



The Skimmer

NEXT GENERAL MEETING
AUGUST 17, 2011
ADMIRAL BAKER CLUB
ANNUAL DINNER MEETING

AUGUST

SAN DIEGO CHAPTER MONTHLY NEWSLETTER

2011

President's Message

This month's general meeting is our annual dinner meeting. It is being held at the Admiral Baker Golf Course. The event will take place on the covered outdoor patio overlooking the golf course. The cocktail hour is from 6:00 PM to 7:00 PM. A brief meeting will be held, followed by a buffet dinner. The evening is designed to provide an opportunity for members and supporters to socialize and take a break during the busy swimming pool season. All members, Chapter Supporters, manufacturer's and local supply house representatives are welcome to attend as the San Diego Chapter provides a very nice event. An auction will be held for the one week stay at Kevin Wallace's condo in Poipu Beach on the island of Kauai.

Next month the Chapter will have a picnic on September 10th at Santee Lakes. PS 2000, Life Deck, and the Chapter are in the process of organizing the event. More information will follow in the coming weeks. Members, Chapter Supporters, families, and friends are welcome to attend. Also in September at the general meeting the B.K. Taylor Award will be voted on and a winner will be announced. In October at the mandatory general meeting a photographer will be on hand to take pictures for the new directory that will be published at the end of the year. Anyone wishing to advertise in the new directory should contact Gary Roberts as soon as possible at 619-920-4688. The David Courey Chapter Supporter Award will be voted on and a winner will be announced at the October meeting.

The Chapter is currently performing sick leave coverage for two of its members and so far everything is going well. If you have

been assigned a pool to maintain, please go above and beyond with your service and communicate with the sick member and the Sick Leave Chairmen with any concerns regarding the pool you've been assigned. When the Chapter performs sick route coverage it does so with a visit at least once a week. If the yellow card says service provided every other week, you are still required to service the pool at least once a week. See you at the Admiral Baker Country Club this Wednesday. Arrive hungry. Cheers, Mark

Prospective Member Report

We have one prospective member in process, Michael Long, Michael Long's Pool Service. Michael has passed the water chemistry test and has his paperwork together so after attending the September Board meeting he will be ready for a vote at the September general meeting.

Hawaii Condo Five Night Stay to be Auctioned Off at August Dinner Meeting

Kevin Wallace from Underwater Unlimited has generously donated a five night stay at his spectacular Poipu Beach condo.

The Kauai condo will be available for a December 16th check-in arrival and a December 21st check-out departure.

One hundred percent of the winning bid will be donated to the Chapter's Child Safety and Drowning Prevention Fund.

The auction will take place at the August dinner meeting at the Admiral Baker Country Club.

Bidding will start at \$650. Check or cash will be accepted at the time of the auction.

Don't Miss the August Dinner Meeting – Limited Business!
August 17, 2011 Admiral Baker Clubhouse Patio
Cocktail/Social Hour 6-7 pm, Two No-Host Bars - Buffet 7:15pm
BBQ Tri Tip
Potato Salad
Corn on the Cobb
Citrus Fruit Punch
BBQ Chicken
Cole Slaw
Rolls and Butter
Ice Cream Sandwiches

Save the Date: Sun. Sep 10th – Chapter Picnic – Santee Lakes
Pot Luck, Plenty of Recreational Opportunities

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While supply lasts.

100% goes into our Chapter's Child Safety and Drowning Prevention Fund. Cash or check only, with checks made payable to

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Stock up on several and save a few dollars while helping a good cause.

Board of Officers

| | | | |
|-----------------------|------------------------|--------------|--------------------------------------|
| President | Mark Curran | 619-579-1720 | PO BOX 9944, San Diego CA 92169 |
| Vice President | Philip Gardiner | 619-449-6345 | 302 Brookstone Pl. Santee CA 92071 |
| Treasurer | Jim Bauer | 619-997-7710 | 7108 Bobbird Dr., San Diego CA 92119 |
| Secretary | James Morketter | 619-708-4972 | 4784 Soria Dr., San Diego CA 92115 |
| Past President | Mike Gregg | 619-224-3863 | 944 Moana Dr., San Diego CA 92106 |

Committee Representatives

| | | | | | |
|------------------------------|------------------------|--------------|-------------------|---------------------|--------------|
| Sick Leave | Ron Baker | 619-540-2275 | Sick Leave | Terry Wehrly | 619-818-3133 |
| | Ron Magnant | 619-804-1739 | (Cont'd) | | |
| Continuing Education | Brian Davis | 858-688-3084 | | | |
| | Stephen Heyer | 619-563-6566 | | | |
| Manufacture Rebate | Jon McArthur | 619-464-0211 | | | |
| | Gary Sevigny | 858-486-9220 | | | |
| Insurance | Bob Fowler | 619-464-6400 | | | |
| New Members | Bill Peck | 858-673-8556 | | | |
| Entertainment | Michael Lewis | 619-261-1048 | | | |
| Product Testing | Patrick Farrior | 619-465-9545 | | | |
| | Dale Eppard | 858-571-1177 | | | |
| Sfty/Drowning Prevt | John Silcox | 858-467-0507 | | | |
| Blood Drive | James Morketter | 619-708-4972 | | | |
| Website & Skimmer | Paul Grimes | 619-518-4983 | | | |
| Region7 Director | Chuck Gough | 760 434-7623 | | | |

