

# The CALIFORNIA LICENSED CONTRACTOR



APRIL 1951

## LICENSE RENEWALS \$7

As a contractor and businessman, you are burdened with various forms, licenses, permit fees and other matters. However, the very first consideration in conducting your business is the annual renewal of your contractor's license. If you do not renew your license you cannot maintain an action in any court in this State to collect for your work. Do not place yourself in this position. Renew your contractor's license.

The fee of \$7 for renewal of a State Contractor's license for the 1951-52 Fiscal Year, July 1, 1951, to June 30, 1952, was again established by the Contractors' State License Board at its regular quarterly meeting in Sacramento on October 6, 1950. Section 7137 of the Contractors' State License Law empowers the board to establish the annual renewal fee at not less than \$3 nor more than \$10 in any one or more years.

Renewal application forms will be mailed to all licensees between May 1, 1951, and May 15, 1951. The renewal form will be mailed to the licensee's last known address as recorded in the Sacramento office of the Contractors' State License Board.

The following sections dealing with the renewal of licenses are from the Business and Professions Code (Contractors' Chapter):

Sec. 7140. All licenses issued under the provisions of this chapter shall expire on June 30th of each year.

A license may be renewed without penalty by the filing of a renewal application with the registrar not later than June 30th of each fiscal year. To be effective such renewal application must be made upon forms prescribed by the board and must be accompanied by the annual renewal fee prescribed by this chapter or fixed by the board. Otherwise a license, application for renewal of which has not been so filed on or before June 30th of each fiscal year, shall be ipso facto suspended until a renewal application is properly filed, and shall be renewable only if the application for the renewal thereof is filed with the registrar not later than September 30th of each year on a form prescribed by the board and

is accompanied by the penalty fee prescribed by this chapter, or fixed by the board, in addition to the current renewal fee.

No license shall be renewed under any conditions unless the prescribed renewal application, together with all prescribed fees, is filed with the registrar on or before September 30th of each year.

Sec. 7141. The filing of a renewal application within the time, in the form and with the fees prescribed in this article, authorizes operation as a contractor by the licensee until the actual issuance of the renewal license for the ensuing fiscal year; provided, that the license of said applicant is not otherwise under suspension by reason of the decision of the registrar in a disciplinary proceeding.

From the foregoing it can be seen that a licensee, whose completed application form and fee have been filed prior to June 30, 1951, is entitled to continue in business, although it may be several weeks before the license certificate can actually be issued.

Instructions for renewal of a State Contractor's license are printed on the renewal application form. Before applying for renewal of a license, each contractor is urged to read carefully the complete instructions.

Licenses are not transferable from one ownership to a different ownership.

A partnership adding, subtracting or changing a partner may not renew its license. It will be necessary to secure another license to cover the operations of this new entity.

An individual taking a partner is required to secure a license for that partnership.

... Continued on page 2

## Conflicts in Building Regulations

A final report entitled "Conflicts in Building Regulations" has been submitted to the California State Legislature by the Assembly Interim Committee on Governmental Efficiency and Economy, chaired by Assemblyman A. I. Stewart.

Public hearings were conducted by the committee in San Francisco and Los Angeles in October, 1950, to give all interested persons an opportunity to appear and present information concerning conflicting and overlapping building regulations imposed on the construction industry.

In addition to the public hearings the committee's staff amassed and reviewed approximately 4,400 pages of California state and local building regulations.

The results of the committee's detailed study was summarized as follows:

1. There are too many conflicts in building regulations to make it feasible or desirable to attempt to recite them in full.

2. There are too many conflicts, and in such a variety of types of regulations, to make it feasible or desirable to try to resolve the conflicts by detailed legislative action.

3. The real problem is to find a proper definition of the relative authority and responsibility in this field among state agencies, among local agencies, and between state and local agencies.

4. Although the Uniform Building Code is in use by most cities in the State, it is frequently amended in some respects before local adoption.

5. The authority to make laws and rules governing building construction is widely scattered among state and local agencies.

6. The rule-making authority is frequently mingled with enforcement authority.

7. Regulations governing the construction industry have a variety of purposes, of which the principal ones are: (a) assuring adequate structural

... Continued on page 2

## License Renewals

Continued from page 1 . . .

A member of a partnership or officer of a corporation operating as an individual is required to secure a license as an individual.

Application forms may be obtained from any office of the Contractors' State License Board.

If the responsible managing employee or officer, as shown on the renewal application form, is no longer with the licensee and no previous notification of this disassociation has been given the Registrar, a letter should be attached to the renewal application giving the date of such disassociation, send these with the renewal fee to the Contractors' State License Board and you will be informed of the procedure to qualify another employee or officer.

