**REGULATORY AGENCY ACTION**

- amend section 360 to provide that no licensee shall verbally or physically abuse an official or Commission representative, and state that such abuse may result in suspension, fine, or disciplinary action as determined by the Commission;
- amend section 361 to clarify the position of the corner workers (seconds);
- amend section 362 to provide that excessive coaching may lead to point(s) deduction by the referee, ejection from the venue, and disciplinary action by the Commission;
- amend section 363 to provide that the designated chief second shall be responsible for ensuring that the corner is dry at the start of each round;
- amend section 365 to prohibit the use of fans and the swinging of towels between rounds;
- amend section 368 to make a clarifying change regarding referees used as judges;
- amend section 371 to provide additional requirements for licensure as a professional boxing referee and clarify that a licensed referee may serve as a judge without the need to obtain a judge’s license;
- amend section 372 to specify that referees shall wear such apparel as may be approved by the Commission;
- amend section 373 to delete a reference to wrestling programs;
- amend section 375 to delete some duplication of the physical examination requirements for professional boxing referees;
- amend section 376 to allow a referee to protest a negative evaluation;
- amend section 378 to provide that any licensed boxing referee, judge, timekeeper, or physician shall be admitted to any boxing show upon presentation of his/her license card;
- amend section 379 to add additional requirements for licensure as a professional boxing judge; and
- adopt new sections 495 and 496, which would require all professional boxers’ training gymnasia licensed by the Commission to post their license in a conspicuous place and require owners of licensed professional boxing gymnasia to submit to the Commission, on a monthly basis, the Commission-approved sparring form which shall include information on licensed boxers or holders of sparring permits who have been knocked out or injured at the gymnasium.

The Commission held a public hearing on these regulatory proposals on January 13 in San Diego; following the hearing, the Commission adopted the proposals, which await review and approval by the Office of Administrative Law.

**LEGISLATION**

**Proposed Legislation.** During 1995, the Commission is expected to pursue legislation to tax pay-per-view boxing events telecast in California. The proposed legislation would attach a 5% fee to the out-of-state promoter or producer of a pay-per-view boxing match (not the cable television company telecasting the event); allow 1% of the pay-per-view revenues to be used to support amateur boxing in California; and allow any excess pay-per-view revenues to be used to offset the cost of the Commission’s neurological examination. If the Commission does not establish an event fee cap, staff estimates that the fee could generate as much as $800,000 in annual revenue for the Commission.

The Commission is also expected to pursue legislative changes to Business and Professions Code section 18880 et seq., its Professional Boxers’ Pension Plan statutes (see above); at this writing, no specific language has been approved by the Commission.

**RECENT MEETINGS**

At its September 23 meeting in Los Angeles, the Commission again considered a promoter’s application to sponsor a “toughman competition” in California. According to Commission staff, a toughman competition is a tournament in which each winning competitor advances to a new round only until one undefeated competitor remains; these tournaments are based upon different weight classes and typically include fighters who have no professional experience. The promoter in question was present at the meeting to answer the Commission’s questions regarding the competition, and provided a letter of introduction, his proposed rules for the event, letters of endorsement, copies of articles regarding out-of-state competitions, and a press kit. The Commission expressed concern about how the fighters would be licensed, how the competitors train before the fights, and how the Commission would be able to judge the contestants’ abilities; Commission members also noted that riots have erupted during toughman competitions conducted in other states. Following its consideration of the request, the Commission unanimously denied the promoter’s application.

At its November 18 meeting in Irvine, the Commission discussed problems concerning the administration of its neurological examination. Specifically, staff reported that it is increasingly experiencing difficulties in scheduling timely neuropsychological examinations for boxers who fail the mental status portion of their neurological examinations. In such cases, staff has required the individual to retake the initial examination with another neurologist; however, staff acknowledged that this interim procedure does not necessarily appear to be the optimum solution, as boxers are frequently able to memorize the test questions and answers. At the meeting, the Commission heard from three physicians who recommended that the Commission allow a boxer who has failed the mental status portion of the neurological examination to fight once, but require that he/she take the neuropsychological examination before he/she has any subsequent fights in California. Following discussion, the Commission adopted this recommendation.

At its January 13 meeting in San Diego, the Commission reelected William Eastman to serve as Chair and Willie Buchanan to serve as Vice-Chair during 1995.

