MINUTES OF THE REGULAR MEETING CONDUCTED BY
CONTRACTORS' STATE LICENSE BOARD OF CALIFORNIA
Held at
EL TEJON HOTEL, BAKERSFIELD, CALIFORNIA
January 28 and 29, 1938

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The regular meeting of the Contractors' State License Board was called to order by Chairman Roy M. Butcher at 10:30 A.M., January 28, 1938, at the El Tejon Hotel in Bakersfield.

The roll was called and the following were present:

Roy M. Butcher, Chairman
Ralph E. Homann, Vice Chairman
S. G. Johnson, Member
Stephen L. Ford, Member
Clarence B. Eaton, Member
Hugh W. McNulty, Member
William Nies, Member
Earl S. Anderson, Executive Secretary.

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It was moved by Mr. McNulty and seconded by Mr. Eaton that the minutes of the last meeting, held in Eureka, California, on October 1 and 2, 1937, be accepted as written with the exception of the correction of the verbal report by Mr. Johnson on pages 6 and 7. Unanimously carried.

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Chairman Butcher read the following letter of resignation received by the Board from Earl S. Anderson, Executive Secretary and Registrar of Contractors:

"Your Honorable Body is hereby advised that, effective January 31, 1938, I shall submit my resignation as Registrar of Contractors and Executive Secretary of the Contractors' State License Board, Department of Profes-

sional and Vocational Standards. My appointment as Manager of the Construction Industries Department of the Los Angeles Chamber of Commerce has necessitated this action.

"It is with sincere regret that I terminate my connections with this Department and I assure you that it has been an honor to serve in this capacity. May I take this opportunity of expressing to the Board and the personnel of the Department my thanks for the cooperation and assistance given me while Registrar of Contractors. I shall always remember with a great feeling of satisfaction our pleasant associations together.

"Again assuring you of my appreciation for the honor bestowed upon me as Registrar of Contractors, and wishing your Board success in the future, I remain

Respectfully yours

(Signed) Earl S. Anderson
EARL S. ANDERSON
EXECUTIVE SECRETARY AND
REGISTRAR OF CONTRACTORS"

Various members of the Board expressed their appreciation to Mr. Anderson for his services while in his position as Registrar.

Mr. Anderson expressed his thanks for the well wishes of the Board.

It was moved by Mr. Johnson and seconded by Mr. Ford that the resignation of Mr. Anderson be accepted. Unanimously carried.

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Mr. Ford, Chairman of the Personnel Committee, submitted the following report for his Committee:

"CONTRACTORS' STATE LICENSE BOARD:

"In accordance with instructions, we, the undersigned Personnel Committee, have considered the applications for the position of Registrar of Contractors, and beg to report as follows:

"Consideration has been given to a number of applicants for this position. Your Committee held a meeting, attended by all of its members, at 8:00 P.M. Thursday, January 27, 1938, in the El Tejon Hotel, Bakersfield, California.

"From applications and other sources, letters and other data concerning the several candidates were received and considered. After due deliberation your Committee unanimously recommends the following candidates for your consideration and selection:

"Edgar Westbrook,
"Frank E. Benedict,
"Arthur Alber.

Respectfully submitted,

PERSONNEL COMMITTEE

(Signed) Stephen L. Ford
Stephen L. Ford, Chairman

(Signed) Hugh McNulty
Hugh W. McNulty, Member

(Signed) Wm. Nies
William Nies, Member"

The applications of the three candidates submitted by the Personnel Committee were then read by Mr. Anderson and it was suggested that each applicant be called before the Board for a brief interview. Mr. Westbrook was not present, but Mr. Benedict and Mr. Alber appeared and supplemented their applications and endorsements.

It was moved by Mr. Ford and seconded by Mr. Eaton

that subject to the approval of the Director of the Department of Professional and Vocational Standards, Mr. Arthur Alber be appointed as Registrar of Contractors to function as Executive Secretary of the Board and carry out all of the administrative duties provided for in the act creating the Contractors' State License Board, and as designated to him by the Board, the effective date of said appointment to be February 1, 1938, and the compensation for said position to be fixed at $400.00 per month. This motion was unanimously carried.

