Wow! What a humbling experience it was to be inaugurated as your NASCLA President for FY 2019/2020. It is with great honor that I will serve our membership and industry. Six (6) years ago, I didn’t know what NASCLA was or that it even existed. Now I feel like I am a part of an amazing family who genuinely cares for each other but more importantly cares for public safety, promotes best practices and license uniformity for agencies that regulate the construction industry nationally.

We had an extremely successful NASCLA 2019 Annual Conference in Baltimore, Maryland that included memorable speakers and events. Evaluations from the conference showed that people really enjoyed the presentations this year. I would like to extend a special thank you to all our sponsors who, through their generous donations, helped to make this conference a great success!

Congratulations to Zach Ford and Sabrina Aguilar, the very 1st winners of the NASCLA Contractor Scholarship Program. Zach was able to participate in a Q&A session at this year’s conference and added valuable insight on how we attract the younger generation into the construction industry. The sky is the limit for these two and we will be keeping up with them in the future.

Following the annual conference, NASCLA held its first NASCLA 2-Day Regional Investigator Training Program in Vancouver, Washington for the Oregon Construction Contractors Board and the Washington Department of Labor & Industries. NASCLA looks forward to more opportunities to provide additional regional trainings throughout the country. More information can be found on page 15 of the newsletter.

The NASCLA Accredited Electrical Examination Program was launched last year and to date, there are eight (8) state agencies utilizing trade examinations within the program by either administration or acceptance in lieu of their state specific trade examination. In addition, the NASCLA Accredited Examination for Commercial General Building Contractors job analysis was also updated to follow psychometric best practices to allow for new items to be implemented in January 2020. The NASCLA Board of Directors have directed the NASCLA Accredited Examination Program Committee to pursue HVAC/Mechanical as the next classification within the program. The Committee along with NASCLA’s Psychometrician, Brian Moritsch, will be working to gather the support from the HVAC/Mechanical Trade Associations along with recruiting Subject Matter Experts (SMEs) from across the country to begin the development of the job analysis.

The NASCLA Model Legislation Committee continues to work hard on mobility issues between the states as well a monitoring legislation in all 50 states. The NASCLA Technology Committee along with NASCLA Staff are continuing their efforts to encourage NASCLA State Member participation in the NASCLA Contractors Disciplinary Database. The NASCLA National Examination Database (NED) platform has been undergoing a complete update and will launch in the coming months.

As we look forward, the NASCLA 2020 Board of Directors Mid-Year Meeting will be held in Phoenix, Arizona, on March 18th – 20th and the NASCLA 2020 Annual Conference at the Loews Hotel in Coronado, California on August 30th – September 3rd.

Thanks to Angie Whitaker, NASCLA Executive Director, and her amazing team. Their can-do and positive attitude are what makes this a great organization! I would like to thank them and all of you for your continued support of the association.

I look forward to serving you as your NASCLA President as we work together to transform and elevate the construction industry!

Sincerely,

Tim Norman
NASCLA President
HISTORY

The 14th Guam Legislature established the Contractors License Board in 1977. It became Public Law 14-51 was later amended to Public Law 30-11, 21 GCA Real Property Chapter 70. The seven (7) member Board is comprised of the following members; two (2) of which are appointed by the Governor from the construction industry; three (3) of which are appointed by the Governor from the general public and that have no interest in the construction industry; and the Director of Revenue and Taxation, ex-officio and Director of Public Works, ex-officio. These members are subject to confirmation by the Legislature of Guam. The Board was granted the authority to make, amend or repeal such rules and regulations as it may deem to effectuate and carry out the purpose thereof which purpose is the protection of the general public.

The four (4) basic branches of contracting business defined by statute under Public Law 30-11 are;
- General Engineering Contracting (A)
- General Building Contracting (B)
- Specialty Contracting (C)
- Responsible Management Employee (R.M.E.)

MISSION STATEMENT

Purpose of Law Protection, Safety of Public. The Board interprets the primary intent of the Legislature in creating the Board to be the protection of public health, safety and general welfare in dealing with persons engaged in the construction industry, and the affording to the public of an effective and practical protection against the incompetent, inexperienced, unlawful and unfair practices of contractors with whom they may contract. All rules, regulations or orders adopted by the Board shall be interpreted and construed in light of the policies announced herein.

