiles, metal manufacturing, chemical manufacturing, automobile manufacturing, tire manufacturing, or commercial airline manufacturing, as an employee of the corporation, or as an employee of one of the corporation’s affiliates, when the services are rendered in carrying on the general business of the corporation and the general business does not consist, either wholly or in part, of the rendering of engineering services to the general public, provided that the corporation employs at least one person holding a certificate of registration under this chapter or practicing lawfully under the provisions of this chapter.”

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

----XX----

**THE COMMITTEE ON
LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (S. 655) to amend Section 40-22-280 of the 1976 Code, relating to exemptions from the application of the chapter concerning engineers and surveyors, to add an exemption for certain, etc., respectfully

REPORT:

Has polled the Bill out majority favorable.

A BILL

TO AMEND SECTION 40-22-280 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE APPLICATION OF THE CHAPTER CONCERNING ENGINEERS AND SURVEYORS, TO ADD AN EXEMPTION FOR CERTAIN ENGINEERS.

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

SECTION 1. Section 40-22-280(A) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() the work of a person rendering engineering or land surveying services to a corporation engaged in textiles, metal manufacturing, chemical manufacturing, automobile manufacturing, tire manufacturing, or commercial airline manufacturing, as an employee of the corporation, or as an employee of one of the corporation’s affiliates, when the services are rendered in carrying on the general business of the corporation and the general business does not consist, either wholly or in part, of the rendering of engineering services to the general public, provided that the corporation employs at least one person holding a certificate of registration under this chapter or practicing lawfully under the provisions of this chapter.”

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

----XX----