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It was moved by Mr. Johnson and seconded by Mr. McNulty that the Board recess for lunch. Unanimously carried.

The regular meeting of the Contractors' State License Board recessed for lunch at 12:30 P.M. to reconvene at 2:00 P.M.

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AFTERNOON SESSION
2:15 P.M.

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The afternoon session of the Contractors' State License Board was called to order at 2:15 P.M. by Chairman Roy M. Butcher. The following were present:

Roy M. Butcher, Chairman
Ralph E. Homann, Vice Chairman
S. G. Johnson, Member
Stephen L. Ford, Member
Clarence B. Eaton, Member
Hugh W. McNulty, Member
William Nies, Member
Earl S. Anderson, Executive Secretary.

Also present were:

Fred A. Taylor, Assistant Director
Glen V. Slater, Assistant Registrar
Ralph S. Bowdle, Deputy Registrar
Louis F. Erb, Deputy Registrar
I. L. Swearingen, Deputy Registrar
Ed Boney, Inspector
Arthur Alber, newly appointed Registrar.

The following entered while the meeting was in session:

Dave Moir, 1st Vice-Pres. Building Contractors Association ofSouthern California, L.A.
Carl Steger, Secretary of San Joaquin Master Painters Association, Stockton
J. Burr, Secretary of Builders Exchange, Sacramento
Rodney Turner, Assemblyman, of Delano.

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Mr. Johnson, Chairman of the Rules & Regulations Committee, submitted the following report:

"The Rules and Regulations Committee held a meeting on Friday, January 7, 1938, at 423 State Office Building, Sacramento, at the call of Chairman S. G. Johnson. Those present were: Chairman Johnson; William Nies, Member; Roy M. Butcher, Chairman of the Board; Clarence B. Eaton, Member, and Secretary Anderson. Mr. McNulty was unable to be present.

"The meeting was called to discuss the new rules and regulations adopted by the Board at its last meeting and which were to be referred to the Attorney General and the Director for their approval.

"Chairman Johnson requested the Secretary to outline to the Committee the changes and recommendations of the Attorney General regarding the rules.

"The Secretary reported to the Committee that the Attorney General commended the Board very highly for the splendid composition of the rules and offered only a few changes and recommendations. He then outlined the suggested changes and recommendations of the Attorney General.

"The Attorney General also checked over the questions and answers for the examination but made

Board Meeting Minutes

only a few suggested changes, which the Secretary presented to the Committee.

"The Secretary then reported to the Committee that Director Bonelli had not as yet approved the rules, and that he preferred to appear before the Board at its next meeting to discuss them before the entire membership.

"The Secretary further reported that the Director was opposed to certain rules relating to the examination.

"Considerable discussion was held on the questions. The Chairman then instructed the Secretary to select twenty-five questions out of the two hundred approved and requested that they be ready for the next Board meeting.

"It was brought to the attention of the Committee that a letter had been received from Floyd Booe, Manager of the Northern California Chapter of the A.G.C., in which they protested the issuance of a license to one Grover McLain. The Secretary then gave a brief digest of the case and reported that a formal hearing had been held upon the application for license for this party in the San Francisco office before Deputy Erb. He further stated that the evidence presented by the A.G.C. was not sufficient to refuse a license; that the Attorney General was of the opinion that the law did not give us the power to refuse a license upon the evidence as presented at the hearing.

"Chairman Johnson then brought up the matter of compensation insurance and stated he thought it would be a good plan to have the members of the Industrial Accident Commission meet with the Board sometime in the

near future so that plans could be formulated between the two departments towards securing more inspection work and apprehending violators of their act.

Respectfully submitted,

RULES & REGULATIONS COMMITTEE

(Signed) S. G. Johnson
S. G. Johnson, Chairman

(Signed) Wm. Nies
Wm. Nies, Member

(Signed) Clarence B. Eaton
Clarence B. Eaton, acting for Hugh McNulty, Member. "

It was moved by Mr. Eaton and seconded by Mr. McNulty that the report of the Rules and Regulations Committee be accepted. Unanimously carried.