IPSSA Corporate 888-360-9505
Info. Vickie Lester 888-368-0432 FAX
 10842 Noel St #107, Los Alamitos CA 90720-2582

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 Rocklin CA 95677 888-391-6203FAX
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| IPSSA San Diego – Chapter Supporters (Updated 8/6/11) *Local Representative | | |
|--|---|--|
| Gabriel Gurmilan | Abcana Industries - Abcanaindustries.com Wholesale Pool Chemicals - Pickup & Delivery | 619-444-9900, 619-654-6724 cell 619-444-9804 fax |
| Eric Svensson | Alternative Pool Systems, Inc. – alternativepoolsystems.com Install/Repair/Service Automatic Pool Covers | 619 445 9798 |
| Susan Flowers | Aquasalt, LLC – Aquasalt.net Swimming pool & spa salt producer | 866-549-POOL (7665) |
| Kenan Sachs | American Leak Detection - americanleakdetection.com Electronic Leak Detection & Repair | 619-233-5325 888-368-5325 fax |
| Lori Brumagen Derek Dalto* | BIODEX – bio-dex.com lori@bio-dex.com Superior Line of Pool and Spa Chemical Products | 800-617-3477, 623-512-1831 cell 619-565-5130 Derek |
| Richard Smith, President | Blue Moon Pools, Inc. - www.bluemoonpool.com Pool Renovation / Pool Remodeling / Pool Plastering | 619-258-7665 619-258-6383 Fax |
| Tony Ruf | BriteTile Pool/Spa Remodeling - britetile.com Calcium removal, install/repair tile, quartz/rock coping, deck-o-seal | 619-260-1896 rruf@san.rr.com |
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| Tom Cox | Gardner Pool Plastering – gardnerpoolplastering.com Quality Plastering/Remodels since 1969 | 619-593-8880, 619-593-8886 fax tomc@gardnerpoolplastering.com |
| Scott Ragsdale | Hasa, Inc. - Hasapool.com Manufactures liquid chlorine, distributes dry/specialty chemicals | 661-259-5848, 951-634-1209 cell |
| Tom Gharib | JNR Pool Plastering, Inc. Pool and Spa Remodeling, Coping , Tile, Concrete, Plaster | 619-466-6571, 619-698-4745 Fax 619-654-4175 Cell |
| Michael Mamula Ed Mumford* | Leak Detection USA – leakdetectionusa.com. Leak detection/repair for pools/spas/ponds–comcl./resd. | 800-652-9062 ed@leakdetectionusa.com |
| Justin Robinett | Leak Terminators - Leak Detection | 619-563-7585 |
| Gil Koury | Life Deck - www.lifedeck.com Concrete Resurfacing & Staining, Waterproof Deck Coatings, Cleaning/Maintenance. | 619-262-8600 619-262-8606 Fax |
| Regina Rakowski | Nelsonite nelsonitepoolanddeck.com Easy and Affordable, Quality Pool & Deck Coatings | 760-828-6169 cell rrakowski@ellispaint.com |
| Don Wall | The Pool Doctor sdpooldoctor.com Construction, Renovation, Remodel, Repair | 619-445-4977, 619-445-4345 fax DonWall@sdpooldoctor.com |
| John Moss | Poolsafe Cover Systems poolsafe.com Service All Systems, Replacement, portable fences | 760-580-4640 |
| Kirk Chapman | Poolscape Unlimited Poolscapeunlimited.com Pool plastering - Complete Pool & Spa Renovations | 619-561-0555, 619-561-1633 fax kirk@poolscapeunlited.com |
| Reid Mirvis | Pool Surfacing 2000 - poolsurfacing2000.com Fiberglass and Fleck stone Specialist | 619-590-1420, 619-590-1469 fax Reid@poolsurfacing2000.com |
| Mark Larimer Luke Weiser | Save Water - savewatersd.com savewatersd@cox.net Mobile Pool Filtration | 619-328-9099, 619-328-1177 fax 619-402-0521 Cell (Mark) |
| Kristal Cavender | Son Energy – sonenergy.com Putting the Sun to Work for You - Solar systems | 760-738-4066 X103 760-738-8602 Fax |
| Brandon Chase | SunChaser, Inc. Solar and Water Heating Specialist | 619-390-5287 sunchaserinc@cox.net |
| Peter Gozdeck | 3 Step Billing 3stepbilling.com Your Paperwork Alternative – Fax, Bill, Bank | 619-339-7622 peter@3stepbilling.com |
| Jim Byers | Thornburg Enterprises Manf.Rep. for Orenda Technologies chemical products. – algae, stain, and phosphate control. | 760-550-7057, 760-251-4970 fax |
| Kevin Wallace | Underwater Unlimited Rust spots, Rebar, Cracks, Drain replacement | 800-247-8393, 760-632-1822 |
| Samantha Larimer Ron Brooks | Weiser Pools, Inc. - Repairs, Installations, Heating and Automated Control Specialists | 619-440-2480, 619-579-5396 fax weiserpools@cox.net |
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General Meeting – 7/20/2011

Call to order 7:15 PM

Pledge of allegiance- Jon McArthur
Secretary's Report- James Morketter:

July Board meeting minutes were approved.

Treasurer's Report -Jim Bauer: We're in good shape financially! See financial data in this issue.

Vice-President's Report- Phil Gardiner: The evening's speakers were announced.

Chapter supporters, supply house reps etc were called to the front of the room. Kevin Wallace of Underwater Unlimited spoke about his condo in Kauai. A one week stay there will be auctioned off at our August meeting.

