



71-72; Vol. 9, No. 4 (Winter 1989) p. 48; and Vol. 8, No. 4 (Fall 1988) p. 56 for detailed background information.)

At this writing, the legislature has not yet responded to the report.

LEGISLATION:

AB 4241 (Connelly) increases the special need allowances currently paid to users of guide dogs to \$40, and further increases that amount to \$50 beginning July 1, 1991. The bill also provides that the allowance shall be provided for blind or disabled recipients of benefits under the SSI and SSP programs, and specifies that the allowance shall be for guide dogs, signal dogs, or other service dogs, to pay for dog food and other costs associated with their care and maintenance. This bill was signed by the Governor on September 12 (Chapter 871, Statutes of 1990).

FUTURE MEETINGS:

December 6-7 in Los Angeles.

BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION

Chief: Gordon Damant
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The Bureau of Home Furnishings and Thermal Insulation (BHF) is charged with regulating the home furnishings and insulation industries in California. As a division of the state Department of Consumer Affairs, the Bureau's mandate is to ensure that these industries provide safe, properly labeled products which comply with state standards. Additionally, the Bureau is to protect consumers from fraudulent, misleading, and deceptive trade practices by members of the home furnishings, insulation, and dry cleaning industries. The Bureau is established in Business and Professions Code section 19000 *et seq.*

The Bureau establishes rules regarding furniture and bedding labeling and sanitation. To enforce its regulations, which are codified in Chapter 3, Title 4 of the California Code of Regulations (CCR), the Bureau has access to premises, equipment, materials, and articles of furniture. The Bureau may issue notices of violation, withhold products from sale, and refer cases to the Attorney General or local district attorney's offices for possible civil penalties. The Bureau may also revoke or suspend a licensee's registration for violation of its rules.

The Bureau is also charged with the registration of dry cleaning plants

throughout the state. The registration process includes submission of information regarding the plant's onsite storage, treatment, and disposal of toxic wastes. The Bureau, however, has no enforcement authority regarding this function.

The Bureau is assisted by a thirteen-member Advisory Board consisting of seven public members and six industry representatives.

MAJOR PROJECTS:

Furniture Flammability Standards. The Bureau has finalized the language of revisions of California Technical Bulletin 133, which will be incorporated by reference into proposed regulatory changes to section 1374, Title 4 of the CCR, establishing higher flammability standards for furniture use in public buildings. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 95 and Vol. 9, No. 4 (Fall 1989) p. 59 for background information.)

The proposed amendment to section 1374 would require that after January 1, 1992, all seating furniture sold for use in public occupancy buildings shall meet the test requirements set forth in Technical Bulletin Number 133. For purposes of these amendments, public occupancy buildings include hospitals, nursing homes, penal institutions, child day care centers, public auditoriums and stadiums, and public assembly areas in hotels and motels. Amendments to section 1374.3 would conform existing labeling requirements to the new standards.

The proposed amendments provide that local fire authorities, as well as the Bureau, may enforce the flammability requirements. The Bureau hopes to schedule public hearings on the proposed regulatory changes to coincide with the December 11 Advisory Board meeting in Los Angeles.

Insulation Program. The State Fire Marshal approved the Bureau's amendments to sections 1551-1565, Title 24, Part 12 of the State Referenced Standards Code regarding Standards for Insulating Material. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 95 for background information.) The Bureau is currently testing the fire safety testing criteria modifications recommended by Underwriters Lab, a private electrical laboratory. After testing, the amendments will be presented to the State Building Standards Commission, which is charged with conducting public hearings.

Statewide Survey of Waterbed Heaters. At the September 11 Advisory Board meeting, Chief Damant announced the results of a statewide sur-

vey on the safety of waterbed heaters. Twenty-three waterbed heaters from approximately nine manufacturers were tested for compliance with the stricter safety standards which were passed by the legislature in September 1988 and became effective in September 1989. Of the heaters tested, 75% failed the burnout test conducted by the Bureau. Chief Damant notified the manufacturers whose products did not pass the safety tests, stating that BHF will withhold those waterbed heaters from sale if they are found on the market.

LITIGATION:

The final judgment in *People v. Base Line Design, Inc.*, No. 364101 (Sacramento County Superior Court) enjoins Base Line from, among other things, placing upon its upholstered furniture a label which implies that the furniture complies with the requirements of California law unless in truth and in fact said upholstered furniture does comply with the requirements of California law. Although Base Line, a New York corporation, did not admit to any violation of law, it agreed to pay \$43,610 in civil penalties, investigation costs, and attorneys' fees. Of the \$43,610 judgment, the Bureau will receive \$5,610 to cover its investigation costs in the matter.

In *People v. Linon Imports, Inc.*, No. 364227 (Sacramento County Superior Court), Linon agreed to pay \$6,500 in civil penalties, investigation costs, and attorneys' fees. Although Linon, a Yugoslavian furniture manufacturer, did not admit to any violation of law, the judgment enjoins Linon from, among other things, placing upon its upholstered furniture a label which implies that the furniture complies with the requirements of California law unless in truth and in fact said upholstered furniture does comply with the requirements of California law. The Bureau will receive \$2,000 to cover its investigation costs in the matter.

In *People v. Coaster Company of America*, No. BC005351 (Los Angeles County Superior Court), Coaster agreed to pay \$37,000 in civil penalties, investigation costs, and attorneys' fees. Although Coaster, a California furniture manufacturer, did not admit to any violation of law, the judgment enjoins Coaster from, among other things, placing upon its upholstered furniture a label which implies that the furniture complies with the requirements of California law unless in truth and in fact said upholstered furniture does comply with the requirements of California law. Of the \$37,000 judgment, the Bureau will



receive \$3,675 to cover its investigation costs in the matter.