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Mr. Anderson then read a number of the proposed examination questions for the approval of the Board, and after a general discussion it was moved by Mr. Johnson and seconded by Mr. Ford that the thirty-seven questions selected by the Board be submitted to the Director for his approval, and that the Board accept his recommendation that they be examined by him, together with Mr. Anderson, Mr. Alber, and the Chairman of the Board, and that 25 be accepted out of the 37. Unanimously carried.

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Mr. Anderson then referred to subsection 3 of Section 3 of the new rules and regulations and suggested that building and loan associations be added as signatories in Class D on the application form. A general discussion ensued.

Motion was made by Mr. McNulty and seconded by Mr. Eaton that subsection 3 of Section 3 of the new rules and regulations be amended to include building and loan associations. Unanimously carried.

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Mr. Anderson then read the following Registrar's Report:

"Total licensed contractors January 1, 1938 - - 29,367
"Total licensed contractors January 1, 1937 - - 26,052

"This makes an increase of licenses issued of 3,315 or 12.7%.

"According to our records 229 cases resulting in 178 formal hearings and fifteen continued hearings were handled by the Department for the period from July 1, 1937 to January 1, 1938.

"Dispositions of these cases are as follows:

Suspensions	54
Revocations	8
Cancelled	1
Reinstated	19
Guilty - no penalty	1
Applications denied	5
Applications granted	15
Flagged-defendant unlicensed	36
Settled-result of hearing	31
Dismissed - not guilty	31
Settled prior to hearing	28

(EXPLANATION: The difference between the total number of hearings and the total of the disposition of the action taken is explained by the fact that there were eight instances when more than one case involved the same defendant and also that there were 28 cases that were settled before coming to a hearing.)"

"Letter from Harry Cayford relative to advising them when our next Contractors' Board meeting was going to be held so that their State Builders' Exchange could be present and probably hold their meeting at the same time;

"Letter from the Western Construction News addressed to Mr. Anderson with regard to publicity;

"Letter from the Builders' Exchange of Oakland thanking the department for the official directory;

"Letter from the Los Angeles Chamber of Commerce extending thanks for the official directory and complimenting the Board on same;

"Letter from Frank J. Connolly, Manager of the Southern California Chapter of the Associated General Contractors, commending the Board on the directory and asking that a directory be sent to theA.G.C. at Washington, D.C.;

"Letter from Mr. Sweeney of Santa Barbara Builders' Exchange regarding "whispering" campaign on lower building costs.

"Letter from David Reubenstein, San Diego Association of Building Contractors, regarding examination of contractors;

"Opinion from Attorney General regarding personal liability of members of the Contractors' State License Board;

"Opinion from Attorney General relative to whether certain owners of property should become licensed;

"Attorney General's ruling regarding Pest Control Act;

"Letter from J. F. Lindstrom, Jr., Executive Secretary of Peninsula Merchant Plumbers, regarding maintaining a branch office in the city of San Mateo;

"Mr. Anderson's reply to above letter;

"Another letter from Mr. Lindstrom, Jr., dated December 28, 1937, which was supplemented by remarks from Mr. Anderson. Chairman Butcher referred this to Mr. Anderson to answer in keeping with the motion that was passed previously;

"Letter, dated December 28, 1937, from the Associated General Contractors, Northern California Chapter, signed by Floyd Booe, addressed to Chairman Roy M. Butcher, protesting the issuance of a license to one Grover A. McLain;

"Acknowledgment by Mr. Anderson, January 6, 1938;

"Report on the three questions asked the Attorney General.

The Secretary then outlined the case to the Board. Motion was made by Mr. Eaton and seconded by Mr. Nies to sustain the Registrar in his decision on the application of Grover McLain. Unanimously carried.

