



passed, compared to 86.1% for February 1987. Of first-time foreign graduates, 30.1% passed. Only 10% of the repeating foreign graduates passed. A total of 7,469 candidates took the exam, 59% of whom are foreign-educated.

#### FUTURE MEETINGS:

September 22-23 in Los Angeles.  
November 17-18 in San Francisco.

### BOARD OF CERTIFIED SHORTHAND REPORTERS

*Executive Officer: Richard Black*  
(916) 445-5101

The Board of Certified Shorthand Reporters (BCSR) licenses and disciplines shorthand reporters, recognizes court reporting schools and administers the Transcript Reimbursement Fund, which provides shorthand reporting services to low-income litigants otherwise unable to afford such services.

The Board consists of five members, three public and two from the industry, who serve four-year terms. The two industry members must have been actively engaged as shorthand reporters in California for at least five years immediately preceding their appointment.

#### MAJOR PROJECTS:

**Examinations.** A total of 466 test candidates took the May 1988 Dictation/Transcription examination. The results from this exam were available in early July. The normal turnaround time of six weeks between exam administration and posting of results was slightly delayed to allow for greater accuracy of reporting results in light of staff and budget restraints.

The Department of Consumer Affairs' Central Testing Unit (CTU) and BCSR committee members are continuing with the exam validation project. (See CRLR Vol. 8, No. 1 (Winter 1988) p. 72; Vol. 7, No. 4 (Fall 1987) p. 67; Vol. 7, No. 3 (Summer 1987) p. 90 and Vol. 7, No. 1 (Winter 1987) pp. 59-60 for background information.) Two CTU mailings, each consisting of 760 questionnaires designed to survey critical knowledge skills and ability, are being distributed to new licensees. Response to the first of the two mailings has been poor. The second mailing is being sent with an urgent plea to complete the questionnaire.

**Cite and Fine Program.** The cite and fine program committee announced a June public hearing to consider draft language for new citation and fine regu-

lations. (See CRLR Vol. 8, No. 1 (Winter 1988) p. 72; Vol. 7, No. 4 (Fall 1987) pp. 58-60; Vol. 7, No. 3 (Summer 1987) pp. 58-60; and Vol. 7, No. 2 (Spring 1987) p. 68 for background information.)

The contemplated language establishes categories of offenses and corresponding fine ranges. The most serious category includes offenses punishable by fines ranging from \$1001 to \$2500, and covers violations such as practicing without a license or with a suspended license; fraud in obtaining the license; aiding and abetting another to obtain or practice without a license; or negligent failure to adequately transcribe a transcript.

The second category of offenses, punishable by fines ranging from \$501 to \$1000, includes certified court reporting school offenses such as failure to submit annual reports; negligent maintaining or reporting of statistics relating to the student body; or educating potential CSRs without adequate BCSR certification.

The last category of offenses relates to shorthand reporting corporation violations which are punishable by fines ranging from \$100 to \$500. At a recent meeting, the Board was asked by a CSR industry member to begin an amnesty program for CSR corporations in potential violation of Board regulations. This amnesty program would provide such corporations with an opportunity to comply with the regulations before a citation and fine are issued. The Board took that request under advisement and will consider appropriate language in the draft proposal.

**Standards for Reinstatement or Reduction of Penalty.** Related to the successful implementation of a citation and fine program is the adoption of standards for reinstatement or reduction of penalties for CSR licensees who have had their licenses revoked or suspended. At its May meeting, the Board considered standards similar to those recently adopted by the Board of Examiners in Veterinary Medicine (BEVM). BCSR noted that the BEVM-developed standards were consistent with BCSR criteria, but would need to be "molded" to fit CSR requirements. The Board is eager to begin this program, but deferred any committee or legal review until after the next fiscal year begins in July.

#### LEGISLATION:

**AB 4693 (Grisham)** would change a number of sections of the Business and Professions Code relating to CSRs. Currently, section 8022 of the Business and Professions Code requires an applicant

for a CSR exam to file an application with BCSR's executive director at least thirty days prior to the exam. This bill extends the thirty-day filing deadline to 45 days.

Under section 8024.5 of the Business and Professions Code, this bill would also reduce the five-year period to three years for renewal, reinstatement, or re-issuance of a CSR certificate after its expiration, provided all fees and other qualifications are met. (See CRLR Vol. 7, No. 1 (Winter 1987) p. 60 for background information.) Section 8025 would be amended to eliminate as a specific ground for suspension or revocation the holder's failure to pay required fees. It would also revise the fee amounts the Board may charge for examinations and delinquent or late filing fees until June 30, 1991. The bill would also require court reporting schools to file reports, as specified, and would further require that private schools notify the Board of any change of ownership. The measure is pending in the Senate Business and Professions Committee after passing the Assembly on June 9.

#### RECENT MEETINGS:

At its May meeting, the Board granted provisional recognition to the court reporting school program at San Diego City College (SDCC), which began in April 1987. The Board's Executive Officer has been favorably impressed with SDCC's conformity to BCSR's academic standards.

Also in May, the Board again addressed the Certified Court Reporting Association's (CCRA) request to have the Board require court reporting schools to release a list of names and addresses of students who have achieved a certain threshold speed level in order to notify them of relevant CCRA programs and seminars. (See CRLR Vol. 8, No. 2 (Spring 1988) p. 77 for background information.) CCRA stated that its function is to further serve the educational needs of CSR students and to bridge the gap between school and CSR life, observing that such programs would serve the public by providing better-prepared CSRs. The majority of court reporting schools are opposed to this request, due to associated administrative burdens as well as possible problems in disclosure where student privacy is at issue. Some schools have claimed that this request is a mechanism to boost CCRA recruiting, and expressed concern that these lists would also expose students to unwanted CSR technology-related salespeople.