On December 01, 2015 Public Law 33-103 was passed by the Guam Legislature. An act to amend §§ 70108 and 70109.1 of the Chapter 70, Division 2, Title 21, Guam Code annotated, relative to promoting consumer protection by requiring the publication of a contractors list and strengthening the penalties for unlicensed contractors. (c) Citations for unlicensed contractors shall each contain an order to cease and desist from the violation, and an assessment of civil penalties of 50% of the value of the project- of which no less than 50% shall be used to compensate affected consumers. Payments shall be made in accordance with rules promulgated by the CLB in accordance with the requirements of the Administrative Adjudication Law.
GUAM CLB GOALS FOR 2019

1. To enforce the rules and regulations for health, safety & general welfare of persons engaged in construction industry & for the protection of the general public against incompetent, inexperienced, unlawful & unfair practices by contractors.

2. To be able to update training for staff with awareness of new procedures in order to serve the community properly and to give updated information about the agency.

3. To be able to have a 24-hr. investigation team to catch the unlicensed activities which are mostly performed after working hours and on weekends. This will discourage unlicensed contractors and promote licensure. The license fee & violation penalty will generate more revenue to CLB.

4. To build stronger ties with other agencies to promote enforcement of the law.

Executive Director, Cecil “Buddy” Orsini and Board Chairman, James Casallo attended the NASCLA 2019 Annual Conference held in Baltimore, Maryland from August 26 to August 29, 2019.

It has been over 10 years that Representative from Guam CLB had participated in this very educational and valuable training on licensing and construction issues.

FUN FACTS ABOUT GUAM

Guam does not have sand. Yes, this is true! What you see on the beaches is coral, not sand.

A popular slogan in Guam is “where the American day begins.” Guam is the first place where the sun rises on U.S. soil and is about 14 hours ahead of the U.S. east coast.

The island nation is roughly the shape of a footprint. It is approximately 30 miles long, and its width varies between 4 and 12 miles at various points.

Famous Guamanians
Ann Curry- Journalist/TV
Joe Duarte- Mixed Martial Artist
Pia Mia- Singer
Benjamin Alves- Actor
Donovan Patton- Actor
Allan Brocka- TV/Film Director
NASCLA
FY 2019/2020
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Kathy S. LeCroix
NASCLA Past President
NASCLA Honorary Member

George Whalen
NASCLA Past President
NASCLA Honorary Member

NEWS
NASCLA NEWS
FY 2019/2020
BOARD OF DIRECTORS continued

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Executive Director
Mississippi State Board of Contractors

Martin Romero
Acting Director, General Construction Bureau Chief
New Mexico Construction Industries Division

Frank Wiesner
Executive Director
North Carolina Licensing Board for General Contractors

Tim Norman
Executive Director
North Carolina State Board of Examiners of Electrical Contractors

Dale Dawson
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Administrator
Oklahoma Construction Industries Board

Molly Price
Administrator
South Carolina Contractors’ Licensing Board

Janet Baumberger
Administrator
South Carolina Residential Builders Commission

Carolyn Lazenby
Executive Director
Tennessee Board for Licensing Contractors

Melissa McBride
Contractor Compliance Program Analyst
Washington State Department of Labor & Industries

Dean Simpson
Chief of Compliance & Chief Plumber
Washington State Department of Labor & Industries, & Plumber Certification Program
NASCLA
FY 2019/2020
COMMITTEE MEMBERS

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Stephanie Lee (MS), 1st Vice President
David Fogt (CA), 2nd Vice President
Keith Warren (AL), Treasurer
Greg Crow (AR), Treasurer-Elect
Dale Dawson (NC), Secretary
Janet Baumberger (SC), Immediate Past President
Melissa McBride (WA), Past President
Kathy S. LeCroix (AL), Fiscal Policy Representative
George Whalen (RI), Fiscal Policy Representative

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Dale Dawson (NC)
Jeff Fleetham (AZ)
Marjorie King (VA)
Brooks Myers (TX, The Home Depot)
Al Nyman (FL, Sears Home Improvement Products, Inc.)
Vic Weston (LA)
George Whalen (RI)

CONTRACTORS COMMITTEE
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Stephen Thompson (TX, The Home Depot), Co-Chair
Dale Dawson (NC)
Mike Johnston (AZ, National Electrical Contractors Association)
Michael McDuff (LA)
Paul McLamb (AL)
Keith Poettker (IL, Poettker Construction Company)
David Turner (TX, Zachry Industrial, Inc.)
Vic Weston (LA)
Frank Wiesner (NC)
Parks Wilson (FL, Wilson & Company, Inc.)
Boyd Worsham (FL, NCCER)

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Eric Bonham (IL, Bonham Construction)
Chuck Marceaux (LA, Build SOS) NASCLA Past President
Martin Stout (CA, Go Roof Tune-Up, Inc.)
Ediriissa Sallah (CT, EMR Extreme Builders LLC)
Paul Todesco (NM, Paul Todesco Construction)

