

The CALIFORNIA LICENSED CONTRACTOR



DECEMBER, 1945

RAPID EXPANSION FOR CONSTRUCTION INDUSTRY

By JESS WORTHINGTON, *Chairman*

With the Federal Government giving the "green light" to the building industry by lifting all restrictions on the construction of private homes and other buildings, the Contractors State License Board is gearing its program and policy to coincide with what will be the greatest sustained era of activity in the history of the industry.

The construction industry is second only to agriculture in the United States. The Federal Government, seeing it as the greatest single additional source of jobs in our entire economy, gave it the necessary impetus with various types of legislation to pull us from the depression ridden thirties and now is again looking to the industry to bolster our peacetime economy and provide, directly and indirectly, jobs for our people.

A few boogymen have said that in the home field we are overbuilt. Conservative estimates show the need of 10,000,000 new dwellings in the United States. Look at your own community. You will find that desirable living accommodations are not available. Nor were they available before the war years, and during the war years only a limited amount of construction was had. Think of the backlog. A constant drive is necessary to provide adequate housing.

Then, we in California are mindful of our swollen populations. It is true that many war workers are returning to their out-of-State homes. Yet, statistics show the great majority are remaining because of the attractions that California holds for them.

These persons have learned in the last generation the necessity of thrift. Their wartime wages have been impounded for them as a result of their own desire to save and because it was their patriotic duty. Their goal is a home, the background of their American tradition.

Consumer goods are secondary. The home is the basis or locale for consumer goods.

As a result there will be an active demand for homes for some time to come for all types of houses and within all price ranges.

Financing, always the means of making construction possible, is more readily available today than at any other time in history, and at lower rates of interest than at any time heretofore. Under various Federal agencies we find financing available to practically every seeker, the only requirement that he be possessed of to secure it being that he have a good record and the desire to own his home. We must not overlook the large percentage of our population who were formerly members of our armed forces. We find both Federal and State laws extending to them benefits that they have rightfully earned and so far we find most of them taking advantage of this by securing for themselves the home they planned while spending endless days in the service of their Country. The Veterans Board of our own State will attest to this and they today find themselves doing an unprecedented business, but going about it in a splendid manner as a result of planning for these days at a time when the war news was darkest.

E. E. ZEISS APPOINTED REGISTRAR

To the Construction Industry:

E. E. "Gene" Zeiss was appointed Registrar of Contractors by the Contractors State License Board at its meeting of July 27, 1945, to take the place of Herbert E. Weyler who resigned after being drafted by the people of Santa Barbara to serve as its mayor because of his ability to direct their city through the many postwar projects planned by them.

The board, mindful of its obligations to the public and the industry during an unprecedented period of activity following the war years, chose Zeiss as one being especially qualified to guide its staff during such a time.

Zeiss has been a resident of San Diego for the past 25 years and has spent a lifetime in various phases of the construction industry. He brings to the board a wide knowledge secured through positions of an administrative nature that he has held within the industry.

For many years Zeiss was a contractor and then the owner of a large material concern. Prior to accepting the position of Registrar he was identified with one of the large lending institutions of the State, handling all of their properties. He is widely known in State construction circles and more especially in Southern California, for his active participation in civic enterprises and improvements.

We, the board, recommend "Gene" Zeiss to you and bespeak for him your whole-hearted cooperation. Your new Registrar's honesty, energy, sound thinking, background and experience entitle him to your support.

JESS WORTHINGTON, *Chairman*

THE CALIFORNIA LICENSED CONTRACTOR

Department of Professional and Vocational Standards

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 PERCY C. HECKENDORF Director
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MAIN OFFICE

503 Business and Professions Building, Sacramento

BRANCH OFFICES

906 California State Building, Los Angeles
 207 California Building, 515 Van Ness Avenue, San Francisco

SUSPENSIONS AND REVOCATIONS

From July 1, 1945 to September 30, 1945

NOTE.—Stays of execution may be granted by the registrar or by the courts under certain conditions. No action should be based upon the following list until the status of the licensee has been verified by the Sacramento Office of the board.