Upset by what many of the schools believe to be a name and address "sale", the schools propose as an alternative that a CCRA liaison position be created at each school to distribute CCRA information to the student body. The Board stated that it would study CCRA's request and various alternatives, but noted that before it begins the expansive process of regulation changes, it wants to see greater cooperation and communication between CCRA and court reporting schools.

#### FUTURE MEETINGS:

To be announced.

### STRUCTURAL PEST CONTROL BOARD

*Registrar: Mary Lynn Ferreira*  
(916) 924-2291.

The Structural Pest Control Board (SPCB) licenses structural pest control operators and field representatives. The latter can function only under a licensed operator and secure pest control work for the operator. Each structural pest control firm is required to have one licensed operator, regardless of the number of branches the firm operates. A licensed field representative can also hold an operator's license.

Licensees are classified as: (1) Branch 1, Fumigation, the control of household and wood-destroying pests by fumigants (tenting); (2) Branch 2, General Pest, the control of general pests without fumigants; or (3) Branch 3, Termite, the control of wood-destroying organisms with insecticides, but not with the use of fumigants, and including authority to perform structural repairs and corrections. An operator can be licensed in all three branches, but more often will limit the variety of his or her expertise for purposes of efficiency and subcontract out to other firms.

SPCB also issues applicator certificates. These otherwise unlicensed individuals, employed by licensees, are required to take a written exam on pesticide equipment, formulation, application and label directions if they apply pesticides. Such certificates are not transferable from one company to another.

SPCB is comprised of four public and three industry representatives.

#### MAJOR PROJECTS:

*Regulatory Changes.* Proposed changes to several of the Board's continuing education regulations, contained in Title 16 of the California Code of

Regulations, are being reviewed by the Department of Consumer Affairs (DCA) at this writing.

Revisions to sections 1950 (course completion prerequisite for licensure renewal), 1950.5 (activities constituting continuing education), and 1953 (instruction in use and care of specific products) were to be forwarded to the Office of Administrative Law (OAL) for review upon approval by the DCA Director. (For a more detailed description of these regulatory changes, see CRLR Vol. 7, No. 4 (Fall 1987) p. 68.)

The SPCB has also proposed the amendment of section 1948, which establishes its fee schedule for, among other things, licenses, renewals, report filings, examinations, and registrations. Because the Board has unencumbered reserves in an amount which equals the operating budget for the next three fiscal years—far exceeding the amount allowed by law—the Board must reduce all fees to zero for a period of one to three years, depending on the fee. These regulatory changes are also currently awaiting DCA approval.

*Applicator Exam Revision.* The SPCB is in the process of revising the contents of its applicator exam, as well as changing the way the exam is administered. In the past, pest control operators purchased the exam from the Board and administered it to those wishing to be certified as applicators. The Board now hopes to contract with county agricultural commissioners for exam administration, thus ensuring greater exam security while continuing to accommodate the demand for exam administration on an as-needed basis.

The Board is also drafting new technical questions, affecting Branch II and Branch III applicants only. Registrar Mary Lynn Ferreira anticipates that all changes involving exam contents and administration will be implemented by January 1, 1989.

*Pesticide Enforcement Program.* At its May 14 meeting in Montecito, the SPCB discussed a recent meeting at which representatives from the Board, county agricultural commissioners, and the Department of Food and Agriculture (DFA) addressed issues concerning the Pesticide Enforcement Program (PEP). As a result of staffing needs identified during that meeting, the SPCB and DFA will each try to fund an additional PEP staff position, with individuals hired into both positions serving as program coordinators. The Board is presently working on a budget change proposal which would fund its new PEP position

for the 1989-90 fiscal year. (For background information, see CRLR Vol. 8, No. 1 (Winter 1988) p. 73; Vol. 7, No. 2 (Spring 1987) p. 70; Vol. 6, No. 4 (Fall 1986) p. 54; Vol. 6, No. 3 (Summer 1986) p. 44; Vol. 6, No. 1 (Winter 1986) p. 45; Vol. 5, No. 4 (Fall 1985) p. 44; and Vol. 5, No. 3 (Summer 1985) p. 62.)

#### LEGISLATION:

*AB 4274 (Bane)* passed the Assembly on May 16. As amended on June 9, the measure would alter the requirements imposed on registered structural pest control companies concerning inspection reports. Among other things, AB 4274 would require that, upon the request of the person or entity ordering the report, each recommendation for corrective measures must separately state the infestation or infection which is evident and the conditions that are present which are deemed likely to lead to infestation or infection. The bill would also require, under specified circumstances, that an individual bid or estimate of repairs be given for each corrective measure recommended. AB 4274 is currently pending in the Senate Business and Professions Committee.

*SB 2610 (Montoya)*, as amended May 19, also concerns structural pest control reporting requirements. It would require a registered company, under specified circumstances, to provide a written statement, on a form provided by the Board, to any person requesting an inspection for wood-destroying pests or organisms. The statement would explain in detail that conditions usually deemed likely to lead to infestation or infection are defects in the structure which may actually contain infestation or infection at the time of inspection and that such conditions should be corrected before there is additional damage to the structure.

The form would also specify that the registered company shall not be liable for uncorrected conditions reported therein. SB 2610 passed the Senate on June 16 and has not been assigned to an Assembly policy committee at this writing.

The status of several bills reported in CRLR Vol. 8, No. 2 (Spring 1988) at page 78 is as follows: *AB 1596 (Cortese)* was placed in the inactive file on April 28, at the request of its author. *AB 3059 (Areias)* was referred to a new policy committee on May 2. It is pending in the Assembly Committee on Housing and Community Development at this writing.