The fee for renewal of a license may be sent in the form of a money order, cashier's, certified, or personal check. If a personal check is sent, the license will not be mailed until the check has cleared. Cash sent in the mail is at the sender's risk and is not recommended.

To assure the prompt handling of license renewals, the Registrar urges each licensee to send his renewal application and fee as early as possible. If the licensee is required to show his state license to secure jobs, permits, or city licenses, it is especially necessary for him to submit the renewal form and fee during May or the first of June to allow sufficient time for issuance and mailing prior to July 1, 1951. No temporary certificates are issued nor can letters be written verifying the fact that application for renewal of license has been made.

Any question regarding renewal of license due to some change will be answered as promptly as possible. However, the Registrar suggests that the licensee complete the renewal application, attach a letter to the form clearly explaining the situation, and send these with the renewal fee to the Contractors' State License Board at Sacramento prior to June 30, 1951. If renewal of the license cannot be made because of the change, the renewal fee will be returned.

Renewal of a license after June 30, 1951, may be made until September 30, 1951, by payment of the \$7 renewal fee and \$5 delinquent penalty fee, a total of \$12. No renewal of a license is permitted by law after September 30th.

The Contractors' State License Board and the Registrar will appreciate your cooperation in following the instructions on the renewal application form, and in filing early for renewal of your license for 1951-52.

## Conflicts

Continued from page 1 . . .

soundness, (b) protecting surrounding economic values, and (c) assuring the safety of persons where they live, where they work, and where they assemble.

8. Neither those making rules nor those enforcing them recognize clearly or observe carefully these different purposes.

9. Many of the regulations are not readily available in understandable form to those who must be governed by them.

10. A local permit to build is no guarantee whatsoever against later intervention by other authorities, with the possible requirement of alterations in work already completed.

11. A citizen proposing to build (or his architect or contractor) must literally become a coordinator of a variety of public agencies to be assured of proper clearance of every official detail.

12. Building construction is slower and costlier as a consequence of all the foregoing conditions.

In concluding the report, the committee recommended that the following steps be taken:

1. That the first step in resolving conflicts in building regulations be the codification of state regulations on this subject.

2. That the task of codification be carried on under the supervision of the Interim Committee on Governmental Efficiency and Economy.

3. That the committee be authorized to engage staff and utilize advisory committees representing the public officials and industries and professions engaged in building.

4. That the committee be instructed to do these things:

a. Recommend a codification of all existing state regulations governing building.

b. Propose changes in legislation or regulation needed to eliminate conflicts which become apparent as codification proceeds.

c. Prepare a definition of the proper extent of the State's interest in this field.

d. Propose changes in state organization necessary to provide better direction and coordination of the State's proper interests in this field.

5. That the Legislature endorse the Uniform Building Code and encourage local governments to adopt it with a minimum of variations, and to keep current with revisions in the code.

## Proposed Legislation Affecting Contractors' License Law

The Contractors' State License Law is slated for some major revisions this year if only a portion of the legislative bills introduced at the 1951 Regular Session of the Legislature are passed.

Twenty-nine bills have been introduced that are amendatory of the license law. These bills, if passed, would amend, add, or repeal sections of Chapter 9 of Division 3 of the Business and Professions Code. The list of bills set forth below directly affect the Contractors' License Law and does not include the many bills introduced that pertain to professional and vocational licensing laws in general, such as, requirements that all licensees be made to take a loyalty oath; the giving of credits in examinations; and provisions for licensees to reinstate a license after discharge from military service.

(*Explanation of symbols:* A.B.—Assembly Bill; S.B.—Senate Bill; G. E. & E.—Assembly Committee on Governmental Efficiency and Economy; C., P., & P. W.—Assembly Committee on Conservation, Planning, and Public Works; F. & I.—Assembly Committee on Finance and Insurance; J.—Assembly Committee on Judiciary; B. & P.—Senate Committee on Business and Professions. The committees are those to which the following bills have been referred.)

A.B. 598 (Mr. Clarke) G. E. & E.

Amends Section 7049. A rewrite of the section to differently set forth exempted operations in connection with agriculture, etc.

A.B. 845 (Mr. Thomas) G. E. & E.

Adds a section numbered 7146. Provides that every licensee using a motor vehicle in his business display his contractor's license number thereon and that failure to do so be grounds for the revocation of license.

A.B. 967 (Mr. Thomas) G. E. & E.

Amends Sections 7055, 7056, 7057, 7058, and 7059 of the article on classifications. In each of the sections one or two words are stricken therefrom, the main strike out being the deletion of the word "principal" in the definitions of general engineering contractor, general building contractor and specialty contractor.