**FUTURE MEETINGS**

February 23 in Irvine.
April 7 in Los Angeles.
May 12 in Sacramento.
July 13 in South Lake Tahoe.
August 18 (location to be announced).
October 6 (location to be announced).
December 8 (location to be announced).

**BOARD OF BARBERING AND COSMETOLOGY**

Executive Officer: Olivia Guevara
(916) 445-7061

O n July 1, 1992, pursuant to AB 3008 (Eastin) (Chapter 1672, Statutes of 1990), the enabling statutes of the Board of Barber Examiners (BBE) and the Board of Cosmetology (BOC) were repealed and replaced with an enabling act creating the Board of Barbering and Cosmetology (BBC); that act is found at Business and Professions Code section 7301 et seq. BBC licenses and regulates persons engaged in the practice of barbering, cosmetology, and electrolysis. The Board is authorized to conduct and administer examinations, adopt regulations governing public health and safety, and discipline persons in violation of its statutes or regulations. BBC represents the first merger of two California regulatory agencies. The Board, which consists of five public members and four members representing the professions, holds meetings at least four times per year.

On October 19, Paul Schrage announced his resignation from BBC, effec-
REGULATORY AGENCY ACTION

BBC Adopts New Operating Policies. At its October 3 meeting, BBC unanimously adopted several new policies which were developed by its Administration Committee. Among other things, the new policies provide that the President and Executive Officer together may direct any Board member to perform a specific task or function on behalf of the Board prior to obtaining full Board approval; BBC shall set its meeting dates for one full year in advance during the first meeting of the newly-elected Board officers; Board meeting dates should, as is possible, coincide with dates and general locations of industry trade shows and various professional association conferences and events; and a Board member is not eligible to serve as President or Vice-President until he/she has served one year as a general Board member.

LEGISLATION

Future Legislation. During 1995, BBC is expected to pursue legislation which would delete the words "for compensation" from Business and Professions Code section 7317, which prohibits the practice of barbering, cosmetology, or electrolysis for compensation without a license. When the language of the 1990 merger bill was drafted, the words "for compensation" were added to this section; prior to 1990, the Board of Cosmetology successfully prosecuted unlicensed individuals without having to prove that compensation was made. Because unlicensed persons found working in salons often claim they are providing services free of charge, BBC argues that it is difficult to prove otherwise without conducting costly undercover operations. Accordingly, BBC may pursue changes to section 7317 to delete the words "for compensation," and to clarify Business and Professions Code section 7318 to exempt from BBC's license requirements persons actually providing services for free outside a licensed establishment. [14:4 CRLR 43; 14:2&3 CRLR 41]

Also at its January 9 meeting, the Board reviewed a draft version of its Student Handbook, which is being developed to clarify the examination application process for applicants and state the basic procedures relative to any of the Board's examinations. Board members agreed to turn any comments or revisions to the document by fax to Board staff so that the Handbook can be finalized and made available to applicants as soon as possible.

At BBC's January 9 meeting, Supervising Examiner Joyce Moro reported that the barber occupational analysis is behind schedule due to staff changes at the Department of Consumer Affairs' Office of Examination Resources (OER). Moro reported that staff had prepared a draft version of the proposed survey, and sent the draft to a test group of fourteen barbers, all of whom have previously participated in past barber occupational analysis activities; at this writing, BBC expects to receive comments regarding the draft survey by January 6. OER will review the comments and make appropriate revisions to the final survey before its distribution. [14:4 CRLR 43; 14:2&3 CRLR 41]

RECENT MEETINGS

At its October 3 meeting, BBC established procedures relating to the evaluation of its Executive Officer. Among other things, BBC agreed to conduct an annual written evaluation; the Administration Committee will distribute a list of questions regarding the Executive Officer's performance, and each Board member will rank answer each question; the Committee will compile the rankings and provide one written evaluation form to the Executive Officer; and BBC will require the Executive Officer to submit a self-evaluation to the Committee.

Also at its October meeting, BBC approved the Examination Committee's proposed performance criteria, which specifies for instructors all of the areas in which the Board may test license applicants. At its January 9 meeting, the Board modified its performance criteria to include references to chemical exfoliation procedures. The Board also agreed to substitute the term "chemical exfoliation procedure" for the term "chemical skin peel" in its literature.

FUTURE MEETINGS