RECENT MEETINGS:

At the Advisory Board's June 12 meeting in San Diego, Deputy Chief Ernest Chard reviewed the improvements to the Bureau's inspection program since the Bureau obtained its own inspectors in January 1986. Chard stated that these improvements include the following: notices of violations issued by inspectors are processed in a timely fashion; inspectors have received a printout of Bureau licensees listed by county and by each inspector's area; the Bureau Chief and Deputy Chief each spend one day per year in the field with each inspector; and the Bureau is establishing a computer tracking system that enables BHF to coordinate all enforcement activities.

At the Advisory Board's September 11 meeting in San Francisco, Chief Damant reviewed several draft budget change proposals (BCP) for the 1991-92 fiscal year. BHF may seek the following BCPs: \$37,000 to fund one position at the Office Assistant level to address workload increases; \$20,000 to augment its staff benefits allotment to reflect historical expenditures; and \$25,000 to augment various operating expenses and equipment allotments to conduct full-scale flammability testing of furniture used in public facilities. BHF will pursue some or all of these BCPs in upcoming months.

FUTURE MEETINGS:

December 11 in Los Angeles.
March 12 in Sacramento.

BOARD OF LANDSCAPE ARCHITECTS

Executive Officer: Jeanne Brode
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The Board of Landscape Architects (BLA) licenses those who design landscapes and supervise implementation of design plans. To qualify for a license, an applicant must successfully pass the written exam of the national Council of Landscape Architectural Registration Boards (CLARB), an additional section covering landscape architecture in California, and an oral examination given by the Board. As of January 1, 1990, the oral exam requirement is deleted for all in-state applicants. In addition, an applicant must have the equivalent of six years of landscape architectural experience. This may be a combination of education from a school with a Board-

approved program in landscape architecture and field experience.

The Board investigates verified complaints against any landscape architect and prosecutes violations of the Practice Act. The Board also governs the examination of applicants for certificates to practice landscape architecture and establishes criteria for approving schools of landscape architecture.

Authorized in Business and Professions Code section 5615 *et seq.*, BLA consists of seven members. One of the members must be a resident of and practice landscape architecture in southern California, and one member must be a resident of and practice landscape architecture in northern California. Three members of the Board must be licensed to practice landscape architecture in the state of California. The other four members are public members and must not be licentiates of the Board. Board members are appointed to four-year terms. BLA's regulations are codified in Chapter 26, Title 16 of the California Code of Regulations (CCR).

MAJOR PROJECTS:

Draft Regulatory Changes. At BLA's August 17 meeting, the Board held a workshop to discuss draft amendments to section 2620, Chapter 26, Title 16 of the CCR, regarding work experience requirements for licensure applicants. To be eligible for examination, a candidate must meet the requirements of Business and Professions Code section 5650, which provides that any person over the age of eighteen who has had "six years of training and educational experience in actual practice of landscape architectural work" shall be entitled to take the examination. The section also provides that a degree from a Board-approved school of landscape architecture shall be deemed equivalent to four years of training and educational experience in the actual practice of landscape architecture.

At previous meetings, BLA agreed on draft amendments to section 2620 regarding the amount of credit toward the six-year requirement to be given for various educational degrees. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) pp. 95-96; Vol. 10, No. 1 (Winter 1990) p. 73; and Vol. 9, No. 4 (Fall 1989) p. 61 for background information.) In a further discussion of this issue at the August 17 workshop, BLA agreed that a potential candidate who has a high school diploma or GED equivalent and no formal education, and who possesses eight years of work experience under the direct supervision of a licensed landscape architect, should be able to take the exam. BLA further agreed that, in

order to be eligible for the exam, all candidates must possess at least two years of training experience, at least one year of which must be under the direct supervision of a licensed landscape architect.

BLA also agreed that self-employment as, or employment by, a landscape architect in a foreign country shall be granted credit on a 50% basis, in an amount not to exceed four years; self-employment as, or employment by, a licensed architect or a registered civil engineer shall be granted credit on a 50% basis, in an amount not to exceed a total of one year; and self-employment as, or employment by, a licensed landscape contractor or a certified nurseryman shall be granted credit on a 50% basis, in an amount not to exceed one year.

Finally, BLA created a special committee to develop a proposal to present at the Board's October meeting regarding all of these proposed revisions to section 2620. The committee is comprised of Board members Robert Hablitzel and Juanita Raven, and Department of Consumer Affairs (DCA) legal counsel Don Chang.

BLA/CLARB Exam Task Analysis. BLA is conducting a task analysis of the practice of landscape architecture through a random sampling of licensed landscape architects in California, and hopes that CLARB will do the same on a national basis. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 96 for background information.) However, CLARB has not yet done so and now states that it does not have the funds for such an undertaking. In addition, should CLARB fail to honor its resolution to offer a new exam by 1992, BLA may proceed to withdraw from the organization and create its own licensing exam.

LEGISLATION:

The following is a status update on bills reported in CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) at page 96:

SB 2899 (Green), as amended August 27, amends Business and Professions Code section 5681 to increase the maximum fees which may be assessed by BLA; and requires BLA and DCA, prior to June 30, 1991, to report to the appropriate policy and fiscal committees of the legislature with a cost comparison of developing a new licensing examination independent of the national examination. This bill was signed by the Governor on September 30 (Chapter 1548, Statutes of 1990).

AB 3330 (Frazee), which, as amended June 28, requires landscape architects to provide each customer with a detailed written contract, was signed by the