A reminder was given about our new PO Box address.

We have purchased a new sun-shade awning for use at outdoor events.

We will vote for a B. K. Taylor recipient in September.

We will vote for a David Courey Award recipient in October.

A photographer will be at our October mandatory meeting to take photos for the 2011-2012 directory.

Gary Roberts was recognized as the Advertising coordinator for the 2011-2012 photo directory.

A reminder was given that there will be no grace period given for continuing education points for 2012-2014.

Steven Heyer spoke regarding protocol for handling fecal accidents in

public pools. A brief Q & A followed.

John Silcox spoke briefly regarding child safety and drowning prevention. He handed out CD's with anti drowning information.

Krista and Mike from PS2000 are coordinating our 2011 Summer Picnic. Date and location to be announced soon.

Potential member Mike Long came to the front of the room.

A reminder was given that all employees and subcontractors must have liability insurance.

Mark Stuart thanked everyone for their sick route coverage.

Ron Baker reminded everyone to notify the sick leave committee of upcoming vacations or absences.

Regina Rakowski of Nelsonite Coatings gave a presentation. A Q & A session followed.

Cary Tennembaum of SGS gave a presentation. A Q & A followed.

Raffle-

No winner for the \$50 prize it will roll over to the August meeting

\$25 Kenny Childs

50# Tabs Mark Lucas

\$50 Gas card Bruce DeHart

5 cases of chlorine Mark Lucas

Meeting adjourned 9:10 PM

Board Meeting – 8/2/2011

Jim Bauer, James Morketter, Mark Curran, Absent Phil Gardiner

Call to order 7:35 PM

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We reviewed the strategy for the October mandatory meeting. All members and chapter supporters will need to verify their contact information for our records.

We reviewed issues regarding chapter supporters.

We reviewed issues with Blue Card violators.

We discussed a member who has violated our rules regarding employees.

We reviewed possible nominees for the B.K. Taylor and David Courey awards.

The board will serve as greeters at the August dinner meeting.

A week stay at Kevin Wallace's Kauai condo will be auctioned off at the August dinner meeting.

Meeting adjourned 8:45 PM.

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Calendar

8/17 General Meeting 7pm Future: 9/21, 10/19

Annual Dinner Meeting at Admiral Baker Club

9/7 Chapter Board: Future 10/5, 11/2, 12/7

7 pm Kensington Grill

9/8 & 9/9 Certified Pool Operator (CPO)

SCP San Diego – 5648 Copley Drive

9/10 Chapter Picnic, Santee Lakes, More TBA

9/24, Blood Drive 8 am

Antique Row Café, Lemon Grove

3521 Lemon Grove Av

9/28 Region 7 Board Meeting - 7:00 pm

SCP Conf. Room 5648 Copley Dr SD

IPSSA San Diego

Special "Pre IPSSA Meeting" Training Event

September 21, 2011
5 - 630 PM



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**Questions? Please call:
Mark T. Curran 619-579-1720 -or-
Mark R. Lane (Pentair): 949.813.9442**

Product Testing Report
Pat Farrior - July 20,2011

Product: **"The Dolphin"** by Maytronics

This unit is a large track and roller-equipped, self-contained, (internal filter), pool cleaner. The unit is powered by a low voltage 36 volt power supply. The low voltage line is connected directly to a 120 to 36 volt transformer. The 120 volt side of the transformer has its own power cord and must be plugged into GFI plug for safety. In operation, the unit is large and does a lot of work fast and requires no power from the pool pump for circulation. For control, the dolphin has a manual remote controller, and after the newness wears off, there is an auto-setting that seems to cover the pool quite well.

Operation and testing:

The unit performed well and is easy to use after initial set up. This is a large machine and may be a little heavy for some folks, but it does a lot of work fast. To ease removal from the pool, walk the unit up the steps, turn off, and tilt sideways on upper step and drain water. This greatly reduces the effort needed to remove the unit from the pool. For the home owner's convenience, the unit does not disturb or need to use the pool pump and filtration system, and may be removed from the pool for swimming. For the pool professional, that's us, if you have a big nasty pool with poor suction, (sell them a new pump), lots of debris and maybe no pool sweep, or just a very large pool to clean, this unit can really help. I highly suggest that the cart attachment, which is really a small dolly, be used for truck to pool transport.

Available at: SCP

Accessories: Cart Attachment, Filter cartridges

Thanks to Cindy Wilson for helping to test the unit. Thanks to Dave O and Mike Ramey for the use of the demo unit.

Product: **Barracuda MX8**

The MX8 is a compact, track-equipped suction-side pool cleaner.

Operation and Testing:

The unit performed well and is easy to use.

By creating small tornadoes to facilitate suction, the concept is somewhat similar to many of the newer and better household vacuums that are now available. We noticed on one of the test pools, that the unit will sometimes have a sticking problem if the lower step rises sharply from the floor at 90 degrees with little or no radius built into the lower step. This is a very minor problem as almost all pools have more of a radius or smooth curvature in this area. Overall, the performance of the MX8 is very good, and I am going to happy and confident to sell the units.

Available at: Superior

Accessories: In-line basket

Thanks to; Matt at Superior SD for the demo loaner, Mark Curran, our Chapter President, and Mark who works for Mark Curran for helping to test the unit.



Did You Know ?