ART DECORATORS, THE, San Pablo, Lic. No. 73973, Painting, Decorating, Paperhanging—suspended.
 BOAZ, WILLIAM B., Los Angeles, Lic. No. 75792, Plumbing—suspended for 60 days.
 BRUCE, E. L. CO., INC., DBA TERMINIX COMPANY, Los Angeles, Lic. No. 74414, General Building—suspended for six months with provisions.
 CASPER, A. E., Oakland, Lic. No. 70529, General Building—revoked.
 COACHELLA VALLEY ELECTRIC COMPANY, Palm Springs, Lic. No. 77742, Electrical—suspended pending further order.
 CODY, HARRY A., Los Angeles, Lic. No. 71300, Plumbing—suspended pending further order.
 FUSON, JOE D., Pasadena, Lic. No. 57320, Painting, Decorating, Paperhanging—suspended until restitution.
 JENSEN, ALFRED, Huntington Park, Lic. No. 20762, Electrical—revoked.
 KREUTZER, FRED, Yucaipa, Lic. No. 55994, General Building—suspended until restitution.
 SAUNDERS & DAVIS, Los Angeles, Lic. No. 76583, General Building—revoked.
 SCOTT & SCOTT, San Carlos, Lic. No. 65084, General Building—suspended until restitution.
 TORRICELLAS, GUY C., San Diego, Lic. No. 12247, Plastering—suspended pending further order.

The next regular quarterly meeting of the Contractors State License Board will be held at Fresno, in the Hotel Fresno, at 10 a.m., on Friday and Saturday, January 25 and 26, 1946.

NEW HEARING PROCEDURE

For many years the State agencies conducting disciplinary proceedings against various types of licensees have been subjected to criticism from various groups and in instances their hearings have been termed "kangaroo courts" and the claim has been made that sometimes defendants before these agencies have not been afforded the due process of law to which they are entitled.

The critics have not advocated the abolition of these semijudicial tribunals as it is well established that their need is present because of our rapidly expanding governmental system, but that a uniformity be given to their processes and that the rights of persons hailed before them be fully accorded them, as is done in the courts of the State.

The 1943 Legislature empowered the State Judicial Council to make a thorough study and survey of the situation and report to them at their next session with remedial legislation. Two years of intensive work was done on the subject, and the Legislature and Governor Earl Warren, who is deeply concerned with the clarification of the matter, made possible the sought-for remedy by enactment of a series of Senate bills.

These bills in effect removed from each of the laws of the several agencies the portions having to deal with hearing procedures and set forth a standard, uniform hearing procedure in the Government Code under which all agencies shall conduct proceedings.

The agencies subject to these new provisions are: Board of Dental Examiners, Board of Medical Examiners, Board of Osteopathic Examiners, Board of Nurse Examiners, State Board of Optometry, State Board of Pharmacy, State Department of Public Health, State Board of Public Health, Board of Examiners in Veterinary Medicine, State Board of Accountancy, State Board of Architectural Examiners, State Board of Barber Examiners, State Board of Registration for Civil Engineers, REGISTRAR OF CONTRACTORS, State Board of Cosmetology, State Board of Funeral Directors and Embalmers, Structural Pest Control Board, Yacht and Ship Brokers Commission, Director of Professional and Vocational Standards, Secretary of State, State Fire Marshal, State Mineralogist, Director of Agriculture, Labor Commissioner, Real Estate Commissioner, Commis-

sioner of Corporations, Department of Social Welfare, Social Welfare Board, Department of Institutions, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, Board of Pilot Commissioners for Humboldt Bay and Bar, Board of Pilot Commissioners for the Harbor of San Diego, Fish and Game Commission, State Board of Education, State Board of Equalization, Insurance Commissioner, and the Building and Loan Commissioner.

The Contractors State License Board was highly complimented by the Judicial Council for having in its law a most complete hearing procedure and the procedure as now found in the Government Code closely parallels that formerly found in the Contractors Law.

Provision was made in the new Government Code sections that the deputy registrar presently conducting hearings will continue to do so, as will those in the other agencies that have persons regularly assigned to the conducting of hearings.

When the board or agency has no regular hearing officer employed then a hearing officer with a prescribed legal training will be assigned to conduct the hearing. His findings in the matter will be provided the agency for approval or disapproval.

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CHANGES IN LAW AFFECTING SERVICE MEN

Section 114 of the Business and Professions Code was liberalized at the last session of the State Legislature to further extend its beneficial provisions to returning service men.

The principal amendment was to extend the time from 60 days to one year in which one can secure reinstatement of his license after discharge from the armed forces.

The section now provides as follows:

"Notwithstanding any other provision in this code, any person holding a valid unexpired license issued by any board, commission, or bureau in the department, who enters any branch of the armed services of the United States in time of war or during a National emergency, shall not be required to renew such license at any time while exclusively engaged in such service.

A licensee, having availed himself of the provisions of this section,

shall apply for the renewal of his license immediately upon reentry into the private practice of his profession or vocation, and in no case shall application for renewal of a license be made later than one year from date of discharge from active service or return to inactive military status. The licensee applying for renewal of his license at a time more than one year from date of discharge or return to inactive military status may be subjected to re-examination or to the payment of penalties as prescribed in this code or both. For the purpose of this section, time spent by a licensee in receiving treatment or hospitalization in any Veterans' Facility during which he is prevented from practicing his profession or vocation shall be excluded from said period of one year."

