



At its May meeting, the Board elected Glenn Yokoyama as its President, William Tan as Vice-President, and Mary Runge as Treasurer.

#### FUTURE MEETINGS:

January 12-13 in San Diego.  
March 15-16 in Sacramento.  
May 24-25 in Los Angeles.

#### POLYGRAPH EXAMINERS BOARD

*Executive Officer: Dia Goode*  
(916) 739-3855

The Polygraph Examiners Board operates within the Department of Consumer Affairs. The Board has authority to issue new licenses and to regulate the activities of an estimated 655 examiners currently licensed in California under Business and Professions Code section 9300 *et seq.* The Board has no jurisdiction over federally-employed polygraph examiners.

The Polygraph Examiners Board consists of two industry representatives and three public members, all appointed to four-year terms. The Board has a sunset date of January 1, 1990.

#### LEGISLATION:

**SB 2219 (Dills)** was signed by the Governor on August 29 (Chapter 681, Statutes of 1988). The bill provides that if a license is renewed more than thirty days after its expiration, the licenseholder, as a condition precedent to renewal, shall also pay a specified delinquency fee. SB 2219 also permits the Board to recover the costs of investigating and prosecuting disciplinary matters, and to prorate the costs of license upgrading.

**Federal Legislation.** On June 27, President Reagan signed Public Law 100-347, restricting the use of polygraph tests by businesses to screen job applicants or employees. (For further background information, see CRLR Vol. 8, No. 3 (Summer 1988) p. 76.) Employers exempt from this ban include federal, state, and local governments, drug companies, and security firms. A limited exemption is also provided for ongoing investigations. All other employers are subject to the ban, which will become effective six months after the date of enactment of the act. This bill will not seriously affect polygraph examiners in California. State law already prohibits private employers from requesting polygraph tests "as a condition of employment or condition for future employment."

#### RECENT MEETINGS:

The Board has not held a meeting since October 1987.

#### FUTURE MEETINGS:

To be announced.

#### BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

*Executive Officer: Darlene Stroup*  
(916) 920-7466

The Board of Registration for Professional Engineers and Land Surveyors regulates the practice of engineering and land surveying through its administration of the Professional Engineers Act and the Professional Land Surveyors' Act.

The basic functions of the Board are to conduct examinations, issue certificates and/or licenses and appropriately channel complaints against its licensees. The Board is additionally empowered to suspend or revoke certificates or licenses. On a routine basis, the Board considers the proposed decisions of administrative law judges who hear appeals of applicants who are denied registration and licensees who have had their licenses suspended or revoked for violations.

The Board consists of thirteen members: seven public members, one licensed land surveyor, four registered practice act engineers and one title act engineer. Eleven of the members are appointed by the Governor for four-year terms which expire on a staggered basis. One public member is appointed by the Speaker of the Assembly and one by the Senate President pro Tempore.

The Board has established seven standing committees dealing with land surveying and the various branches of engineering. These committees, each composed of three Board members, approve or deny applications for examinations and register applicants who pass the examinations. Their actions must have the approval of the entire Board, which is routinely forthcoming.

Professional engineers are now licensed through the three Practice Act categories of civil, electrical and mechanical engineering under section 6730 of the Business and Professions Code, and the Title Act categories of agricultural, chemical, control system, corrosion, fire protection, industrial, manufacturing, metallurgical, nuclear, petroleum, quality, safety, and traffic engineering.

Structural engineering and soil engineering are linked to the civil Practice Act and require an additional examination after qualification as a Practice Act engineer.

In August, the Governor appointed Sacramento business owner Lynn D. Morris and reappointed William C. Rupp and Robert Young to the Board.

#### MAJOR PROJECTS:

**Regulatory Action.** On June 15, the Office of Administrative Law (OAL) again disapproved the Board's proposal to change its regulations, which appear in Title 16 of the California Code of Regulations. The proposed changes, which were previously adopted by the Board in November 1987, rejected by OAL in December 1987, and resubmitted to OAL by the Board in May 1988, would have set forth the procedure for registered civil engineers to obtain authorization to use the title "structural engineer", and Permit Reform Act timeframes for processing applications for registration. OAL rejected the proposed regulations on grounds that they failed to satisfy the necessity, clarity, and reference standards in Government Code section 11349.1; the Board failed to adequately respond to public comments on the proposed regulations; and the rule-making file lacked all required documents. OAL also ruled that the Board is precluded from resubmitting these regulations.

Thus, on October 3, the Board noticed its intent to adopt several new sections and to amend or repeal numerous existing sections of its regulation. New sections 470 and 471 would be adopted to implement the Permit Reform Act. Existing section 426 regarding the structural engineering program would be renumbered to section 426.10; and new sections 426.11, 426.12, 426.13, and 426.14 would be adopted to establish a detailed definition of the qualifying experience required for the structural engineering program; provide that such experience must be performed at the professional level under the supervision of a structural engineer; establish and define supplemental experience which shall be considered in making a final decision on an application for the authority to use the title "structural engineer"; and provide that applicants seeking special consideration pursuant to existing reciprocity regulations may be required to submit additional information or appear for an interview. New section 427.30 would be adopted to address exclusively the number and type of references which structural engineer-