Mark R. Lane, of Pentair, will meet you at your customer's home and perform a customized, site-specific, pool operating audit? The audit program, unique to Pentair, produces a simple, easy to understand current cost to operate, along with energy savings based on your customer's VERY pool. The audit, about 15 minutes, takes in consideration pump operating costs, mainly, however, incorporates pool and spa lighting, too. A simple "report" is printed on the job, and, the savings include a powerful, HOMEOWNER friendly sales tool, humbly titled "**The Cost Of Doing Nothing**".

Once a few audits are completed with a service company, the audit file is free so you may perform as many audits as you' like, on your own. Interested? Please call Mark R. Lane at:
949.813.9442 or mark.lane@pentair.com.

SWIM RECORD SET

At a Regional USA Swimming sanctioned meet in Port Angeles, WA I was witnessed to something I had never seen before. A girl of 14, Kayla Wheeler set the record of 3:34.22 in the 50-yard breast stroke. 3:34.22 is a slow time when others do it in less than a minute. But Kayla has no legs, not even stubs, and only one arm that isn't fully developed. There was not one person in the crowd that didn't have tears and choked up feelings.

The day before I saw her on a relay team, she was the team's final swimmer. The other teams had all finished when she had 25 yds to go. Swimmers and spectators all stood up and cheered her to the finish as if she was in first place! I was using a few kleenexes myself and being choked up. When she comes to the end of the pool lane she has no legs to kickstart herself. She gets in and out of the pool by herself, and waddles across the deck to her wheelchair. Her coach picks her up and puts her into the electric wheelchair. After this experience I have no bad days or feeling sorry for myself. It sure changes your thinking. And I praise the Lord for what I do have. As she came by after the race in her electric wheelchair, we saw smiles all the time and a very happy face.

Peat Burke

LEGISLATIVE REPORT FOR SPEC - SUMMER RECESS - Prepared July 22, 2011

As we prepare for the last month of the 2011 legislative session, we wanted to provide you with an update on the legislation tracked by SPEC this year. The following is a list of the bills tracked, a short summary and their current status:

AB 11 (Portantino): This bill allows a credit, under both the Personal Income Tax Law and the Corporation Tax Law, equal to 20% of annual workers' compensation premiums paid by a "qualified taxpayer" during the taxable year.

Status: Assembly Revenue & Taxation Suspense File

AB 273 (Valadao): This bill requires the Department of Finance to review state agencies' determinations, estimates and other findings related to costs and economic impacts of proposed regulations.

Status: Assembly Appropriations Committee. Two-year bill.

AB 335 (Solorio): This bill requires the Administrative Director (AD) of the Division of Workers Compensation, in consultation with the Commission on Health and Safety and Workers' Compensation (CHSWC) to prescribe reasonable rules and regulations for serving workers' compensation claims notices on an employee. This bill requires the AD, in consultation with the CHSWC, to make available on the Department of Industrial Relations' Internet Web site, and make available at district offices, informational material that describes the overall workers' compensation claims process.

Status: Senate Third Reading File.

AB 378 (Solorio): This bill regulates the dispensing of compounded medications and related products in the workers' compensation system.

Status: Senate Appropriations Committee, hearing scheduled for August 15, 2011.

AB 397 (Monning): This bill requires a licensed contractor with an exemption for workers compensation insurance to recertify the exemption upon license renewal or provide proof of workers' compensation insurance coverage.

Status: Senate Third Reading File.

AB 411 (Pan): Spot bill relative to workers' compensation.

Status: Introduced. Two-year bill

AB 465 (Berryhill): This bill would, on and after July 1, 2012, provide for the regulation of gardening or landscape maintenance services, as defined. The bill would require a local jurisdiction to obtain from an applicant for issuance or renewal of a business license who provides gardening or landscape maintenance services, (1) documentation that he or she has workers' compensation coverage or is exempt from those coverage requirements and proof of current licensure as a contractor issued by the Contractors' State License Board, or (2) a signed

acknowledgment of the consequences of performing the duties of a contractor without a license.

Status: Assembly Business, Professions and Consumer Protection Committee. Failed deadline. Two-year bill.

AB 524 (Garrick): Spot bill relative to unemployment insurance.

Status: Introduced. Two-year bill.

AB 535 (Morrell): This bill requires state agencies that promulgate regulations to review and report on those regulations five years after adoption.

Status: Assembly Appropriations Committee. Failed deadline. Two-year bill.

AB 541 (Morrell): This bill directs the California Small Business Board to focus for the next two years on, among other items, the impact of licensing and permitting regulations on small business startups. The board is required to report its findings and recommendations to the governor, the Small Business Advocate, and the Legislature in July 2012, July 2013 and December 2013.

Status: Assembly Appropriations Committee. Failed deadline. Two-year bill.

AB 553 (Monning): This bill requires the Occupational Safety and Health Standards Board (Standards Board) to adopt standards specifying permissible exposure limits (PELs) for workplace hazardous substances, using existing quantitative risk assessments determined by state and federal agencies, as specified.

Status: Assembly Appropriations Committee. Failed deadline. Two-year bill.

AB 569 (Berryhill): This bill creates the Business Master License Center (BMLC), a one stop license center, within the State and Consumer Services Agency.

Status: Assembly Appropriations Committee. Failed deadline. Two-year bill.

AB 586 (Garrick): This bill requires standing committees of the Legislature, with jurisdiction over a state agency proposing to adopt a regulation with a gross cost in excess of \$10 million as estimated in the initial statement of reasons for the regulation, to hold an informational hearing regarding the proposed regulation.