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NOMINATION COMMITTEE
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Greg Crow (AR)
Margi Grein (NV)
Carolyn Lazenby (TN)
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TECHNOLOGY COMMITTEE
Tiffany Loveless (AL), Chair
Karthik Agarwal (TX, Gov2Biz)
John Beck (PA, Harbor Compliance)
John Dixon (LA)
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Marjorie King (VA)
Tim Norman (NC)
Henry Sorenson (UT, PROV)
David Turner (TX, Zachry Industrial, Inc.)
George Whalen (RI)
In August 2019 the National Association of State Contractors Licensing Agencies (NASCLA) had our 57th Annual Conference at the Hyatt Regency Baltimore Inner Harbor Hotel in Baltimore, Maryland. The schedule overflowed with regulatory awareness topics to spark transformation and elevate the leadership of our state agencies, stakeholders, and the broader construction community. The agenda was packed with pre-conference training programs, NASCLA Board of Directors and Committee Meetings, and 14 thought-provoking general sessions, along with multiple opportunities to collaborate with peers and fellow leaders of the industry. According to attendee survey results, “this conference was the most engaging to date!”. A special thank you to our creative and dedicated NASCLA Program Committee Task Force and Staff!

The NASCLA 2019 Annual Conference began with preliminary Committee Meetings for the NASCLA Executive Committee, the Biannual NASCLA Board of Directors Meeting, and the NASCLA Accredited Examination Program Committee Meeting. The diverse group of board members and committee members are responsible for spearheading the association’s strategic initiatives, as well as driving the overall direction of the association. NASCLA is grateful to these individuals for their dedication, support, time and effort throughout the year. The newly appointed NASCLA Board of Directors and Committee Members for FY 2019/2020 can be find on pages 5-7 of the newsletter.

In conjunction with the general sessions, NASCLA offered a NASCLA Attorney Training Program, a NEW Board Member Training Program, and a NASCLA 2-Day Investigator Training Program. These sessions allowed participants to gain additional expertise in the topics outlined within each program, and continued to drive attendance, engagement, and participation.

Did you know the NASCLA 2-Day Investigator Training Program can now be customized and scheduled for your home state in a regional training opportunity? For more information, please contact Angie Whitaker, NASCLA Executive Director, via email at angiewhitaker@nascla.org or via phone at (623) 587-9354.

The conference officially commenced on Tuesday, August 27th, with Keynote Speaker, Thomas A Papageorge, the Head of Consumer Protection Unit at the San Diego County District Attorney’s Office. He delivered an enriching presentation on “Building The Future” a true vision of contractor licensing regulation in the 21st century.

The future of construction trade was infused throughout the entire conference with dialogue centered around generational differences, violation and complaint referrals, effective media and public relation strategies, top regulatory cases, the Government’s role in public protection, licensure mobility and portability strategies, reasonable regulation from a national perspective, state reports, military veterans’ transition into the work force, and attracting the younger generation into the construction industry. Each of these elements play a critical role in building the future of the industry.
Our NASCLA Annual Conference Sponsors showcased products and services to support state and local agencies in their quest to offer superior best practices to the contractor’s trade, while maintaining efficient operations and compliance. Many of our sponsors also participated in the general sessions to support and share ideas with the attendees in order to create initiatives that we will help to rebuild a strong, sustainable construction workforce. NASCLA is very grateful to our generous sponsors and are looking forward to engaging with these vital partners throughout the year, in addition to the 58th NASCLA Annual Conference in 2020.

The NASCLA Awards Luncheon presented a year in review with a special tribute to Janet Baumberger, NASCLA President for FY 2018/2019 and Administrator of the South Carolina Residential Builder’s Commission. Additional acknowledgments were made to Honorary Members which recognized Ron Whitney, Deputy Administrator of the Idaho Division of Building Safety, and Tim Norman, Executive Director of the North Carolina State Board of Examiners of Electrical Contractors, for five (5) years of outstanding service on the NASCLA Board of Directors. During this luncheon, Tim Norman was also announced as the next NASCLA President, and the new NASCLA Officers took their oath for FY 2019/2020.

The conference was concluded by Stephen Thompson, NASCLA Contractors Committee Co-Chair and the Director of Services Environmental Compliance for The Home Depot; David Turner, Director of Environmental Stewardship for Zachry Group; and Zach Ford, the first ever NASCLA Contractor Scholarship Award Recipient, with the session, “Attracting the Younger Generation into the Construction Industry”. The presentation ended with two (2) surprise cash donations: One personal contribution from Stephen Thompson for $500; and one from Charles Marceaux, Chief Executive Officer of Build SOS, with a donation of $500. Zach is a perfect representation of the type of young professional who are choosing the construction profession as a career path and will surely contribute to a bright and bountiful future in the industry.