An opinion, interpretive of the Contractors Law, provided that a licensee entering the armed forces could not designate another to conduct his contracting business while in the service even by his execution of a power of attorney for such a person.

The Contractors State License Board, feeling that its licensees entering the service of their Country were being unduly penalized by the existing provisions of the law, sponsored and placed before the 1945 Legislative Session a new section (7071.3) to the Contractors Chapter of the Business and Professions Code enabling a person so called to have his business carried on in his absence. Passage was unanimously had in the Legislature. This legislation was adopted at a time when we were still at war, yet it is felt that it should remain in the law until such time as the Federal Government has adopted a clear cut policy as to Selective Service or compulsory military service.

The provisions of Section 7071.3 follow:

"Notwithstanding any other provision of this code, the holder of a current valid license under this chapter who has entered or enters the armed forces of the United States may designate a responsible managing person or persons to act for him while in the armed forces and until one year after his discharge therefrom, after which time the authority to so act for the licensee shall terminate. The annual renewal fee shall be paid for any such licensee so designating others to act for him.

Any license shall remain in full force and effect for 30 days after the entrance of the licensee into the armed forces, but he shall prior to the expiration of such 30-day period provide the Registrar with the name or names of the persons so designated to conduct his business. The Registrar may qualify such persons in any manner he may adopt. Persons so designated shall possess the good character required of an applicant for license.

Persons so designated committing any of the acts which would be grounds for the revocation or suspension of a license shall be removed from the business of such licensee after a hearing as provided in this chapter."

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RAPID EXPANSION FOR CONSTRUCTION INDUSTRY

Continued from page 1

At this writing you may feel that this optimism is undue as manpower and labor shortage still exist. The manpower market is daily improving and it is well known that the "bottleneck" in materials is fast disappearing as a result of the steps taken by manufacturers to increase the supply of materials and assure fair distribution. It is not enough to lift the restrictions on building and the manufacturers know that prompt, speedy expansion of the production of building materials is equally necessary, and are gearing their plants to meet the demand. This is being done so rapidly that it has been said that within the next six months production will exceed actual consumption.

The daily newspapers have made everyone aware of public construction projects, Federal, State and municipal. Their coffers are swollen with impounded moneys wisely set aside during the war days to serve as a means of making for a fast readjustment to a peacetime economy. Aside from helping to establish the economy, we will find only worthwhile needed public improvements as sufficient time was had to plan for them and the drawing boards contain only essentials. In California we have already seen projects submitted for bid having to be withdrawn for lack of bidders. A healthy sign in these times and it shows the preparedness of our State Administration for the days following the end of hostilities.

CONTRACTORS REFERENCE BOOK AVAILABLE

The 1945 edition of the Contractors Reference Book containing the amendments made by the 1945 legislative session to the various laws which it covers is now available.

Issues can be had from the Documents Division of the State Bureau of Printing, State Capitol, Sacramento, California, for the price of \$1.03.

In addition to other features, the book contains the Contractors License Law, a digest of the Mechanics' Lien Laws, a digest of the Workmen's Compensation Insurance Act, sections from the Government Code relating to the conducting of hearings before the Contractors Board and other State agencies, selected sections from the State Labor Code, and information on California Employment Insurance, U. S. Social Security, and the Federal Old Age pension laws.

Ruling 11 of the State Sales Tax is given, and the State Housing Act is published in full.

The reference book is recommended to every applicant for license as a great part of the prequalifying examination is based upon the aforementioned laws. The board also would like to see the book in the hands of each of its licensees as it is of inestimable value to have the knowledge it gives for the successful conducting of a contracting business.

The Contractors State License Board sees the activity reflected directly across its desks. For some months prior to the termination of the Japanese War and presently, more new applications for licenses are being received than at any other time in the history of the board. The other phases of the board's work is ascending accordingly. Knowing that such a situation would prevail, the board prepared and had approved a budget enabling a corresponding increase in personnel and activities.

A word of warning. Times such as these tend to make for a let down in standards, ethics, and the unscrupulous operator is more than ever in the fore attempting to practice his frauds. The Contractors State License Board will diligently prosecute its functions to give the industry the self-regulation it sought when it created this agency of government, and will in turn protect the public from the nefarious operator.

