

LCB File No. R118-06

**PROPOSED REGULATION OF THE
STATE CONTRACTORS' BOARD**

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Workshop and Hearing for the Adoption, Amendment or Repeal of Regulations
of
The State of Nevada Contractors' Board**

The State of Nevada Contractors' Board ("Board") will hold a workshop and public hearing on Tuesday, June 13, 2006. The workshop will begin at 10:00 a.m. and will be video-conferenced between the Board's Henderson Office located at 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 and the Reno Office located at 9670 Gateway Drive, Reno, Nevada 89521. The public hearing will commence immediately following the workshop.

The following information is provided pursuant to the requirements of NRS 233B.060 and 233B.0603:

1. The need for and purpose of the proposed regulation or amendment.

The purpose of the proposed regulation is to amend Chapter 624 of the Nevada Administrative Code concerning the amount of administrative fines that may be assessed for certain violations.

2. Either the terms or the substance of the regulations to be adopted, amended or repealed or a description of the subjects and issues involved.

The proposed regulation establishes criteria to impose a maximum administrative fine and changes certain other fines to comply with NRS 624. A copy of the proposed regulation may be obtained by writing to the Board's offices at 9670 Gateway Drive, Reno, Nevada 89521.

3. The estimated economic effect of this proposed regulation on the business which it is to regulate and on the public.

(a) Adverse and beneficial effects.

The adoption of this regulation should have no adverse economic effect on members of the industry who comply with the laws of the State of Nevada. It may have an adverse impact on those members of the industry who fail to comply with the laws.

(b) Both immediate and long-term effects.

The immediate and long term effect of implementing the change should be minimal.

4. The estimated cost to the Agency for enforcement of the proposed regulation.

The cost to the agency should be minimal.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.

The proposed regulation does not overlap or duplicate any regulation of other state or local governmental entities.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

Does not apply.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Does not apply.

8. Whether proposed regulation establishes a new fee or increases an existing fee.

The regulation does not establish a fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Board may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form to the Executive Officer of the Nevada State Contractors' Board, 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 or in Reno at 9670 Gateway Drive, Suite 100, Reno, Nevada 89521. Written submissions must be received by the Board five days prior to the scheduled hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, amended or repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notices and the regulation to be adopted will be available at the State Contractors' Board, 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 and 9670 Gateway Drive, Suite 100, Reno, Nevada 89521. In all counties in which an office of the Board is not maintained, a copy of this notice and the text of the proposed regulation will also be available for public inspection and copying at the main public library during business hours. This notice and the text of the proposed regulation will be available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been mailed to all persons on the agency's mailing list of administrative regulations and posted at the following locations:

Washoe County Court House
Washoe County Library
Reno City Hall
Las Vegas City Hall
Sawyer State Building
Clark County Library
Offices of the State Contractors' Board in Reno and Henderson

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EXPLANATION – Matter in *italics* is new; matter in brackets ~~⊞~~ is material to be omitted.

NAC 624.7251 Administrative fine: Specification of violation; amount. (NRS 624.100, 624.300, 624.341, 624.361, 624.710) If the Board or its designee issues an administrative citation pursuant to NRS 624.341 which includes an administrative fine, each such fine assessed by the Board or its designee must:

1. Specify the violation for which the licensee is being cited; and
2. Be in an amount which is not less than the minimum amount or more than the maximum amount as set forth in this subsection:
3. *The maximum administrative fine may be assessed if one or more of the following circumstances apply:*
 - (a) The person who is subject of the citation has a history of violations of the same or similar sections of NRS 624;*
 - (b) The administrative citation specifies more than one violation;*
 - (c) A person has exhibited bad faith by ignoring prior written warnings;*
 - (d) The violation has caused harm to other persons;*
 - (e) The violation or violations were perpetrated against a senior citizen or disabled person;*
 - (f) The violation or violations involved a construction project in excess of \$500,000;*

Violation	Minimum Fine	Maximum Fine
NRS 624.301.....	\$1,000	\$3,000
Paragraph (a) of subsection 1 or subparagraph (4) of paragraph (b) of subsection 1 of NRS 624.3011.....	500	2,000
Subparagraph (1), (2) or (3) of paragraph (b) of subsection 1 of NRS 624.3011.....	1,000	3,000
Subsection 1 or 2 of NRS 624.3012.....	1,000	3,000
Subsection 3 of NRS 624.3012.....	500	2,000
Subsection 1 or 4 of NRS 624.3013.....	250	1,000
Subsection 2 of NRS 624.3013.....	1,000	3,000
Subsection 3 of NRS 624.3013.....	500	2,000
Subsection 5 of NRS 624.3013.....	50	1,000
Subsection 1, <i>2 or 3</i> of NRS 624.3014.....	100	<i>50,000</i>
[Subsection 2 or 3 of NRS 624.3014.....	1,000	3,000
Subsection 1 of NRS 624.3015.....	250	2,000
Subsection 2 <i>or 3</i> of NRS 624.3015.....	500	⊞0,000 <i>50,000</i>

Violation	Minimum Fine	Maximum Fine
Subsection [3] or 4 of NRS 624.3015.....	500	2,000
Subsection 5 of NRS 624.3015.....	250	1,000
Subsection 1 or 2 of NRS 624.3016.....	250	3,000
Subsection 3, 5 or 10 of NRS 624.3016.....	500	2,000
Subsection 4 or 6 of NRS 624.3016.....	250	1,000
Subsection 7 of NRS 624.3016.....	250	2,000
Subsection 8 of NRS 624.3016.....	250	750
Subsection 9 of NRS 624.3016.....	100	500
Subsection 1 of NRS 624.3017.....	500	2,000
Subsection 2 of NRS 624.3017.....	50	250
Subsection 3 of NRS 624.3017.....	100	500
Subsection 1 of NRS 624.302.....	1,000	[3,000] \$50,000
Subsection 5 or 6 of NRS 624.302.....	250	1,000
<i>Subsection 1 of NRS 624.305</i>	<i>\$1,000</i>	<i>\$50,000</i>
NRS 624.700.....	500 <i>\$1,000</i>	[2,000] <i>\$50,000</i>
NRS 624.720.....	500	1,000