Throughout the annual conference, a multitude of insightful and enlightening ideas and methodologies were provided to industry stakeholders for implementation. Attendees had a lot to take away for discussion with their respective state and local agencies upon their return.

For a look at the full conference agenda, please reference the NASCLA website at www.nascla.org under the Program & Events tab. Presentations at the NASCLA 2019 Annual Conference were recorded and will be available within the coming weeks on the NASCLA Members Only website under the Past Events/Past Annual Conferences tabs. NASCLA looks forward to seeing you August 30 through September 3, 2020 at the iconic Loews Coronado Hotel in Coronado, California. Don’t forget to save the date!

NASCLA Contractor Scholarship Program Recipient, Zach Ford, receiving a check donation made by Chuck Marceaux, Build SOS, and Stephen Thompson, NASCLA Contractors Committee Co-Chair.
GL Solutions was founded in 1997 by former licensing administrators in Oregon and serves regulatory entities and private sector companies in more than 20 states. Based in Bend, Ore., GL Solutions provides licensing software and solutions for a wide array of agencies, including boards of dentistry, nursing, building and contracting.

Among GL Solutions’ clients are the Alabama Home Builders Licensure Board and the Nevada State Contractors Board. GL Solutions’ highly configurable licensing software, GLSuite, makes it easy for contracting boards and other licensing agencies to protect the public from unscrupulous actors, collect and manage vital documentation and operate efficiently while adapting to legislatively driven rule changes.

We at GL Solutions enjoy what we do and take pride in our contribution to improving government. From database systems and online applications to compliance management and best-practices consulting, GL Solutions is a strategic partner dedicated to fostering our clients’ visions of operational excellence and public service.

If you’d like to know more about our products and services, please contact us at sales@glsolutions.com or (541) 312-3662.

Gainesville Independent Testing Service, LLC (GITS, LLC) was formed in 2001. GITS, LLC provides examination services to Cities, Counties, States, and Countries in a fashion that meets each client’s need. The founding members had over 125 year of combined experience in the field of construction examinations and over 150 years’ experience as licensed contractors and engineers. The current owners and key personnel posses’ decades of individual experience.

Building upon their experience the founders wrote a large group of examination questions based upon codes and other common references. Today GITS has over 180 construction related examinations used by clients as part of their licensure requirements. We also have the ability with the large number of items we own to create valid examinations for about another 100 construction related examinations. We cover everything from Aluminum Contractor to Zinc Coater and virtually everything in between.

Our clients include Counties and Cities in Florida, one city in Missouri, The State of Montana Plumbing Program, and The State of Texas Professional Geophysicist, Iowa Mortgage Association, and the International Window Film Association. Additionally, we provide (pro bono) examinations for evaluation of plumbers in Haiti. We are working with two provinces in China to develop plumbing competency examinations as well.

We have 60 sites that operate under the GITS, LLC system throughout our client’s geographic areas of operations. We also have a contract for examination delivery services with a firm named Kryterion that provides access to an additional 2300 locations worldwide. Through these two methods examinations are provided in secured proctored environments around the world for our clients.

Please feel free to call us at 1(352) 369-4487 [US Toll Free 1(800)997-2129] or to visit our website at www.gitsllc.org for more information.

NASCLA hopes to expand the opportunities available to our sponsors during the conference, allowing for more interaction with attendees so sponsors can enhance name recognition and interact with target markets.
Throughout construction regulation and the construction industry, the phrase “mobility and portability of licenses” has been heard increasingly over the past few years. There’s a reason for that. It all started with the U.S. Supreme Court opinion issued on Feb. 25, 2015 in North Carolina Board of Dental Examiners v. Federal Trade Commission.

The holding in the North Carolina Board of Dental Examiners (NCBDE) case turned on state-action immunity for state regulatory boards. The opinion stated: “When a controlling number of the decision makers on a state licensing board are active participants in the occupation the board regulates, the board can invoke state-action immunity only if it is subject to active supervision by the state.” By July of 2015, the Obama administration had published “Occupational Licensing – A Framework for Policy Makers,” which set the tone for the Federal Trade Commission (FTC). Shortly thereafter, the FTC spoke out and began publishing papers about economic liberty and the evils of occupational licensure. The FTC was determined to accomplish occupational licensing reform.

The FTC referred to state regulatory boards as “cartels,” and said that the boards existed to protect jobs for those already in the industry. Boards were seen as excluding new members of the industry, trying to keep the work, and therefore the money, for their licensees. Exclusion and protectionism were the drumbeats of the FTC movement against occupational licensing.