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ADDITIONAL INSPECTORS

The Contractors Board in preparing its budget for this present year (July 1, 1945-June 30, 1946) requested of the Legislature the addition of six inspectors to its staff, which were allowed them. This request was predicated upon the contemplated upsurge in building construction which directly affects the volume of work of the board.

All of the positions have been filled from the civil service layoff list with three positions being held open until such time as it is determined if three of the inspectors presently in the armed forces contemplate returning in the near future. (These positions are guaranteed to those in service under State law and the board feels that it would rather await the return of these persons, if in the near future, than instruct new men and then have to lay them off when their armed service people return.)

Due to the elimination of gasoline rationing, the inspectors will now be able to give better coverage in the field, especially in the remote areas which, if covered as in prewar days, would have used an entire period's allotment of rations.

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REFERENCE LETTERS

As a result of action taken by the board at its meeting of July 27, 1945, all applicants for license must now submit with their applications three reference letters signed by a licensee of one of the following State boards: Contractors, Architects, Civil Engineers.

In addition, one of the three letters must be from a licensed contractor holding the same classification in which the applicant is applying for license.

Each letter must cover a period of not less than one year and must be based on other than personal friendship and must not be from relatives.

DIRECTORY OF CONTRACTORS

The Contractors' Board is again undertaking the publishing of its annual directory of licensed contractors. The directory was closed on September 30th and lists all those renewed licensees and the ones who renewed during the delinquent period (July 1st-September 30th) and all new licenses issued for the same period. Thereafter, monthly supplements will be issued to the directory showing all new licensees until the termination of the fiscal year, June 30, 1946.

Again, having a budget allowing the publication of but one directory, the alphabetical edition was chosen over the geographical as having the greatest utility.

The following information is given of each licensee listed: When an individual—the name, address and classification. When a partnership—the name of the partnership, the address, the name of each partner, and classification. When a fictitious named company—the fictitious name of the company, the address, the name of the individual or individuals or partners in the company, and the classification. When a corporation—the name of the corporation, the address, the names and titles of the directors and officers, and the classification.

The directory is furnished to public officials and organizations engaged in or allied with the construction industry. Individual copies for personal or private use may be secured at the price of \$10 from the Sacramento Office of the board.

Holders of contractor's licenses must report changes of address within thirty days after the change occurs in accordance with the Code. Check your address with that to which this bulletin has been mailed.

Classification of Contractors September 30, 1945

The total registration as of September 30, 1945, was 32,094. It is composed of 29,999 renewals received on or before June 30, 1945, 519 delinquent renewals received during the period July 1, 1945-September 30, 1945, and 1,576 new licenses issued in the first three months of this fiscal year.

Class	Total
A General Engineering Contractors	1,338
B-1 General Building Contractors	12,510
C-1 Acoustical (other than plaster)	28
C-5 Alarm and Time Systems (all types)	8
C-3 Awnings and Canvas Installation	50
C-4 Boilers, Steam Fitting	78
C-6 Cabinet and Mill Work	234
C-8 Cement and Concrete, Gunite	854
C-9 Cement Pipe Laying	42
C-45 Electric Signs (all types)	56
C-10 Electrical (general)	1,924
C-11 Elevator Installation (all types)	40
C-12 Excavating, Grading, Trenching	346
C-13 Fencing (all types)	26
C-15 Flooring (all types)	514
C-17 Glazing	122
C-20 Heating, Ventilating, Air-Conditioning	256
C-21 House and Building Moving	92
C-2 Insulation, Pipe Covering, etc.	78
C-27 Landscaping	162
C-26 Lathing (all types)	152
C-37 Machinery, Pumps, etc.	134
C-29 Masonry (brick, granite, marble, etc.)	458
C-14 Metal Sash and Door	42
C-23 Ornamental Metals	102
C-33 Painting, Decorating, Paperhanging	5,164
C-24 Paving and Surfacing	64
C-35 Plastering (all types)	1,130
C-36 Plumbing	2,450
C-38 Refrigeration (all types of installations)	176
C-16 Rig Building (all types)	28
C-39 Roofing (all types)	882
C-42 Sewers, Sewage Disposal, Drains	196
C-43 Sheet Metal (all types)	470
C-46 Sprinkler Systems (all types)	42
C-50 Steel, Reinforcing	42
C-51 Steel, Structural	62
C-22 Structural Pest Control	32
C-28 Terrazzo and Mosaic	8
C-54 Tile (all types)	504
C-56 Waterproofing, Weatherproofing, Damp-proofing	4
C-60 Welding (all types), Metal Pipe Laying	80
C-57 Well Drilling (all types), Test Holes	4
C-59 Wrecking and Demolition	4
C-61 Miscellaneous Specialty	80
Total	32,094