A.B. 1063 (Mr. McCarthy) G. E. & E.

Adds a section numbered 7082. Provides that a licensee who operates outside his classification shall not be barred from collecting compensation for the performance of any such act or contract.

A.B. 1106 (Mr. Dunn) G. E. & E.

Amends Section 7044. Restricts the present exemption regarding owners of property building structures for their own use and occupancy and which are not intended for sale.

A.B. 1507 (Mr. Dickey et al.) C., P., & P. W.

Adds a new chapter to the Business and Professions Code. Establishes a five-member Board of Water Well Drillers as an agency of the Contractors' State License Board and provides that the Registrar of Contractors act as the Registrar of the Water Well Drillers Board. It further provides for separate prequalifications, disciplining and fee establishment.

. . . Continued on page 3

## Legislation

Continued from page 2...

A.B. 1508 (Mr. Dickey et al.) C., P., & P. W.  
Amends Section 7053. Nullifies the exemption for the employee whose sole compensation is wages when he furnishes supplies or equipment to be used in the performance of his work.

A.B. 1510 (Mr. Dickey et al.) C., P., & P. W.  
Amends Section 7048. Nullifies the \$100 exemption in any case wherein the work or operation includes the boring, drilling, excavation, casing, cementing, cleaning or repairing of water wells.

A.B. 1511 (Mr. Dickey et al.) C., P., & P. W.  
Adds a section numbered 7027 and amends Section 7049. Sets forth separately by definition as a contractor one who digs, bores, drills or otherwise constructs water wells. Removes from the "agricultural" exemption (Section 7049) the digging, boring, drilling or constructing of water wells.

A.B. 1538 (Mr. Lincoln) G. E. & E.  
Amends Section 7031. Removes the word "duly" from "duly licensed" which is presently a requirement for the collection of compensation for the performance of any act or contract for which a license is required.

A.B. 1684 (Mr. Grunsky) G. E. & E.  
Amends Section 7056. Adds certain fixed works to those presently found in the definition of a general engineering contractor such as dams, hydroelectric works, waste reduction plants, pipelines, etc.

A.B. 1787 (Mr. Morris) G. E. & E.  
Adds a new article to Chapter 9. Provides for the licensing of construction salesmen.

A.B. 1801 (Messrs. Stewart and McCarthy) G. E. & E.

Amends Section 7031. Present section provides that one must prove that he was a duly licensed contractor for purposes of collection. Amendment defines a duly licensed contractor as one who holds a current license in any one or more of the established classifications.

A.B. 1817 (Mr. Maloney) G. E. & E.  
Amends Section 7011. Increases the salary of the Registrar of Contractors from \$8,000 to \$10,000 per year.

A.B. 1882 (Mr. McCarthy) G. E. & E.  
Adds a section numbered 7123. Provides for disciplinary action when a licensee operates beyond the field and scope of his classification.

A.B. 2007 (Mr. Dolwig) F. & I.  
Adds a new article to Chapter 9. Provides that licensed contractors who are members in good standing of a nonprofit corporation or association may, under conditions, be insured under a group workmen's compensation policy, etc.

A.B. 2601 (Mr. Cooke) G. E. & E.  
Amends Section 7044. Restricts the present exemption regarding owners of property building structures for their own use and occupancy and which are not intended for sale. (Identical with A.B. 1106.)

A.B. 2638 (Mr. Maloney) G. E. & E.  
Adds a section numbered 7001.1. Provides that there shall be, in addition to the present members of the board, one individual who shall be a representative of the public and one individual who shall be a representative of labor.

A.B. 2646 (Mr. Grunsky) Jud.  
Amends Section 7031. Removes the word "duly" from "duly licensed" which is presently a requirement for the collection of compensation for the performance of any act or contract for which a license is required. (Identical with A.B. 1538.)

## Contractors' Examinations Approved by Building Officials

Contractors' examinations were the subject of discussion at a meeting conducted in Los Angeles on March 16, 1951, by Board Member William Nies of Los Angeles.

Participating in the hearing were state examiners and an estimated 30 building officials of Southern California and representatives of trade associations and building firms. The discussions expressed satisfaction with existing laws governing examinations and methods of examinations.

After a detailed analysis and study the consensus of opinion of the group was that the board's electrical, plumbing and general building contractors' examinations are exceedingly comprehensive and rate with the best in the United States. Lack of time prevented a discussion of examinations embracing other classifications of contracting and the three that were covered were chosen as the ones most directly related to the health and safety of the public as well as embracing the largest groups of contractors.

