

KENNY C. GUINN
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

RANDALL SCHAEFER
Chairman
MARGARET CAVIN
Vice Chair
DAVID W. CLARK
SPIRIDON FILIOS
JERRY HIGGINS
J. BRIAN SCROGGINS
MICHAEL ZECH



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MINUTES OF THE MEETING
APRIL 18, 2005

The meeting was called to order by Chairman Randy Schaefer at 1:30 p.m., Monday, April 18, 2005, at the offices of the State Contractors Board, 2310 Corporate Circle, Henderson and 9670 Gateway Drive, Reno, Nevada. Exhibit 1 is the Notice of Public Meeting. Exhibit 2 is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Randy Schaefer
Mr. Spiridon Filios
Mr. Jerry Higgins
Mr. J. Brian Scroggins

BOARD MEMBERS ABSENT

Ms. Margaret Cavin
Mr. David Clark
Mr. Michael Zech

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer

LEGAL COUNSEL PRESENT:

Ms. Laura Browning, Esq.
Dennis Haney, Esq.

Ms. Grein stated that the agenda was posted in compliance with the open meeting law at Reno City Hall, Las Vegas City Hall, Sawyer State Building, Clark County Library, Washoe County Court House and Washoe County Library, the Henderson and Reno offices of the Board and on the Board's website.

Ms. Browning indicated that the meeting is a continuation of the meeting held April 8, 2005 to receive comments from all interested persons regarding the administrative regulation adopted by the Board pursuant to NRS 40.6887. It was noted Assembly Bill 537 which revises NRS 40.6887 passed out of the Assembly Judiciary Committee with a do pass recommendation and will become effective upon passage by both houses of the legislature and signature of the Governor.

It was noted for the record that a letter dated April 14, 2005 was received from Coalition for Fairness in Construction, however, no proposed changes to the regulation were included. It was noted for the record that no representatives from the Nevada Subcontractors Association nor the Coalition for Fairness in Construction were present.

Ms. Grein provided proposed amendments to the regulation to simplify the request process and delete the requirement for a consent form.

Bob Crowell, Esq. was present on behalf of the Nevada Trial Lawyers Association as was Scott Canepa, Esq. Mr. Canepa indicated that the Nevada Trial Lawyers Association is in agreement with the Board's proposed changes to the regulation and believes the changes will facilitate the process.

John Wilson, representing Raising the Standards of Living (RSL), an organization comprised of the Teamsters Union, Cement and Plasterer's Union, stated he did not support any change to the regulation and feels the change to the law could lead to an unmanageable number of cases.

Mr. Haney stated that the language in AB 537 that changes "and" to "or" could result in some difficulty if the homeowner does not consent to allowing inspection of the home. In addition, certain problems brought to the Board's attention may be beyond an investigator's ability to determine and it may be necessary for the Board to hire a professional.

Mr. John Madole, Associated General Contractors, Northern Nevada indicated that most of his members would not be affected by the change in the law and that his presence was simply to observe.

Ms. Julene Hayworth stated she represented the Southern Nevada Homebuilders Associated but did not have any comment.

Once the law is enacted, a rulemaking procedure will be scheduled to address the proposed changes.

There being no further comments, the meeting was adjourned at 1:55 p.m.

Respectfully submitted,

Jeanne Reynolds
Recording Secretary

Approved:

Margi A. Grein, Executive Officer