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After recessing for five minutes Mr. Anderson read a report regarding credit reports on applicants. He then outlined a few articles printed in various publications, such as Southwest Builder and Contractor of December 17 relative to Contractors' and Pest Control Acts being harmonized; the California Contractor published in New York which carried an article titled "An Essay of the California Contractors' License Law"by Roy M. Butcher, Chairman of the Contractors' State License Board; Plastering Craft, October issue, which has a page devoted tothis department; Western Plumbing and Heating Journal, November issue, an article on unlicensed contractors, etc.; Building Contractors' Forum of November, Dave Moir, Editor, relative to examination; Electrical West, November issue, an article by Mr. Roy M. Butcher; the California Plasterer, an article by Mr. Anderson; California Plasterer on the value of the license law; Southwest Builder and Contractor, October 29 issue, regarding handling license renewals; California Plasterer, September issue, regarding new license regulations; Southwest Builder and Contractor, October 22 issue, regarding proposed examination.

Mr. Johnson then referred to the bulletin published by

the Board entitled "The California Licensed Contractor", stating he has heard many favorable comments and is more convinced than ever that this little instrument can be made a very fine medium for publicity for the department, and it was his thought that perhaps it would be a good thing to have an article in each issue explaining some section of the Act with reference to its enforcement.

Motion was made by Mr. Johnson and seconded by Mr. Homann that the Registrar be asked to prepare for each issue an article explaining some section of the law. Unanimously carried.

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Mr. Anderson then cited a case in which suit was brought against the Contractors' License Bureau, Carlos Huntington, Registrar, and Glen V. Slater, Assistant Registrar, sometime in 1932 or 1933. Mr. Slater stated that this case is still pending and that the man who is representing him and the Contractors' State License Board has thus far received no remuneration for such representation. He asked that a motion be made requesting the Attorney General to appoint this man as attorney to represent this Board in the handling of the case against the Department, Huntington and Slater for the sum of $250.00.

Motion was made by Mr. Ford and seconded by Mr. McNulty that this be done. Unanimously carried.

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Mr. Anderson then made a report on the Handbook for Licensed Contractors, the cost, etc. A general discussion ensued as to the number that should be printed. Mr. Moir expressed the

belief that about five thousand would be required to start with as his Association alone would take from three to five hundred. It was the unanimous opinion of the Board that five thousand copies of the Handbook should be printed.

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Mr. Moir then stated that his Association was staging a housing show at the Pan-Pacific Auditorium in Los Angeles from April 21 to May 1, and would be glad to have suggestions from the Board.

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Mr. Hugh W. McNulty, Chairman of the Legislative Committee, stated that his Committee had no report to make.

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A general discussion was held on the form letter regarding compensation insurance for employees of this department. Mr. Homann suggested that Mr. Bonelli be complimented for the work he has done on this, and that the Board express its appreciation to him. Mr. Butcher, Chairman, delegated Mr. Anderson to express the appreciation of the Board to Mr. Bonelli.

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Mr. McNulty then said he would like to know what process it is necessary to go through to divide the different contractors into their own craft so that a plumber, for instance, couldn't do wiring, and an electrician couldn't bid on the building of a structure. This was referred to the Legislative Committee to find out if it could be taken up at the next session

of the Legislature.

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Mr. Nies brought up the subject of renewal and expressed his views regarding same, and Mr. Anderson informed him that any change in the renewal system would have to be submitted to the Legislature for amendment. A general discussion of renewal of license followed.

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Mr. Sweeney, President of the Santa Barbara Builders' Exchange, stated he has received letters from various parts of the State commending the deputies of the department very highly for the work they are doing. He also stated that the License Board is functioning very satisfactorily.

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Hon. Rodney Turner, Assemblyman, informed the Board that his contacts with the department of Contractors at Sacramento have been most pleasant.

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It was moved by Mr. Johnson and seconded by Mr. Eaton that the meeting recess until the following morning at 10:00 A.M. Unanimously carried.

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The regular meeting of the Contractors' State License Board recessed at 6:00 P.M.