One of the primary ways the FTC believed that boards were using to deny and exclude applicants was in the requirements for licensure. The sister to that argument was that boards made it too difficult for licensees from one state to practice their profession in another state. The FTC began to address impediments to the mobility and portability of licenses as a component of regulatory protectionism. Consumer protection agencies jumped on the bandwagon.

Regulatory boards must be prepared to protect themselves against charges of inadequate license mobility and portability by the FTC and various consumer protection agencies in order to bolster their case for state-action immunity and defend against coming lawsuits.

NASCLA has watched this issue evolve and has taken action to address it. In August of 2017, the NASCLA Board of Directors tasked the NASCLA Model Legislation Committee (MLSPC, the committee) with part one of a two-part project: Conduct research and report on the issues impacting mobility and portability of licenses in the commercial construction industry. The committee identified nine potential impediments to mobility and portability of licenses: Experience; Competency Assessment by Examination; Financial Requirements including Financial Statements, Insurance, and Bonding; Fees; Continuing Education; Background Checks; Proof of Lawful Presence; Workers’ Compensation Compliance; Reciprocity. After thoroughly researching the licensure requirements of the states requiring licensing for commercial construction, the committee identified three issues that were barriers to mobility: experience, financial requirements, and fees.

The problem was not that the experience, financial requirements, and fees were too difficult; the problem was that the requirements varied greatly between states. Standardization across states could be the answer, but each state wants to make its own rules. The committee presented its findings to the Board.
In August of 2018, the NASCLA Board of Directors tasked the committee with the second part of the project: Determine best practice(s) procedure to enhance mobility and portability of licenses and recommend a means for NASCLA to facilitate best practice(s) procedure. Based on research of existing mobility and portability best practices, the committee determined the following:

Best practices start with legislative authority. A board may accomplish this through the adoption of model laws or the adoption of interstate compacts by its state legislature. Model laws synchronize licensure requirements for adopting states and may be adopted as a complete Practice Act or may be adopted piecemeal. Interstate Compacts are legal compacts that states enter into after they have agreed to the terms. The Compact must be adopted by the legislature verbatim. The language is exact – any change requires agreement by all compact participants and a change to the law. There must be a governing commission with the authority to write clarifying rules, implement policies, and oversee compliance. The Compact must provide authority to discipline across state lines. The core component to make the Compact work is a coordinated information system or repository database.

Once legislative authority is established, the best practice strategy may be mutual recognition or an expedited licensure process. Mutual recognition means that a licensee in one state can apply to be licensed in another state for an equivalent occupation (single state or multi-state license) based on the current license. It is similar to reciprocity, especially if states have entered into a Mutual Recognition Act. Mutual recognition provides ease of practice across state lines, gives each state enforcement authority, and provides for coordination of investigations and disciplinary actions. It is used with interstate compact agreements, model laws, or pursuant to a Mutual Recognition Act. The effectiveness of mutual recognition relies on the use of a central repository or database.

Alternatively, to mutual recognition, Boards may implement an expedited licensure process. It works like this: If an applicant meets the requirements for licensure pursuant to the initial issuing (home) state’s model law, practice act, or compact, other states participating in the compact or governed by the same model law or practice act may expedite the licensure process for the applicant. The data is already contained in a central repository or database, so licenses can be issued quickly. The expedited licensure process is very appropriate for relocation of licensees, and professions that require movement across state lines in an emergency. Expedited licensure processes reduce the administrative burden of multi-state licensing because of the central repository or database and maintains the authority of each issuing state to take disciplinary action under its own license.

At the NASCLA 2019 Annual Conference, the NASCLA Model Legislation Committee recommended that NASCLA use its existing database to provide a central repository for jurisdictions using mutual recognition, expedited licensure processes, or other procedures to enhance license mobility and portability.

In order to more fully address the best practices identified by the committee, NASCLA presented a panel discussion of interstate compacts, model laws, and a repository database. (Pharmacy, Nursing, CLARB).

Prior to NASCLA determining next steps we want feedback from our membership. Please have your voice be heard by participating in this short survey.

Survey Link: [NASCLA Model Legislation Committee Mobility and Portability Licensing Recommendations]
As of September 1, 2019, NASCLA now has eight (8) State Agencies Administering and/or Accepting examinations within the NASCLA Accredited Electrical Examination Program! Through these examinations, electricians now have the opportunity to travel across jurisdictions allowing for contractor mobility and portability in the licensure process. State Agencies can rest easy knowing the examination content is based directly on a current occupational analysis that involved multiple meetings and input from licensed electricians across the country. The examination statistics are continually monitored to ensure that questions are preformed effectively.

