



## REGULATORY AGENCY ACTION

nominated for recognition by the Inter-governmental Council of State Governments. The Council provides recognition of innovative government programs that may have wide application and can serve as models for other states. Scott reported that other states are already studying the Board's program.

At the Board's May meeting, the Enforcement Task Force presented its final report, and then was sunsetted. The recommendations of the Task Force include the following: (1) the AC should develop guidelines and procedures for Board staff and counsel to use in the settlement of discipline cases; (2) members of the Board's Technical Review Panels (volunteer practicing CPAs who investigate complaints against licensees and make recommendations to the AC) should be permitted to participate in enforcement matters on a negotiated basis as special consultants or expert witnesses for pay; however, members of the Board's committees should not be permitted to participate for pay exceeding the standard per diem stipend in the activities of their own committee; (3) staff should rewrite policy and procedures for prioritization and case selection for the Board's Major Case Program; and (4) the Major Case Advisory Committee should develop and implement criteria for the selection of outside counsel in enforcement cases, and develop a list of firms.

### FUTURE MEETINGS:

September 27-28 in Sacramento.  
November 22-23 in Los Angeles.

### BOARD OF ARCHITECTURAL EXAMINERS

*Executive Officer: Stephen P. Sands*  
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The Board of Architectural Examiners (BAE) was established by the legislature in 1901. BAE establishes minimum professional qualifications and performance standards for admission to and practice of the profession of architecture through its administration of the Architects Practice Act, Business and Professions Code section 5500 *et seq.* The Board's regulations are found in Division 2, Title 16 of the California Code of Regulations (CCR). Duties of the Board include administration of the Architect Registration Examination (ARE) of the National Council of Architectural Registration Boards (NCARB), and enforcement of the Board's statutes and regulations. To become licensed as an architect, a candidate must success-

fully complete a written and oral examination, and provide evidence of at least eight years of relevant education and experience. BAE is a ten-member body evenly divided between architects and public members. Three public members and the five architects are appointed by the Governor. The Senate Rules Committee and the Speaker of the Assembly each appoint a public member.

### MAJOR PROJECTS:

*Regulatory Changes.* At its May 23 meeting, BAE continued its discussion regarding proposed amendments to sections 134 and 135, Title 16 of the CCR, which would require all types of architectural businesses to advertise similarly, and require all architectural partnerships to list in their title or designation the name of a general partner and the fact that he/she is a licensed architect. At its January 18 meeting, the Board had decided to postpone adoption of the proposed amendments as written. Instead, the Board decided to rewrite the amendments; on May 22, BAE held a public hearing on the revised proposal. (See CRLR Vol. 11, No. 2 (Spring 1991) p. 54; Vol. 11, No. 1 (Winter 1991) p. 48; and Vol. 10, No. 4 (Fall 1990) p. 52 for background information.) At its May 23 meeting, the Board decided to put the matter off again, and created a special task force to help bring the issue to closure; it will report back to the Board at its next meeting.

On March 11, BAE submitted proposed new section 136, Title 16 of the CCR, to the Office of Administrative Law (OAL); section 136 mandates the size, shape, and type of stamp which architects are now required to affix to all plans, specifications, and instruments of service when submitting them to a governmental entity for approval or issuance of a permit. (See CRLR Vol. 11, No. 2 (Spring 1991) p. 54; Vol. 11, No. 1 (Winter 1991) p. 48; and Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 68 for background information.) On April 3, OAL approved section 136.

### LEGISLATION:

*SB 527 (Davis)*, as amended May 20, would extend until January 1, 1997, section 411.35 of the Code of Civil Procedure. This section, which is scheduled to sunset on January 1, 1992, requires the plaintiff's attorney, in specified actions for indemnity or damages arising out of the professional negligence of a person licensed as a professional architect, engineer, or land surveyor, to attempt to obtain consultation with at least one professional architect, engineer, or land surveyor who is not a party to the action

and file a certificate which declares why the consultation was not obtained or that on the basis of the consultation, the attorney believes there is reasonable and meritorious cause for filing the action. This bill passed the Senate on May 24 and is pending in the Assembly Judiciary Committee.

*AB 766 (Frazee)*, as amended April 11, would, among other things, provide that the body of law regulating the practice of architecture may be cited as the Architects Practice Act; officially change the name of the California State Board of Architectural Examiners to the California Board of Architectural Examiners; change references from "architectural corporation" to "professional architectural corporation"; and provide that a license which has expired may be renewed at any time within five years after its expiration, upon the filing of an application for renewal and payment of all accrued and unpaid renewal fees. This bill passed the Assembly on May 16 and is pending in the Senate Business and Professions Committee.

### FUTURE MEETINGS:

September 30 in Monterey.

### ATHLETIC COMMISSION

*Executive Officer: Ken Gray*  
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The Athletic Commission is empowered to regulate amateur and professional boxing and contact karate under the Boxing Act (Business and Professions Code section 18600 *et seq.*). The Commission's regulations are found in Division 2, Title 4 of the California Code of Regulations (CCR). The Commission consists of eight members each serving four-year terms. All eight members are "public" as opposed to industry representatives.

The current Commission members are Bill Malkasian, Raoul Silva, Ara Hairabedian, P.B. Montemayor, M.D., Jerry Nathanson, Thomas Thaxter, M.D., Charles Westlund, and Robert Wilson.

The Commission has sweeping powers to license and discipline those within its jurisdiction. The Commission licenses promoters, booking agents, matchmakers, referees, judges, managers, boxers, and martial arts competitors. The Commission places primary emphasis on boxing, where regulation extends beyond licensing and includes the establishment of equipment, weight, and medical requirements. Further, the Commission's power to regulate boxing extends to the separate approval of each contest