



procedure. The current system is administratively inadequate to handle an increase in appeals.

FUTURE MEETINGS:

To be announced.

BOARD OF GUIDE DOGS FOR THE BLIND

Executive Officer: Manuel Urena (916) 445-9040

The Board of Guide Dogs for the Blind has three primary functions. The Board protects the blind guide dog user by licensing instructors and schools to ensure that they possess certain minimum qualifications. The Board also enforces standards of performance and conduct of these licensees as established by law. Finally, the Board polices unlicensed practice.

There are three guide dog schools in California. These schools train the blind in the use of guide dogs. Each school also trains its own dogs. Each blind person is then matched with a dog using factors such as size and temperament. To provide this specialized service, the schools must have special facilities, which are inspected by the Board members as needed.

The Board consists of seven members, two of whom must be dog users (Business and Professions Code section 7200).

MAJOR PROJECTS:

Decals. The Board has recently reviewed various designs for an informational decal concerning accessibility to public places for guide dog users. A decal was selected which states "No dogs allowed (except those assisting blind, deaf, or handicapped)" and legal code citations. The purpose of the decal is to inform the public of the rights of persons using guide dogs, signal dogs, or service dogs. The Board is now seeking bids for production of these decals.

Educational Campaign. The California Restaurant Association has embarked upon an educational campaign directed at its members and employees for the benefit of the users of helping dogs.

LEGISLATION:

SB 90 (Boatwright), introduced December 12, would repeal the provisions of law in the Business and Professions Code which establish the Board, transfer the Board's powers and duties to the Department of Rehabilitation, and recast those provisions in the Welfare and Institutions Code.

AB 3636 (Bradley), which was signed by the Governor, provides that any person who denies a guide dog user access to places of public accommodation is guilty of an infraction punishable by a fine of up to \$250.

RECENT MEETINGS:

Members of the California Council of the Blind (CCB), a consumer group, attended a recent Board meeting and expressed concerns over the issue of transfer of title to guide dogs to guide dog users. California law provides for transfer of ownership of the dog to the user after a one-year probation period. However, most guide dog schools retain ownership of the dogs rather than transferring title to the guide dog user; thus, the dogs may be reclaimed by the schools at any time. According to CCB, when transfer of ownership is accomplished, the contracts, which are written by the training schools, often do not reflect the best interests of the guide dog users. CCB strongly recommends that title transfer documents contain provisions for binding arbitration in the event of disputes between school and dog user; a method for facilitating the appeal process to ensure that the blind person will not be unnecessarily deprived of the use of a guide dog; and protection of the rights of guide dog users in situations where someone other than the guide dog user is abusing the dog. CCB also recommends that the transfer instrument be written in a manner which will not intimidate the guide dog user but clearly delineates the relationship between the school and the blind consumer.

Although the law permits training schools to retain an interest in the guide dog following transfer of title, CCB is concerned about the manner in which the schools exercise this interest. CCB also objects to the general tone and attitude of the training schools, as reflected in standard transfer instruments. CCB has offered to provide sample agreements for guide dog users and schools.

The Board, however, determined that it has no authority to act on this issue. Because the problem concerns the relationship between licensees and consumers, the Board decided that it should be handled at the school level.

Also at a recent meeting, the Board rescinded its endorsement of legislation requiring the posting of notice in public places regarding the rights of admission of persons using helping dogs. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 38.) The Board plans to sponsor legislation requiring that guide dogs, signal dogs, and service dogs be controlled by a leash

not more than six feet in length when in any public place.

FUTURE MEETINGS:

To be announced.

BUREAU OF HOME FURNISHINGS

Chief: Gordon Damant (916) 920-6951

The Bureau of Home Furnishings regulates manufacturers, wholesalers, dealers, upholsterers, retailers, renovators, and sterilizers of furniture and bedding. In addition, the Bureau establishes rules regarding labeling requirements approved by the state Department of Public Health pertaining to furniture and bedding.

To enforce its regulations, the Bureau has access to premises, equipment, materials, and articles of furniture.

The chief or any inspector may open, inspect and analyze the contents of any furniture or bedding and may condemn, withhold from sale, seize or destroy any upholstered furniture or bedding or any filling material found to be in violation of Bureau rules and regulations. The Bureau may also revoke or suspend registration for violation of its rules.

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

MAJOR PROJECTS:

Transfer of Licensing and Registration of Dry Cleaning Establishments. Pursuant to AB 183 (Johnson), which was signed and chaptered, the Bureau is currently focusing on the mechanics of the transfer of licensing and registration procedures from the now-abolished Board of Dry Cleaning and Fabric Care to the Bureau. The Bureau has jurisdiction over licensing and registration of dry cleaning establishments as of January 1, 1987.

A one-time licensing and registration requirement will be imposed on all dry cleaning establishments, which will ensure that all dry cleaning establishments are discontinuing the use of toxic cleaning products.