Status: Assembly Business, Professions and Consumer Protection Committee. Failed Deadline. Two-year bill.

AB 632 (Wagner): This bill requires state agencies to submit to the Legislature a notice of a proposed action to adopt, amend or repeal a regulation, if the notice identifies an economic impact, cost impact, statement or

finding related to the proposed regulation, as specified.

Status: Assembly Business, Professions and Consumer Protection Committee. Failed Deadline. Two-year bill.

AB 745 (Valadao): Spot bill relative to California Water Plan.

Status: Introduced. Two-year bill.

AB 849 (Gatto): This bill repeals the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of graywater and instead authorize the adoption, under specified requirements, of standards that are more restrictive than the standards adopted pursuant to state requirements.

Status: Senate Third Reading File.

AB 854 (Garrick): This bill conforms to federal tax law with respect to health savings accounts (HSAs) for taxable years beginning on or after January 1, 2012.

Status: Assembly Revenue & Taxation Suspense File.

AB 878 (Berryhill): This bill requires a workers' compensation insurer to report to the Contractors State License Board when the insurer cancels the insurance policy of a licensed contractor after the insurer has conducted an audit of the contractor, the contractor has made a material misrepresentation that results in financial harm to the insurer, and no reimbursement has been paid by the contractor to the insurer. This bill also provides that willful or deliberate disregard and violation of workers' compensation insurance laws by a contractor constitutes a cause for disciplinary action.

Status: Senate Appropriations Committee. Hearing scheduled for August 15, 2011.

AB 958 (Berryhill): Spot bill relative to regulatory boards.

Status: Assembly Business, Professions and Consumer Protection Committee. Failed Deadline. Two-year bill.

AB 991 (Olson): This bill requires the governor to create the California Licensing and Permit Center Internet Web site for the purpose of assisting the public with licensing, permitting and registration requirements of state agencies.

Status: Assembly Appropriations Committee. Failed deadline. Two-year bill.

AB 1006 (Cook): This bill transfers the burden of proof from the taxpayer to the Franchise Tax Board in all court and tax administrative tax proceedings.

Status: Assembly Revenue & Taxation Committee. Failed deadline. Two-year bill.

AB 1037 (M. Perez): This bill alters the state's regulatory structure, increases the threshold for business activities under the definition of "small business" for rulemaking purposes, and requires agencies to reassess regulations five years after adoption.

Status: Assembly Appropriations Committee. Failed deadline. Two-year bill.

AB 1155 (Alejo): This bill prohibits the consideration of race, national origin, gender, sex, genetic predisposition, and certain other factors in the determination of an apportionment of the causes of an industrial disability.

Status: Senate Third Reading File.

AB 1213 (Nielsen): Spot bill relative to regulations.

Status: Assembly Business, Professions and Consumer Protection Committee. Failed Deadline. Two-year bill.

AB 1322 (Bradford): This bill adopts the regulatory philosophy and principles of regulation, as outlined in Presidential Executive Order 12866, in order to achieve similar regulatory benefits within the state.

Status: Assembly Appropriations Committee.

Failed deadline. Two-year bill.

SB 178 (Simitian): This bill allows the Green Ribbon Science Panel to form subgroups to consider and report to the full panel and the Department of Toxic Substances Control (DTSC) on specific priority topics identified by the department. This bill provides meetings conducted by all subgroups formed in aggregate, shall not exceed 10 meetings during a fiscal year, and a meeting conducted by a subgroup is to be held in a cost-effective manner to minimize the costs incurred by the meeting.

Status: Senate Environmental Safety and Toxics Committee. Failed deadline. Two-year bill.

SB 366 (Calderon): This bill requires each state agency to review its regulations to identify duplicative, overlapping, inconsistent or outdated provisions and repeal or amend identified regulations. The bill creates a Streamlined Permit Review Team charged with improving the efficiency of the state permitting process for development projects.

Status: Senate Governmental Organization Committee. Failed deadline. Two-year bill.

SB 367 (Dutton): This bill enacts the Small Business Workplace Flexibility Act of 2011 which would permit an individual nonexempt employee -- employed by an employer with 25 or fewer employees -- to request an employee-selected flexible work schedule, as specified, and would allow an employer to implement this schedule without any obligation to pay overtime compensation.

Status: Senate Labor & Industrial Relations Committee. Failed deadline. Two-year bill.

SB 396 (Huff): This bill requires state agencies to review each regulation adopted prior to 2011 and report to the Legislature on their findings, and to review regulations every 5 years thereafter.

Status: Senate Environmental Quality Committee. Failed deadline. Two-year bill.

SB 400 (Dutton): This bill requires a state agency to submit economic assessments for certain regulations to the Office of Administrative Law for a review and determination if the assessment is based upon sound economic knowledge, methods, and practices.

Status: Senate Environmental Quality Committee. Failed deadline. Two-year bill.

SB 401 (Fuller): This bill specifies that every regulation proposed by a state agency after January 1, 2012, shall include a provision repealing the regulation in 5 years.

Status: Senate Environmental Quality Committee. Failed deadline. Two-year bill.

SB 457 (Calderon): This bill provides that a health plan may recover from an employer or workers' compensation insurer more than the amount for medical expenses provided by the Official Medical Fee Schedule (OMFS), under certain circumstances. Specifically, this bill provides that, for purposes of awarding a lien claimant compensation for medical expenses, if the lien claimant is a health care service plan, an insurance company that is claiming pursuant to benefits paid under a group health insurance policy, a claimant pursuant to a hospital service contract, or a self-insured employee welfare benefit plan, where the lien claimant has paid benefits or provided services under its plan, the OMFS does not limit the amount of the lien.