Representatives of the warm-air heating and air conditioning trades offered assistance in furnishing material to be used in the preparation of examinations in their field. The board welcomes and solicits aid from the industry in constructing comprehensive and adequate contractors' examinations.

A.B. 2659 (Messrs. Berry and Gaffney) G. E. & E.

Adds a section numbered 7005.1. Provides that cities and counties shall not be prevented from adopting additional local regulations supplementary to those provided in the Contractors License Law.

A.B. 2882 (Mr. Caldecott et al.) G. E. & E.  
Amends Section 7011. Omnibus bill presented by Interim Committee on Equalization of Statutory Salaries increasing and decreasing salaries of noncivil service employees of State. Increases salary of Registrar of Contractors from \$8,000 to \$11,000 per year.

A.B. 3101 (Messrs. Gaffney and Maloney) G. E. & E.

Adds a section numbered 7026.5. Defines the word "sale" as any arrangement between two or more persons as a result of which there is, or is to be, a transfer of property for a consideration. (Note: The only place where the word "sale" is to be found in the Contractors License Law is in Section 7044 having to do with the owner exemption.)

A.B. 3102 (Mr. Gaffney) G. E. & E.  
Amends Section 7049. Provides that leveling, grading, excavating, draining or preparation of farm land is not subject to the "agricultural" exemption (Section 7049) unless performed personally by the owner or tenant of the farm.

S.B. 694 (Senator Desmond) B. & P.  
Amends Section 7044. Provides that an owner of nonfarm property who in any one

## REGISTRATION BY CLASSIFICATION

(As of March 31, 1951)

A	General Engineering Contractors	1,950
B 1	General Building Contractors	24,344
C 4	Boilers, Hot Water Heating, Steam Filling	126
C 6	Cabinet and Mill Work	301
C 8	Cement and Concrete	1,514
C 45	Electric Signs	180
C 10	Electrical (general)	4,193
C 11	Elevator Installation	34
C 12	Excavating, Grading, Trenching, Paving, Surfacing	883
C 15	Flooring (wood)	860
C 16	Fire Protection Engineering	54
C 17	Glazing	286
C 21	House and Building Moving	195
C 2	Insulation	214
C 27	Landscaping	487
C 26	Lathing	361
C 29	Masonry	1,068
C 23	Ornamental Metals	155
C 33	Painting, Decorating	8,358
C 35	Plastering	2,181
C 36	Plumbing	4,435
C 38	Refrigeration	378
C 39	Roofing	1,288
C 42	Sewer, Sewage Disposal, Drain, Cement Pipe Laying	501
C 43	Sheet Metal	895
C 50	Steel, Reinforcing	71
C 51	Steel, Structural	142
C 22	Structural Pest Control	166
C 54	Tile (Ceramic and Mosaic)	1,041
C 20	Warm-Air Heating, Ventilating, Air Conditioning	562
C 60	Welding	129
C 57	Well Drilling	524
C 61	Classified Specialists	2,166
		60,050

## REGISTRATION IN FIVE PRINCIPAL CLASSIFICATIONS

B 1	24,344
C 33	8,358
C 36	4,435
C 10	4,193
C 35	2,181

calendar year builds and sells more than two homes is required to be licensed.

S.B. 1494 (Senator Regan) B. & P.

Adds a section numbered 7001.1. Provides that there shall be, in addition to the present members of the board, one individual who shall be a representative of the public and one individual who shall be a representative of labor. (Identical with A.B. 2638.)

S.B. 1495 (Senator Regan) B. & P.

Amends Section 7044. Restricts the present exemption regarding owners of property building structures for their own use and occupancy and which are not intended for sale. (Identical with A.B. 1106.)

S.B. 1657 (Senator Burns) B. & P.

Amends Section 7049. Provides that leveling, grading, excavating, draining or preparation of farm land is not subject to the "agricultural" exemption (Section 7049) unless performed personally by the owner or tenant of the farm. (Identical with A.B. 3102.)

S.B. 1698 (Senator Regan) B. & P.  
(Identical with A.B. 1106 and S.B. 1495.)

S.B. 1699 (Senator Regan) B. & P.  
(Identical with A.B. 2638 and S.B. 1494.)

## Water Well Drillers Report Log

All licensees classified as water well drillers, classification C-57, are urged to carefully read the information that follows relating to the digging, boring and drilling of water wells.

Legislation was passed by the 1949 Legislature adding three sections to the State Water Code.

Section 7076 provides: "Every person who hereafter digs, bores or drills a water well, or who deepens or re-perforates any such well, shall file with the appropriate regional water pollution control board a report of completion of such well within 30 days after its construction or repair has been completed.

