



INTERNAL GOVERNMENT REVIEW OF AGENCIES

-CWMB should establish an aggressive education campaign aimed at teaching consumers the value of conservation and efficient use of resources.

-The Governor and the legislature should enact legislation that requires local governments to prepare, adopt, and implement plans to divert from landfills through source reduction and recycling 25% of the waste generated within the jurisdiction of the local agencies.

-CWMB should conduct a comprehensive study of the financial, environmental, and social effects of recycling.

-CWMB should exist as an independent five-member board, consisting of members with specified credentials.

-CWMB should be subject to conflict of interest controls, including a ban on ex parte communications, and the prohibition of Board members or staff working on any matter affected by the actions of the Board for one year after the person's departure from the Board.

DEPARTMENT OF CONSUMER AFFAIRS

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In addition to its functions relating to its forty boards, bureaus and commissions, the Department of Consumer Affairs (DCA) is charged with the responsibility of carrying out the provisions of the Consumer Affairs Act of 1970. In this regard, the Department educates consumers, assists them in complaint mediation, advocates their interests in the legislature, and represents them before the state's administrative agencies and courts.

MAJOR PROJECTS:

Dispute Resolution Programs. This DCA-sponsored program consists of a network of informal and affordable county-based mediation centers throughout the state, based on the idea that an impartial mediator can often help adversaries reach a mutually satisfactory settlement. It is hoped that the program will defuse many disagreements which might otherwise end up in an already crowded state court system. (See CRLR Vol. 8, No. 2 (Spring 1988) p. 33 for background information.)

DCA is encouraged by the increasing interest in the program as more counties raise funds to qualify for grants. Eighteen counties—approximately one-third of those in the state—are implementing the Dispute Resolution Programs Act, includ-

ing Alameda, Butte, Contra Costa, Fresno, Humboldt, Inyo, Los Angeles, Marin, Mono, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Cruz, Ventura, and Yolo counties. These counties represent almost 70% of the state's population and 40% of the state's land area.

DCA's Dispute Resolution Advisory Council recently submitted its package of regulations implementing the Act to the Office of Administrative Law (OAL). (See CRLR Vol. 9, No. 3 (Summer 1989) p. 31 and Vol. 9, No. 2 (Spring 1989) p. 40 for background information.) The regulations have been approved by OAL and became effective on October 1.

LEGISLATION:

AB 2113 (Johnson), as amended August 25, repeals the entire Employment Agency Act of the Business and Professions Code, abolishes DCA's Bureau of Personnel Services, and enacts several provisions of the Civil Code relating to employment agencies. DCA is required to submit preliminary and final reports to the legislature regarding the implementation of this act. This bill was signed by the Governor (Chapter 704, Statutes of 1989). (For a detailed discussion of AB 2113, see *infra* agency report on BUREAU OF PERSONNEL SERVICES; see also CRLR Vol. 9, No. 3 (Summer 1989) p. 66.)

The following is a status update of bills discussed in CRLR Vol. 9, No. 3 (Summer 1989) at page 31 and Vol. 9, No. 2 (Spring 1989) at page 40:

AB 1770 (Roos), as amended August 30, would have prohibited consumer credit reports from containing certain information. This bill was vetoed by the Governor on October 1.

AB 1523 (Hansen), which was signed by the Governor on October 1 (Chapter 1212, Statutes of 1989), provides for transfers of DCA agency funds to release time accounts pursuant to a memorandum of understanding.

AB 1526 (Bentley) would have established investigative procedures and disclosure requirements for citizen complaints against peace officers, but was dropped by its author.

AB 1729 (Chandler), as amended August 22, changes the penalty for subverting an examination from revocation of license to classification as a misdemeanor with liability to the agency. This bill was signed by the Governor on September 29 (Chapter 1022, Statutes of 1989).

AB 1529 (Lancaster), as amended August 22, is DCA's omnibus bill which

makes technical changes in numerous statutes affecting DCA agencies. This bill was signed by the Governor on September 29 (Chapter 1104, Statutes of 1989).

AB 320 (Speier), as amended June 15, permits the buyer of a dating service or weight loss contract to cancel within three days. This bill was signed by the Governor on July 14 (Chapter 138, Statutes of 1989).

The following bills have become two-year bills, and may be pursued when the legislature reconvenes in January: *AB 718 (Frazee)*, which would expand disclosure rights of consumers who lease motor vehicles; *SB 1078 (Dills)*, which would prevent the imposition of fines for violations of unfair business practices statutes where the violator has paid other penalties for the same conduct; *SB 787 (Rosenthal)*, which pertains to disclosure requirements in the sale of a used car; *AB 552 (Moore)*, which would provide the buyer of a motor vehicle with the right to cancel a motor vehicle contract until midnight of the first business day after the day on which the buyer signed the contract; *AB 1272 (Eastin)*, which would provide for contact between DCA and the consumer programs of each state agency; *AB 459 (Frizzelle)*, which would provide that any business license issued by DCA could be renewed at any time after expiration without reexamination, if continuing education requirements are met and applicable dues are paid; and *AB 1578 (Murray)*, which would broaden the rights of landlords who wish to evict tenants engaged in unlawful activities.

ASSEMBLY OFFICE OF RESEARCH

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