Status: Assembly Appropriations Committee. Hearing scheduled for August 17, 2011.

SB 459 (Corbett): This bill prohibits the willful misclassification of an employee as an independent contractor and would provide for civil penalties for a violation. In addition, the bill requires employers to provide to independent contractors a form developed by the Employment Development Department (EDD) regarding the factors affecting and significance of being classified an independent contractor. This bill requires employers to maintain for two years a record of all independent contractors hired by the employer. Finally, the bill provides that a person who knowingly advises another person for money or other valuable consideration to treat a worker as an independent contractor to avoid employee status for the worker shall be jointly and severally liable with the employer if the worker is not found to be an independent contractor, with specified exemptions.

Status: Assembly Appropriations Committee. Hearing scheduled for August 17, 2011.

SB 533 (Wright): This bill requires the Air Resources Board (ARB) to make specified items required for compliance with California Global Warming Solutions Act (AB 32) regulations available to the public at the time of adoption, or 60 days prior to the compliance date, as applicable.

Status: Assembly Appropriations Committee. Hearing scheduled for August 17, 2011.

SB 553 (Fuller): This bill specifies that a regulation that has or is likely to have an adverse economic impact of \$10 million or more becomes effective 180 days after adoption.

Status: Senate Governmental Organization Committee. Failed deadline. Two-year bill.

SB 560 (Wright): This bill requires an agency, if it does not or is not able to consult with these parties to inform the Office of Small Business Advocate and the Department of Finance in writing of its decision and the reasons for not consulting the impacted businesses.

Status: Senate Environmental Quality Committee. Failed deadline. Two-year bill.

SB 564 (Evans): This bill requires the Public Utilities Commission, in evaluating energy efficiency investments, to ensure that local

and regional interests, multifamily dwellings, and energy service industry capabilities are incorporated into an electrical corporation's energy efficiency program portfolio design, and to encourage participation from local governments, community-based organizations, and energy efficiency service providers in program design, revision, and implementation, where appropriate. The bill requires an electrical corporation, when developing or revising its energy efficiency program portfolio design, to collaborate with, and seek comments from, county climate protection authorities or other public agencies that are directly authorized to implement regional or countywide climate protection and energy efficiency programs.

Status: Senate Energy, Utilities & Commerce Committee. Failed Deadline. Two year bill.

SB 591 (Gaines): This bill requires state agencies to determine how many regulations it imposes and reduce the total number of regulations it has identified by 33% according to specified priorities. The bill also requires review of regulations to determine burden on regulated persons.

Status: Senate Governmental Organization Committee. Failed deadline. Two-year bill.

SB 639 (Cannella): This bill requires the California Environmental Protection Agency, the entities that comprise that agency, and the Division of Occupational Safety and Health, when proposing to adopt, amend, or repeal an administrative regulation, to complete an economic impact analysis of that action prior to the adoption, amendment, or repeal. The bill requires the economic impact analysis to contain the projected cost of the action to the General Fund, the projected total economic impact of the action, including the cost to private sector employers and the estimated number of jobs to be lost, a description of all feasible regulatory alternatives and a cost-benefit analysis of each alternative, and a summary of written comments, as specified. The bill requires the agency to subject the report to a review by an independent entity, as defined, and to make the economic impact report available on the agency's Internet Web site.

Status: Senate Environmental Quality Committee. Failed deadline. Two-year bill.

SB 653 (Steinberg): This bill authorizes counties, cities, any school district, county offices of education and community college districts to impose a local personal income tax, vehicle license fee, transactions and use tax, extractive business activities tax, oil severance tax, and excise tax, with voter approval.

Status: Senate Third Reading File. Failed deadline. Two-year bill.

SB 688 (Wright): This bill requires a state agency to notify the fiscal and appropriate policy committees of the Legislature if the estimated cumulative statewide cost impacts of a regulation exceed \$10 million for affected businesses, and delays the effective date for such a regulation.

Status: Senate Environmental Quality Committee. Failed deadline. Two-year bill.

SB 865 (Negrete-McLeod): This bill requires the Contractors State License Board to indemnify any person it hires if that individual is named as a defendant in a civil action.

Status: Assembly Judiciary Committee. Hearing date not set.

SPEC Summer Legislative Update – August 4, 2011

The California Legislature is currently adjourned for its summer recess. Legislators will return to Sacramento on Monday, August 15th for the last month of this year's legislative session. When the Legislature returns, they will have two weeks of fiscal committee hearings. From August 29th on, only Floor sessions can meet. The Legislature is scheduled to adjourn for the remainder of 2011 on September 9th.

SPEC's top priority issue for 2011 has been to continue legislative and regulatory efforts to address noncompliant contractors and the underground economy. SPEC has supported two bills on this topic that are very close to being sent to the Governor for signature.

The first bill, **AB 397 (Monning)**, requires all licensed contractors to recertify for an exemption from workers' compensation when they renew their license. Under current law, a contractor who claims an exemption from workers' compensation is only required to make that filing at the time he or she receives their initial contractor's license. Approximately 60% of all licensed contractors on the Contractors State License Board (CSLB) website claim this exemption. Although it may make sense that many contractors do not have employees they need to cover for workers' compensation at the time they first obtain their license, AB 397 would require every licensed contractor to recertify this claim for an exemption from workers' compensation coverage every two years.