Is your state agency interested in implementing this program? If so, please contact Jacquie Wilberscheid, NASCLA Education Manager, at (623) 587-9354 or via email to jacquie@nascla.org.

For more information including details on participating state agencies and background of the program, please visit: https://www.nascla.org/page/ElectricalExams
The NASCLA Contractor Scholarship Program provided an opportunity for two (2) recipients to be awarded a complimentary invite package to the NASCLA 2019 Annual Conference from August 26 – 29, 2019 at the Hyatt Regency Baltimore Inner Harbor Hotel in Baltimore, Maryland.

The purpose of this scholarship program is to encourage students to pursue a career in the construction industry. The award includes travel arrangements, hotel, registration and $750 in cash. The opportunity provides industry-wide recognition, networking opportunities, a conference mentor, the option to participate in a moderated panel discussion and a certificate of attendance.

We are delighted to announce the two (2) winners of the NASCLA 2019 Contractors Scholarship Program are Zach Ford and Sabrina Aguilar. Both candidates come highly recommended and are strong ambassadors for the future of our industry!

To review the eligibility and requirements please visit https://www.nascla.org/page/NASCLAScholarship.

Zach Ford
The University of Southern Mississippi
Construction Management

“I have discovered that one’s career is reflective of what they invest in it. I can honestly say that I see a future for myself in construction since it is a rare workforce in that it offers the opportunity to learn something daily and since one constantly learns, one constantly grows as an individual.

Sabrina Aguilar
Grand Canyon University
Ed.D. (Building and Construction Trade Management)

“Working in the construction industry is rewarding because I know I am making difference in the lives of others every day.”

NASCLA goes on the road for its first NASCLA 2-Day Regional Investigator Training Program! On September 18 – 19, 2019, we traveled to Vancouver, Washington with NASCLA Presenters Michael Franklin and Doug Galbraith who have been working together for the past 10 years developing and presenting investigative training courses including an Enforcement Academy to several California State Agencies. While there, we had almost 40 Investigators from the Oregon Construction Contractors Licensing Board and the Washington Department of Labor & Industries who experienced two (2) full days of intense training focusing on the following: Investigative Fundamentals, Evidence, Interview Techniques, Report Writing, Testifying, and Safety Awareness.

“Thank you all who worked and presented on this forum. I have heard nothing but great things from staff who attended.” Dean Simpson, Chief of Compliance, Washington Department of Labor & Industries

If you are interested in a regional training in your state, please contact Angie Whitaker, NASCLA Executive Director, via email at angiewhitaker@nascla.org.
NASCLA 2019 NATIONAL COORDINATED ENFORCEMENT EFFORT

The National Association of State Contractors Licensing Agencies (NASCLA) participated in a national coordinated enforcement effort the weeks of June 3 – 21, 2019 which included 11 NASCLA State Members who took part in this event across the country. The states that participated were Arizona, California, District of Columbia, Florida, Mississippi, Nevada, New Mexico, Oregon, Rhode Island, Texas, and Utah.

The national coordinated enforcement effort focused on elevating the regulatory agency’s presence in the community and nationally. The goal of our state members was to come together in a united partnership to promote both consumer and public protection through the licensing and/or registration of contractors. The national coordinated enforcement effort involved state public information departments, investigative departments, executive directors/officers and the public media.

This nationally coordinated collaboration among our state members provided the opportunity to protect the consumers, deter illegal construction activity and level the playing field for legitimate contractors in the construction industry. Along with combating the increased illegal unlicensed activity nationally, the intention was to warn consumers that they need to be aware of these activities for regulatory compliance.

Based on joint coordinated enforcement efforts during the weeks of June 3 – 21, 2019, NASCLA State Members reported a total of 683 that were found non-compliant with state licensing requirements. Administrative citations, criminal notices, legal actions, additional investigations, and more have been issued by the state contractor licensing agencies. The attached state statistics were reported by the NASCLA State Members based on their national coordinated enforcement efforts.

“The purpose of the National Coordinated Enforcement Effort is to partner and spotlight the enforcement efforts of our contractor state licensing and registration agencies nationally, and to promote public and consumer protection. NASCLA along with our state members want to raise awareness and deter illegal construction practices across the country to level the playing field for professionally licensed contractors who are following the state laws, rules and regulations. NASCLA would like to recognize and acknowledge the amazing work of our state members for their dedication and commitment to protecting the public and combating unlicensed activity,” stated Angie Whitaker, NASCLA Executive Director.

