



delay the effective date of the new inspection report form. The rulemaking file had not yet been submitted to OAL; however, once submitted and approved, SPCB will amend the rulemaking file to take effect one year after OAL approval. The Board will have to resubmit the file to OAL for approval of the extended date. The extension will allow industry members sufficient time to update their equipment to accommodate the revised form and to deplete their supply of the old forms.

**Other Board Rulemaking.** On April 12, OAL approved the Board's adoption of section 1970.5, to define the term "the time aeration is commenced" in order to reduce confusion among licensees as to the meaning of this term. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 80 for background information.)

On March 19, SPCB released modifications to the proposed language of new section 1990(c), which specifies when a wood patio, deck, or similar structure should be inspected. (See CRLR Vol. 9, No. 4 (Fall 1989) pp. 80-81 for background information.) The new language, which is now awaiting review by OAL, reads as follows: "If a wood deck, wood patio or other similar structure touches or connects with the structure being inspected, it must also be inspected and reported or stated as not inspected in a 'limited report.' If a deck, patio or other structure does not touch, attach to or connect with the structure, it may be excluded from the scope of the inspection. The attachment, touching, or connection acts as a triggering device for requiring inspections. Separation from the main structure by stucco, metal flashing or other common barriers does not remove it from being considered part of the structure with regard to inspection."

#### LEGISLATION:

**AB 4050 (Sher)**, as amended June 12, would require the registration of a pest control device, as defined, with the CDFA Director before the device may be used or offered for sale in California. The bill would authorize the Director to establish standards and tests and a fee for registration of a device, and authorize the Director to refuse to register or to revoke a registration under specified circumstances. The bill would also make it unlawful to manufacture, deliver, distribute, sell, possess, or use any device which is not registered. This bill is pending in the Senate business and Professions Committee.

#### RECENT MEETINGS:

At SPCB's February 9-10 meeting, staff reported that they are making

progress with Branch 4 developments. (See CRLR Vol. 10, No. 1 (Winter 1990) p. 96 for background information.) Staff are currently in the process of identifying roof restoration companies and individuals affected by this new law. On March 1, SPCB published notices in various newspapers in order to specify the Board's role in the Branch 4 license; notice of the new branch was also placed in the Contractor's Registry. The contract for examination development will be in place by June 1. Staff are also revising the Board's current forms in order to include Branch 4. UC Berkeley intends to develop a correspondence course on Branch 4 fumigation.

At SPCB's May 4 meeting, the Health and Safety Committee presented the results of a survey conducted by CDFA. The present practice in the pesticide industry is to place chloropicrin, a nontoxic substance much like tear gas, inside a structure which is being fumigated in order to deter persons from entering the structure. CDFA has proposed that the chloropicrin be injected between the tarp covering the structure and the structure itself, such that individuals would be completely deterred from breaking into the structure. The Health and Safety Committee intends to propose regulations on this issue for the Board's review.

#### FUTURE MEETINGS:

October 24 in San Diego.

#### TAX PREPARER PROGRAM

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Enacted in 1973, abolished in 1982, and reenacted by SB 1453 (Presley) effective January 31, 1983, the Tax Preparer Program registers approximately 19,000 commercial tax preparers and 6,000 tax interviewers in California, pursuant to Business and Professions Code section 9891 *et seq.* The Program's regulations are codified in Chapter 32, Title 16 of the California Code of Regulations (CCR).

Registrants must be at least eighteen years old, have a high school diploma or pass an equivalency exam, have completed sixty hours of instruction in basic personal income tax law, theory and practice within the previous eighteen months, or have at least two years' experience equivalent to that instruction. Twenty hours of continuing education are required each year.

Prior to registration, tax preparers must deposit a bond or cash in the

amount of \$2,000 with the Department of Consumer Affairs.

Members of the State Bar of California, accountants regulated by the state or federal government, and those authorized to practice before the Internal Revenue Service are exempt from registration.

An Administrator, appointed by the Governor and confirmed by the Senate, enforces the provisions of the Tax Preparer Act. He/she is assisted by a nine-member State Preparer Advisory Committee which consists of three registrants, three persons exempt from registration, and three public members. All members are appointed to four-year terms.

#### LEGISLATION:

**AB 3242 (Lancaster)**, as amended May 15, is the Department of Consumer Affairs' omnibus bill. The bill would prohibit the use of experience gained in violation of the Tax Preparer Act towards a tax preparer's or tax interviewer's registration requirements; change the existing two-year registration renewal system to an annual renewal requirement of registration for tax preparers and tax interviewers; and provide that a tax preparer who does not renew his/her registration within three years of its expiration must obtain a new registration. This bill is pending in the Senate Business and Professions Committee.

#### RECENT MEETINGS:

The Advisory Board has not met since December 13, 1988.

#### FUTURE MEETINGS:

To be announced.

#### BOARD OF EXAMINERS IN VETERINARY MEDICINE

*Executive Officer: Gary K. Hill*  
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Pursuant to Business and Professions Code section 4800 *et seq.*, the Board of Examiners in Veterinary Medicine (BEVM) licenses all veterinarians, veterinary hospitals, animal health facilities, and animal health technicians (AHTs). Effective May 1990, the Board will evaluate applicants for veterinary licenses through three written examinations: the National Board Examination, the Clinical Competency Test, and the California Practical Examination.

The Board determines through its regulatory power the degree of discretion that veterinarians, AHTs, and