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MORNING SESSION
CONTRACTORS' STATE LICENSE BOARD
JANUARY 29,1938

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The regular meeting of the Contractors' State License Board reconvened at 11:00 A.M. on January 29, 1938, to take up unfinished business. The roll was called by Chairman Butcher and the following were present:

Roy M. Butcher, Chairman
Ralph E. Homann, Vice Chairman
S. G. Johnson, Member
William Nies, Member
Clarence B. Eaton, Member
Hugh W. McNulty, Member
Stephen L. Ford, Member
Earl S. Anderson, Executive Secretary.

Also present were:

Glen V. Slater, Assistant Registrar
Ralph S. Bowdle, Deputy Registrar
Louis F. Erb, Deputy Registrar
I. L. Swearingen, Deputy Registrar
Ed Boney, Inspector
Arthur Alber, newly appointed Registrar
Joe Burr, Secretary Builders' Exchange, Sacramento
Dave Moir, Vice Pres. Building Contractors' Association of Southern California

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Mr. Slater reopened the subject of the suit against the Contractors' License Bureau, Carlos Huntington and Glen V. Slater, stating that he talked to Mr. Bonelli and Mr. Bonelli requested him to present the situation to the Board, and, if they couldn't make the deal with the Attorney General, to have placed on their payroll the attorney defending the case, same to be charged back to the Contractors' License Board, that the Board authorize the appointment of a reviewing officer on a temporary

authorization basis, the idea being he could be put on for two months or more to handle the case to work out the equivalent amount of money that was mentioned the previous day.

Motion was made by Mr. Ford and seconded by Mr. McNulty that the above recommendation be approved by the Board. Unanimously carried.

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Mr. Anderson again referred to the credit report on applicants for license and a general discussion followed. Motion was made by Mr. Nies and seconded by Mr. McNulty that the report be turned over to the Rules and Regulations Committee for a report at the next meeting. Unanimously carried.

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Mr. Homann, Chairman of Finance and Budget Committee, stated that his Committee had no report to make at this time.

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Mr. Homann brought up the subject of prosecution and asked if anything could be done to facilitate prosecution and punishment. A general discussion ensued.

Mr. Anderson suggested that the Board make a motion to instruct the Registrar to contact various organizations and acquaint them with this condition. It was moved by Mr. Homann and seconded by Mr. Ford that the following resolution be adopted and be mailed out as a news release. Unanimously carried.

"WHEREAS the very foundation of the Contractors' License Law is the ability to enforce its registration provisions, and

"WHEREAS the actual mechanics of the prosecution of unlicensed offenders of the Contractors' License Law lie in the hands and under the control of the prosecuting authorities of the State and its political subdivisions, and

"WHEREAS there has frequently been made the criticism that adequate enforcement of the Contractors' License Law is lacking, and

"WHEREAS it is the opinion of this body that no such criticism may justly be directed against the policies or operations of this body or of its personnel, now

"LET IT BE RESOLVED that this body, the Contractors' State License Board, in regular meeting this 29th day of January, 1938, does hereby instruct its administrative officer, the Registrar of Contractors, to acquaint the construction industry organizations with this condition and to request them to use their best influence to remedy this harmful situation."

Mr. Johnson expressed the belief that District Attorneys have failed to cooperate with the Department in the enforcement of the Contractors' License Law.

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Suggestion was made to thank the Bakersfield and Kern County Builders' Exchange for the splendid reception given to the Board during its stay in Bakersfield, and the enjoyable banquet to which the Board members were invited on Friday night, this to be made in the form of a resolution.

Motion was made by Mr. Nies and seconded by Mr. McNulty to make this in the form of a resolution. Unanimously carried.

"BE IT RESOLVED THAT the Contractors' State License Board, in open meeting this 29th day of January, 1938, extend to the Bakersfield and Kern County Builders' Exchange its deep and sincere appreciation for the splendid reception and entertainment accorded its members while in quarterly meeting at the El Tejon Hotel at Bakersfield on the 28th and 29th days of January, 1938; and

"BE IT FURTHER RESOLVED THAT it is the desire of this Board to cooperate in every way possible with said Builders' Exchange."