NASCLA encourages consumers when looking for a construction contractor to:

→ Verify the contractor is actively licensed; always hire a licensed contractor
→ Get 2-3 estimates, don’t automatically accept the lowest bid
→ Check at least 3 references
→ Require a written contract
→ Don’t make a large down payment; make payments as work is completed
→ Monitor the job in progress
→ Don’t make the final payment until the job is complete
→ Keep all paperwork related to your job

To verify your contractor is licensed and in good standing with the state contractor board, please visit our website located at www.nascla.org/page/LicensingInfo or contact your local state contractor licensing board for state specific information.
Like most regulatory bodies across the nation, the Nevada State Contractors Board takes seriously its mission to protect the health, safety, and welfare of the public. While the Board is charged with promoting confidence and integrity among the construction industry, circumstances arise where homeowners are harmed due to the negligent actions of a licensed contractor they hired.

It is in these moments that the protections of the Contractors Board offer an avenue of hope and recourse to individuals in their time of need. While most complaints received are resolved through the investigative process, others are not afforded the opportunity because the contractor may have gone out of business or is unresponsive to the Board’s orders.

This is where the Residential Recovery Fund becomes available. Owners of single-family residences who have been harmed by a licensed contractor may be eligible to receive a financial award to cover such losses if the Board determines they meet certain qualifications.

During the 2019 Legislative Session, the Contractors Board advocated to increase the award amounts from $35,000 to $40,000 for individual claims, and increase the payout for multiple claims against a single contractor from $400,000 to $750,000 or 20% of the Recovery Fund Balance, whichever is less.

In these instances, the Contractors Board was limited to the maximum award of $400,000, which was split among those affected.

While the Recovery Fund served as a free protection and afforded those who were damaged financial compensation, it did not allow homeowners in these circumstances to be made as whole as possible when resources were available to do so.

The higher Recovery Fund amounts are expected to better meet the needs of harmed homeowners in the future, while providing the Contractors Board the flexibility it needs when determining awards that are most appropriate to helping homeowners recover.

Nevada joins 11 other states across the nation in offering a Residential Recovery Fund. The Nevada Recovery Fund is supported by licensing fees from residential contractors and has paid out over $12,000,000 since the first claim was received in 2001.

In recent years, the Contractors Board has received and responded to a handful of cases where many, sometimes more than 100, homeowners were harmed against a single contractor.

Receiving no opposition, the Board’s legislative initiative (Assembly Bill 26) was signed into law, increasing protections for Nevada homeowners beginning October 1, 2019.

The higher Recovery Fund amounts are expected to better meet the needs of harmed homeowners in the future, while providing the Contractors Board the flexibility it needs when determining awards that are most appropriate to helping homeowners recover.

For contractors, getting licensed in time to bid on projects in new jurisdictions is a major business challenge. This guide helps firms navigate the licensing process more quickly by providing detailed requirements and helpful links for general contractors and residential construction companies in every state.

“For contractors, the licensing landscape is particularly challenging and complex,” said John Beck, Harbor Compliance Director of Market Strategy. “This guide eliminates a major stumbling block by putting all the licensing information needed to start the licensing process in any state in a single document.”

State Contractor Licensing: The Ultimate Guide details requirements including foreign qualification, bonds, financial statements, and insurance. In addition, the guide provides detailed filing instructions, fees, and links to state forms. Resources for maintaining existing licenses are also featured, including renewal deadlines, forms, and fees. Download the guide here.

Harbor Compliance has published a companion piece, Foreign Qualification: The Ultimate Guide, which details requirements for secretary of state registration in every state.

Both guides are featured in the company’s Information Center, which comprises 4,000 pages of free licensing, tax, and entity management resources for businesses, nonprofits, and professional services firms.

NASCLA recommends utilizing Harbor Compliance’s State Contractor Licensing Guide alongside NASCLA’s Contractor’s State Licensing Information Directory (CSLID) to assist in navigating various licensing requirements across the country.

NASCLA’s CSLID is a summary of contractor licensing requirements of the 50 states including Guam and the Virgin Islands, identifying more than 180 state agencies that regulate the construction industry. The directory summarizes the pre-qualification, licensing, examination and bonding requirements. Information regarding reciprocity, license classifications, incorporating requirements and fees.

The CSLID can be purchased on the NASCLA website by clicking here.
NASCLA worked diligently with our committees in the past to create consumer awareness literature and state agency resources. This year we updated the appearance of the consumer awareness brochures that are available to trade associations and state agencies as resources for local tradeshows, conferences, to showcase at your office, etc.