The second bill is **AB 878 (Berryhill)**. This bill would require a workers' compensation insurer to report to the CSLB when they cancel a workers' compensation policy of a licensed contractor, after an audit reveals that the contractor has made material misrepresentations that resulted in financial harm to the insurer such as premium fraud. This bill also provides that the willful or deliberate disregard and violation of workers' compensation insurance laws by a contractor constitutes a cause for discipline action.

In addition to supporting these two important bills, SPEC is a member and supporter of the Construction Enforcement Coalition (CEC), a growing group of some 60 businesses, trade associations and labor representatives. The CEC is focused on effective and fair enforcement of key California laws and regulations regarding construction with the goal of providing public protection and to level the playing field for law-abiding contractors. This group

has conducted regular meetings in 2011 with the CSLB as well as representatives of the Department of Labor and Workforce Development; the Employment Development Department; the Department of Insurance; the Franchise Tax Board; the Department of Industrial Relations; and, the Federal Bureau of Investigation.

The purpose of these meetings has been to develop coordinated efforts at attacking the underground economy and noncompliant contractors, urge state agencies to unify their efforts to address this problem and to identify how the contractor industry trade associations can provide assistance. A key component of the Coalition's efforts was a Legislative Day held in the State Capitol where 100 attendees lobbied legislators and staff with regard to the serious nature of cheaters in the construction industry.

Another major pocketbook issue for SPEC members related to possible additional fees and taxes. The previous six months of this legislative session was mostly committed to the Governor and Legislators trying to resolve the state's \$26 billion budget deficit. On the table were proposals to expand the state's sales tax to the service industry, authorize local governments and school districts to impose local income taxes and taxes on other items such as alcohol and cigarettes, and yet another proposal to require those who hire independent contractors to withhold 3% of amounts due to be credited toward state income taxes.

Fortunately, none of these proposals were ultimately included in the final budget deal. The proposal to expand taxing authority to local governments was still alive, even after the budget passed, however Senate President Pro Tempore Darrell Steinberg recently announced that he will shelve the proposal for the year.

As California moves closer to a service economy, it is likely that the service sector will be looked upon to provide new revenue. 30 years ago taxes on retail sales made up the equivalent of 50% of personal income and sales taxes were the state's large revenue source. Today sales taxes are the third of personal income and income taxes for outstanding sales tax as a revenue source. As the state moves more to a service economy, more Californians use the internet to purchase products and avoid paying sales tax. Looking forward, SPEC will need to continue monitoring and fighting against such proposals.

SPEC also closely monitored numerous bills introduced this year relative to regulatory reform. This issue was embraced by legislators on both sides of the aisle; however, very few measures have advanced to this point in the legislative process. In the beginning of the year, there were some 15-20 bills introduced aimed at reducing repetitive, unnecessary, outdated or overlapping regulations on businesses in California. Unfortunately, to implement a regulatory review program costs money, something the state does not have at this time. Therefore, all of these bills have been shelved for the year.

In addition to the aforementioned issues, SPEC also closely monitored legislation in the following subject areas: labor and employment; workers' compensation, pool and spa safety, chemical transportation and safety; and energy and conservation. For a list of key legislation tracked by SPEC, and its current status, please see attached document: LEGISLATIVE REPORT FOR SPEC.

Lastly, SPEC has had its hands full responding to proposed new building standards for commercial swimming pools and water parks. Public comment before the California Building Standards Commission was due on June 27th. SPEC established a fourteen member committee consisting of the top commercial pool builders and design firms in California to respond to the 133 pages of proposed new building standards developed by the California Department of Public Health. After input from most of the group a SPEC subcommittee compiled all the comments which John Norwood submitted.

In the last few weeks there have been several conference calls with the Department of Public Health to discuss SPEC's input. "The Department indicated they worked to take as much of our input as possible," indicated John Norwood, President of SPEC. "However, there are still several significant issues SPEC members would like to fix that the Department is either resisting on or they have indicated that there is not sufficient time to do now," continued Norwood. The building standards proposal now amended with SPEC input has now been noticed for another 45 day comment period. SPEC will be assessing the amended standards and will continue to submit input through to the October hearing before the California Building Standards Commission.

CONTINUING EDUCATION FUND APPLICATION

Member Name: _____ Date _____

Company Name: _____

Address: _____

City: _____ Zip: _____

Course/Seminar/Program: _____

Course/Seminar/Program Date: _____ Cost: \$ _____

Note: The Education Committee Chairperson (ECC) must receive Application within 30 days of course Completion. Receipt or proof of attendance must be submitted to ECC before reimbursement will be made. Give/mail to Education Committee Chair – Brian Davis 8070 La Jolla Shores Dr. #421 La Jolla, CA 92037