"The report shall be made on forms furnished by the Division of Water Resources and shall contain such information as the Division may require, but not limited to: (a) description of exact location of the well; (b) detailed log of the well; (c) description of type of construction; (d) details of perforation, and (f) methods used for sealing-off surface or contaminated waters.

"Section 7077. Every person who hereafter converts, for use as a water well, any oil or gas well originally constructed under the jurisdiction of the Department of Natural Resources pursuant to the provisions of Article 4, Chapter 1, Division 3 of the Public Resources Code, shall comply with all provisions of this chapter.

"Section 7078. Failure to comply with any provision of this chapter, or wilful and deliberate falsification of any report required by this chapter is a misdemeanor."

The Water Well Drillers Report shall be completed by the well driller, and three copies filed with the Division of Water Resources, P. O. Box 1079, Sacramento 5, California.

This form consists of two sheets identified as DWR Form No. 246, and a supplemental sheet DWR Form No. 246-Supplement, if required. The sheets are made up in sets of five, each of the five being on different colored paper. The first three copies (marked original, duplicate, and triplicate) shall be completed and filed with the Division of Water Resources. The

## Board Meeting April 27, 1951

The Contractors' State License Board will hold its next regular meeting at the U. S. Grant Hotel, San Diego, California, on Friday, April 27, 1951.

The board at this meeting will consider a proposal to amend Section 736 of the rules and regulations of the Contractors' State License Board.

The proposed amendment provides for deletion of that portion of the rule which permits plastering contractors, classification C-35, to affix lath or any other material or product prepared or manufactured to provide a base for such coating.

Should the proposed amendment be adopted, a plastering contractor, C-35, would be prohibited from undertaking the work of a lathing contractor, classification C-26, as defined in Section 743 of the rules and regulations of the board.

Any person interested in the proposed change in this regulation may present statements or arguments orally or in writing to the board at this meeting at the hour of 1.30 p.m.

The Contractors' State License Board, on their own motion or at the instance of any interested person, may amend the rule as proposed and adopt the same as amended without further notice.

The board is acting on the authority vested in it by Section 7008 of the Business and Professions Code.

fourth and fifth copies are for the driller's and owner's files, if desired.

Report forms may be obtained from:

Division of Water Resources  
401 Public Works Building  
1120 N Street  
Sacramento

(Mail address, P. O. Box 1079,  
Sacramento 5, California)

It must be pointed out that the 1949 Legislature also amended the Contractors' State License Law to include that a violation of the Water Code by a licensee of the board, would subject him to disciplinary action.

Section 7110 of the Business and Professions Code relates: "Wilful or deliberate disregard and violation of the building laws of the State, or of any political subdivision thereof, \* \* \*

## THE CALIFORNIA LICENSED CONTRACTOR

DEPARTMENT OF PROFESSIONAL AND  
VOCATIONAL STANDARDS

Earl Warren, Governor  
James A. Arnerich, Director  
Fred A. Taylor, Assistant Director

### MEMBERS AND OFFICERS

#### CONTRACTORS' STATE LICENSE BOARD

Roy M. Butcher, Chairman.....San Jose  
Chris D. McKeon, Vice Chairman.....San Francisco  
Joseph A. McNeil.....Los Angeles  
J. Phillip Murphy.....Emeryville  
William Nies.....Los Angeles  
H. Cedric Roberts.....Burbank  
Jess B. Worthington.....San Diego

N. J. Morrillsey, Registrar  
E. W. Ford, Assistant Registrar

#### DEPUTY REGISTRARS

Henry Gray Clark.....Los Angeles  
Williard A. Evison.....Los Angeles

#### DISTRICT SUPERVISOR

E. C. Morse.....Sacramento

#### EXAMINERS

Harry W. Abrahams.....San Francisco  
Warren S. McKay.....Sacramento

#### OFFICES

Main Office  
1020 N Street, Room 577  
Sacramento

#### Branch Offices

507 Polk St., Room 305  
San Francisco  
145 S. Spring St.  
Los Angeles

or violation by any licensee of any provision of the Health and Safety Code or Water Code, relating to the digging, boring, or drilling of water wells constitutes a cause for disciplinary action."

Another section of the Contractors' License Law, namely, Section 7111 provides: "Failure to make and keep records showing all contracts, documents, records, receipts and disbursements by a licensee of all his transactions as a contractor and open to inspection by the registrar for a period of not less than three years after completion of any construction project or operation to which the records refer constitutes a cause for disciplinary action," shows the necessity of preserving the Water Well Drillers Report.