Contact the NASCLA office to order custom brochures, including your seal/logo and contact information. Available brochures include:

A Consumer's Guide to Home Improvement Contracts
A Consumer's Guide to Protecting Yourself After a Disaster
A Consumer's Guide to Hiring a Licensed Contractor

To view the brochures and download the order form please visit: https://www.nascla.org/page/MemberReferences

NASCLA is currently in the process of redesigning our existing National Examination Database (NED) at ned.nascla.org. NED was created in 2008 to store applicant examination information for candidates, allowing jurisdictions to verify that an applicant has passed a NASCLA Accredited Examination. Through the database, Candidates are able to apply to sit for the NASCLA Accredited Examination for Commercial General Building Contractors and also register to electronically purchase and send transcripts to participating state agencies for both NASCLA’s Commercial and Electrical Examinations.

The NED database also hosts the NASCLA Contractors Disciplinary Database which is comprised of NASCLA State Member Agency’s contractor disciplinary cases. The main focus of this database is to assist in reviewing candidates’ applications for licensure and serve as an alert mechanism for revoked contractor licenses. NASCLA State Members have the ability to import cases for their revoked, suspended, invalidated, etc. contractor’s licenses. They can also search cases from other states to verify that their license applicants have not had disciplinary action taken against them.

NASCLA hopes the database redesign will make the site more accessible and increase usability for the participating states as well as attract other states to become involved. If your state agency is interested in accessing the NASCLA Contractors Disciplinary Database, please contact NASCLA at (623) 587-9354 or catherine@nascla.org. The new NED Database is tentatively expected to go live at the end of 2019.
MEET OUR NEW NASCLA MEMBERS!

NEW BUSINESS MEMBER
Tecuity
Wildwood Construction Services
Gov2Biz
The Superior Group

NEW ASSOCIATE MEMBERS
B&B Services
GSB Electric
Gateway Electric
DH Pace Company Inc
CFM Quality Construction, LLC
Great Lakes Construction
Weekend Warrior's LLC
Rollis Construction & Renovations
CCC Group, Inc.
RE Manley Construction
Albright Construction, LLP
Southern Exteriors
Adam Danneman LLC
Nexus Alarm and Suppression, Inc.
Phillip Smith Contracting, Inc.
Skanska USA Building Inc.
HydroPoint, LLC
Momentum, Inc.
360 Degree Construction
R. Lyon & Associates
Vet Construction Florida, LLC
Echelon Construction and Maintenance
Federal Heath
Applied Construction Services
FA Solutions, Inc.
Tochie Ezento
Mark Redmond
Kmac Properties, LLC
Kellerman Construction, Inc.
Sterling Home Maintenance
KPS Global
Daniel A. Smith
Wall to Wall Builders Inc.
Hellas Construction, Inc
Mattie Enterprise Electrical Contractors LLC
Mortob Buildings, Inc
Synagro

→ Networking opportunities with industry experts and representatives.

→ Complimentary copies of the NASCLA Contractor’s State Licensing Information Directory.

→ Reduced registration fees for the NASCLA Annual Conference & Educational Events.

→ Opportunity for Committee Service.

→ Opportunity for Board of Director Service (restricted to NASCLA State Members only).

To Apply for NASCLA Membership, please visit the following link: www.nascla.org/page/JoinNow
NASCLA CALENDAR OF EVENTS

FISCAL YEAR 2019/2020

DECEMBER 2-6 2019

NASCLA Strategic Planning Meeting
Location
St. Thomas, Virgin Islands

NASCLA’s Executive Committee and Committee Chairs will be meeting to review the NASCLA Strategic Plan for 2020, 2021, 2022. This meeting also provides an opportunity to meet with the Virgin Island Department of Licensing and Consumer Affairs to propose regional trainings in the area and assist in hurricane cleanup.

MARCH 18-20 2020

NASCLA Board of Directors Mid Year Meeting
Location
Phoenix, Arizona

NASCLA’s Board of Directors Mid Year Meeting is held annually in the springtime for NASCLA’s Executive Committee, Board of Directors and Committee Chairs to review ongoing association projects and future initiatives.

AUGUST 30 - SEPTEMBER 3 2020

NASCLA 2020 Annual Conference
Location
Coronado, California

NASCLA’s Annual Conference is where NASCLA Members come together to discuss current issues relevant to the regulation of contractors. The conference also provides a forum for participants to interact and exchange information on current issues in the industry.

National Association of State Contractors Licensing Agencies (NASCLA) is a nonprofit organization whose purpose is to promote best practices and license uniformity for agencies that regulate the construction industry. By upholding dedication to the assistance of contractor licensing and enforcement agencies, trade associations, and members of the construction industry, NASCLA serves as a vital resource for its members and the contracting community.

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