San Diego Chapter Financial Report – July 1-31, 2011

| | General | Education | Expense Description | General | Education |
|----------------------------------|------------------|------------------|--|------------------|------------------|
| Cash on Hand (Beg. Bal.) | 26,368.48 | 9,391.73 | Cash Disbursements | | |
| CD & Savings | | 14,129.47 | Bank charges | | |
| Total | 26,368.48 | 23,521.20 | Continuing Education | | 115.00 |
| Combined total | 49,889.68 | | SPEC Donation | 200.00 | |
| Cash Receipts | | | | | |
| Dues collected by IPSSA | 1,956.00 | | Door prizes Raffle | 25.00 | |
| Newsletter Advertisement | | | Newsletter | | |
| Chapter Supporters – | | | Legal/Professional Computer consulting | 100.00 | |
| Member fines | 150.00 | | Meeting expense | | |
| Interest earned | | | - Chapter Board | 201.61 | |
| Rebate Program (Pentair Filters) | | | - General meeting | | |
| CD Interest | | 1.00 | - Hall Rental | | |
| Member payment | | | - Regional Dues | | |
| Other –H2O Watcher Tags | | | - Water Watcher Program | | |
| Fines: - | | | Office expense: | 92.64 | |
| | | | Phone | 21.47 | |
| | | | Postage & Copies | | |
| | | | Mileage | | |
| New Member | | | - PO Box Rental | | |
| Education Fund | | | - IRS payment | 0.28 | |
| Child Safety | | | - Blood Drive Breakfast | 78.58 | |
| Directory sales | | | Total Expenses in Month | 719.30 | 115.00 |
| Transfer from savings for Educ. | | | Cash on Hand (End Balance) | 27,755.18 | 9,277.45 |
| Total Income in Month | 2,106.00 | 1.00 | CD & Savings | | 14,129.47 |
| | | | Total | 27,755.18 | 23,406.92 |
| | | | Combined Total | 51,162.10 | |



San Diego
Superior Pool Products
4737 Old Cliffs Rd
619-283-2066

Monthly drawing
50 pound bucket of 3 inch Jumbo Tabs
Bring your Skimmer
to the August 2011 General Meeting
Must place your coupon in the drawing.
Must be present to win!



SCP San Diego
5648 Copley Dr
858-467-9495

Monthly drawing
\$50 Shell Gas Card
Bring your Skimmer
to the August 2011 General Meeting
Must place your coupon in the drawing.
Must be present to win!

BLUE CARD - SAN DIEGO IPSSA (Fill form completely) Date: _____

Name: _____ Spouse: _____ H.Phone:() _____

H. Address: _____ City: _____ Zip: _____

Company Name: _____ E-Mail: _____

B. Address: _____ City: _____ Zip: _____

B.Phone:() _____ Pager:() _____ Cellular:() _____

CIRCLE ZIP CODES THAT YOU SERVICE (Mail cards to Chapter PO Box or give to Paul Grimes)

| <u>NORTH CITY</u> | <u>METRO NORTH</u> | <u>METRO SOUTH</u> | <u>SOUTH BAY</u> | <u>EASTCOUNTY</u> |
|------------------------|---|------------------------|--|-----------------------|
| 92007 - Cardiff | 92037 - La Jolla | 92101 - Downtown | 91902 - Bonita | 91901 - Alpine |
| 92014 - Del Mar | 92108 - Mission Valley | 92102 - Golden Hill | 91910 - Chula Vista | 91935 - Jamul |
| 92024 - Encinitas | 92109 - Pacific Beach | 92103 - Hilerst/MsnHl | 91911 - Chula Vista | 91941 - La Mesa |
| 92064 - Poway | 92111 - Clairemont | 92104 - North Park | 91913 - Chula Vista | 91942 - La Mesa |
| 92067 - Rancho S Fe | 92117 - Clairemont | 92105 - City Heights | 91914 - Eastlake | 91945 - Lemon Grove |
| 92075 - Solana Beach | 92119 - San Carlos | 92106 - Pt. Loma | 91915 - Eastlake | 91977 - Spring Valley |
| 92091 - Morgan Run | 92120 - Grantville | 92107 - Ocean Bch/PL | 91932 - Imperial Bch | 91978 - Rancho SD |
| 92121 - Sorrento Valey | 92122 - Univ. City | 92110 - Midway/O.T. | 91950 - National City | 92019 - El Cajon |
| 92126 - Mira Mesa | 92123 - Mission Village | 92113 - Logan Heights | 92118 - Coronado | 92020 - El Cajon |
| 92127 - Rancho Berndo | 92124 - Tierrasanta | 92114 - Encanto | 92154 - Otay Mesa | 92021 - El Cajon |
| 92128 - Rancho Berndo | | 92115 - Rolando | 92173 - San Ysidro | 92040 - Lakeside |
| 92129 - Penasquitos | | 92116 - Normal Hghts | | 92071 - Santee |
| 92130 - Carmel Valley | | 92139 - Paradise Hills | | |
| 92131 - Scripps Ranch | poolservicepros.com listings are by your Zip codes. | | DO NOT list me for referrals on www. poolservicepros.com | |

I, the undersigned, waive any and all claims against IPSSA, Inc, IPSSA Management Company, IPSSA Chapters and/or its individual members, arising out of my participation in the IPSSA Sick Leave Program, including, but not limited to claims for lost income resulting from improper maintenance performed by IPSSA members. I have read and understand the standing rules for the Sick Leave Program and agree to participate in that program.

SIGNATURE REQUIRED _____ DATE _____

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**San Diego Chapter
Independent Pool & Spa
Service Association
PO BOX 600862
San Diego CA 92160-0862
[www. ipssasandiego.com/members](http://www.ipssasandiego.com/members)**

**General Meeting
August 17, 7pm
(Social Hour 6-7 pm)
Admiral Baker Club
Directions Below
Dinner Meeting
Kauai Condo Auction!**



**Next General Meeting
August 17, 2011 – 7 p.m.
Admiral Baker Clubhouse
Friars Rd East of I-15,
North on Santo,
Right onto Admiral Baker Rd**