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Motion was made by Mr. Ford and seconded by Mr. Eaton to adopt a resolution thanking the management of the hotel for the use of the room, etc. Unanimously carried. Chairman Butcher delegated the Registrar to draw up such a resolution.

"BE IT RESOLVED THAT the Contractors' State License Board, in open meeting this 29th day of January, 1938, extend to the Bakersfield and Kern County Builders' Exchange its deep and sincere appreciation for the splendid reception and entertainment accorded its members while in quarterly meeting at the El Tejon Hotel at Bakersfield on the 28th and 29th days of January, 1938; and

"BE IT FURTHER RESOLVED THAT it is the desire of this Board to cooperate in every way possible with said Builders' Exchange."

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It was also suggested that a letter of thanks be written to Mayor George Wilson of Bakersfield, and Assemblyman

Rodney Turner of Delano. This was also delegated to the Registrar by Chairman Butcher.

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Dave Moir suggested that letters be sent to judges from time to time to acquaint them with what the Board and the industry wants in a reasonable way in line with the enactment of the law. A general discussion followed.

Mr. Ford suggested that the new Registrar check up and see what could be worked out, Mr. Alber to report at the next Board meeting.

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Mr. Burr, Secretary of the Builders' Exchange at Sacramento, stated that his organization is interested in having more inspectors, and that it was their understanding that a provision for additional inspectors had been made and they would like to see the Board take some action on the matter at this time. Mr. Anderson reported that provision had been made to add one more inspector to each of the three districts, that is, Sacramento, San Francisco and Los Angeles, and that same would be done very shortly.

A general discussion followed about the budget relative to additional allowance for additional inspectors.

Mr. Anderson reported on the matter of furnishing Board members with badges. Chairman Butcher instructed Mr. Alber to again take this matter up with the Director.

Mr. Anderson then read the budget report which was prepared by Mr. Taylor, Assistant Director.

There followed a general discussion on the possibility of increasing the budget.

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It was moved by Mr. Johnson and seconded by Mr. Ford that the following resolution be adopted, a copy to be sent to Mr. Anderson in the proper form. Unanimously carried.

> "BE IT RESOLVED THAT the Contractors' State License Board in open meeting this 29th day of January, 1938, extend to EARL S. ANDERSON, retiring Registrar of Contractors, its deep and sincere appreciation of the services he has so efficiently and loyally rendered during his term of office as the executive officer of the Board; and
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> "BE IT FURTHER RESOLVED THAT continued success be our wish for him in his new venture, and throughout the years to come."

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Chairman Butcher declared a recess for a special meeting in Los Angeles in the evening and stated that the next Board meeting will be held at the call of the chair.

The regular meeting of the Contractors' State License Board recessed at 12:30 P.M.

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The regular meeting of the Contractors' State License Board reconvened at 7:00 P.M. on January 29, 1938, at the Jonathan Club, Los Angeles, to take up unfinished business. The roll was called by Chairman Butcher and the

following were present:

Roy M. Butcher, Chairman
Ralph E. Homann, Vice Chairman
Stephen L. Ford, Member
Clarence B. Eaton, Member
Hugh W. McNulty, Member
William Nies, Member
Earl S. Anderson, Executive Secretary.

Absent:

S. G. Johnson, Member.

Also present were:

Fred A. Taylor, Assistant Director
Glen V. Slater, Assistant Registrar
Ralph S. Bowdle, Deputy Registrar
Louis F. Erb, Deputy Registrar
I. L. Swearingen, Deputy Registrar
Arthur Alber, newly appointed Registrar.

A general discussion was held as to the questions to be used in the examination.

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The Board then retired to the Farewell Banquet given in honor of retiring Registrar Earl S. Anderson.

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The regular meeting of the Contractors' State License Board adjourned at 7:45 P.M.

Arthur Alber
EXECUTIVE SECRETARY
CONTRACTORS' STATE
LICENSE BOARD

Reported by
Pearl Michaelson
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