The bill's bonding requirement has presented difficulties for the Bureau in that the bill allows the Bureau to waive certain bond requirements. However, no standards or guidelines describing circumstances when waiver is appropriate are set forth in the bill. In response to this problem, the Bureau, through



REGULATORY AGENCY ACTION

Senator Craven, has introduced SB 61, as discussed below.

LEGISLATION:

SB 61 (Craven) clarifies the bonding requirements set forth by AB 183. (See CRLR Vo. 6, No. 4 (Fall 1986) pp. 35, 38 for complete background information on AB 183.) AB 183 increased bonds required to be posted by all dry cleaning establishments from \$1,000 to \$5,000. AB 183 also allows for waiver of bond requirements by the Bureau of Home Furnishings, but does not set forth guidelines upon which the Bureau may base a waiver determination. SB 61 requires the Bureau to waive the filing of a bond if the registrant has a net worth of at least \$20,000, or if the registrant's financial responsibility is guaranteed by a third party who has a net worth of at least \$100,000. The bill has been introduced as urgency legislation.

RECENT MEETINGS:

The Advisory Board met on December 2 in Los Angeles. At that meeting, the 1987-88 budget process was reviewed and updated.

The Board voted to re-introduce AB 3848 (Konnyu), which clarifies the law regarding insulation standards and expands permissible disciplinary actions which may be taken by the Bureau against violators in the home furnishing industry. As previously reported, the bill was vetoed by the Governor, apparently in response to last-minute opposition by the insulation industry.

The Board announced that an update on flammability of home furnishings has been prepared and completed. The 60-page update is now available to the public. Another consumer information pamphlet entitled "After-Market Treatment of Upholstery Fabrics and Carpet" is now available to the public. The pamphlet informs consumers about the effectiveness of stain resistance treatment and methods of discerning whether the treatment has been performed.

The Board announced that it will begin preparing a pamphlet regarding tips to consumers purchasing home insulation. In order to prepare the pamphlet, the Board agreed to establish a Consumer Information Panel on home insulation to study the various kinds of insulation currently available to the public, the advantages and disadvantages of each kind of insulation, and questions consumers should ask installers and manufacturers when purchasing insulation.

The Board reviewed various enforcement actions pending before the Bureau

Currently, 18-20 actions are pending, with potential action ranging from office hearings, to statewide withholding from sale for serious violations, to formal disciplinary actions seeking injunctive relief through local district attorney's offices.

Finally, the Board reviewed possible Bureau regulatory action in the upcoming year. The Bureau will be concentrating on four areas within the industry: (1) waterbed industry—existing regulations are over fifteen years old and, due to considerable change in the industry, the Board believes it is necessary to update and revise current regulations; (2) insulation standards—existing standards were adopted from the California Energy Commission; the Board believes that these standards should be updated and revised especially due to the fact that there are a number of insulation products now on the market for which no standards have been established. The Bureau is currently working on new standards to be proposed in 1987; (3) dry cleaning industry—as noted above, the Board supports SB 61 to clarify bonding requirements, and will continue to propose new standards throughout 1987 as the need arises; and (4) furniture flammability in high-risk buildings—since 1975, all furniture must be flame retardant under state law. The Board has recently learned that this requirement is not being met in buildings of general public accommodation, such as auditoriums, theaters, and hospitals. Thus, the Board plans to propose new standards and regulations to enforce compliance with the law.

FUTURE MEETINGS:

March 10 in San Francisco.

BOARD OF LANDSCAPE ARCHITECTS

*Executive Officer: Joe Heath
(916) 445-4954*

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. 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 pro-

gram in landscape architecture and experience in the field.

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.

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. At this time there is one vacancy on the Board. BLA is awaiting the appointment of a public member by the Governor.

MAJOR PROJECTS:

Changes in Regulations. In a hearing held on November 21, the BLA voted to amend sections 2610, 2623, and 2649 in Chapter 26 of Title 16 of the California Administrative Code. The amendment to section 2610 requires that an application for the licensing examination be filed at least ninety days prior to the examination date. The former regulation required only sixty days' advance filing. The purpose of this amendment is to allow adequate time for the Board to order testing materials from CLARB.

The licensing examination consists of objective questions and performance problems. The graphic design performance problems are new each year. However, objective questions are reused. As it previously existed, section 2623 allowed an applicant who had failed a section on the examination to inspect that section and file an appeal of the examination score. The amendment allows an applicant to inspect and appeal only a failing score on the graphic performance section of the examination. This amendment was adopted in an effort to protect the integrity of the exam.

The amendment to section 2649 increases the examination application fee from \$200 to \$225 and increases the license renewal fee from \$175 to \$200. These increases will help to eliminate the Board's financial problems due to an increase in the cost of examination and review sites.