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## STATE CONTRACTORS BOARD

### MINUTES OF THE HEARING BEFORE THE NEVADA STATE CONTRACTORS BOARD HELD DECEMBER 1, 2005

The hearing was called to order at 2:00 P.M. on Thursday, December 1, 2005 at the offices of the State Contractors Board, 2310 Corporate Circle, Henderson, Nevada and video-conferenced to the Reno office. Exhibit 1 is the Notice of Intent to Act Upon a Regulation and a copy of the proposed regulation.

#### BOARD MEMBERS PRESENT:

Jerry Higgins

#### STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator

Ms. Grein explained the purpose of the hearing is to receive public comment on proposed amendments to Chapter 624 of the Nevada Administrative Code concerning consumer protection bonds for swimming pool and spa licensees and provide for a license classification for the installation of plumbing and gas lines. She noted a workshop on the matter had been held August 25, 2005.

Ms. Grein indicated that the notice of the hearing had been posted in compliance with NRS 233B at the Las Vegas City Hall, the Sawyer State Building, Clark County Library, Washoe County Courthouse, Washoe County Library, Reno City Hall and the offices of the State Contractors Board in Reno and Henderson.

Several members of the public were present to provide comments on the proposed regulation

Mr. William Palmer, Prestige Pools stated that he hopes implementation of the consumer protection bond does not have an adverse impact on smaller pool firms and that bond amount requirements are not excessive.

Mr. Bob Portnoff stated that the four year time frame allowed for a complaint to be filed can prove burdensome for some pool operators. In addition, he mentioned his understanding of the recovery fund and complaint process currently in use in Arizona.

State Senator Warren Hardy, Associated Builders and Contractors, Las Vegas indicated that "point of service" should be defined in the proposed subclassification A-10f. He also indicated he would like to again review the legislative record concerning this issue. Mr. Hardy indicated he is currently working with members of the industry to develop an appropriate definition for "point of service" and suggested that the matter be held in abeyance until an appropriate definition is formulated.

Mr. Phillip Campbell, Plumbers & Pipefitters No. 525 stated his concern with subclassification A-10f. It is his contention that running water and gas lines should be performed by licensed plumbers. He also inquired as to the type of training and examination that would be required for the installers under the proposed subclassification.

Ms. Mathias, Licensing Administrator indicated that the examination would be developed on task analysis of the subclassification by the Board's examination provider, Psychological Services, Inc.

Mr. Doug Williams, Plumber Inc. believes the scope of work proposed in subclassification A-10f is covered in subclassifications of the current C1 (Plumbing) classification. He also questioned whether the regulation would apply strictly to residential work or if it involved commercial applications. Mr. Richard Lisle, Executive Director of the Mechanical Contractors Association wanted to ensure that the regulation would only affect residential properties.

Senator Hardy and Ms. Grein indicated the legislation and the regulation concerned residential work only.

In response to comments that the C-1 subclassifications already cover water and gas line installation, Ms. Grein indicated that SB 434 requires the Board to adopt classification of licensing that authorize contractors who perform work on residential pools and spa to install plumbing and gas lines in connection with such work. Therefore, it is necessary to create a new subclassification under the A-10 classification.

Mr. Ron Mecham, Lifeguard Pools stated he recognizes the concerns of plumbers, however, it is his understanding that the type of work under consideration requires fairly simple connections and as long as there is an exam developed and that it applies strictly to residential work, he would not have a problem with the subclassification.

Mr. Joe Vassallo, Paragon Pools stated his understanding of discussions held during the legislative session included that an examination would be created for pool plumbing for the installation of gas and water lines for pools; that the water line installation would start from the hose bib and the gas line installation would be from the point of meter to the equipment location.

Mr. Bill Palmer indicated he is a member of a committee currently working on formulating experience and testing requirements for Clark County and indicated that their recommendations were going to be presented to Clark County within the next two months.

Since there were no other members of the public present to provide comments, Ms. Grein continued the hearing to allow the parties to work on proposed language for the subclassification section of the regulation. She indicated that the Consumer Protection Bond portion of the regulation would be placed on the December 15, 2005 Board agenda for consideration. The subclassification section of the regulation will be considered at a later date.

Respectfully submitted,

Jeanne Reynolds  
Recording Secretary

Approved:

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Margi A. Grein, Executive Officer