



REGULATORY AGENCY ACTION

Psychiatric Workers' New Union. Judge Blubaugh, an administrative law judge, ruled that psychiatric technicians in state mental hospitals may be represented by a newly-formed independent public employees union. The new union, California Association of Psychiatric Technicians, replaces the Communication Workers of America.

LEGISLATION:

SB 1638 (Greene) is scheduled for

reintroduction this session, and would create a Certified Nurse Assistant program. The bill would prohibit people from holding themselves out as certified nurse assistants unless they have a certificate from the Board. The proposed effective date is June 30, 1987.

FUTURE MEETINGS:

To be announced.

BANKING DEPARTMENT

Superintendent: Louis Carter
(415) 557-3232

The State Banking Department administers all laws applicable to corporations engaging in the commercial banking or trust business, including the establishment of state banks and trust companies; the establishment, operation, relocation and discontinuance of various types of offices of these entities; and the establishment, operation, relocation and discontinuance of various types of offices of foreign banks. The superintendent, the chief officer of the Department, is appointed by and holds office at the pleasure of the Governor.

The superintendent approves applications for authority to organize and establish a corporation to engage in the commercial banking or trust business. In acting upon the application, the superintendent must consider:

(1) the character, reputation and financial standing of the organizers or incorporators and their motives in seeking to organize the proposed bank or trust company;

(2) the need for banking or trust facilities in the proposed community;

(3) the ability of the community to support the proposed bank or trust company, considering the competition offered by existing banks or trust companies; the previous banking history of the community; opportunities for profitable use of bank funds as indicated by the average demand for credit; the number of potential depositors; the volume of bank transactions; and the stability, diversity and size of the businesses and industries of the community. For trust companies, the opportunities for profitable employment of fiduciary services are also considered;

(4) the character, financial responsibility, banking or trust experience and business qualifications of the proposed officers; and

(5) the character, financial responsibility, business experience and standing of the proposed stockholders and directors.

The superintendent may not approve any application unless he/she determines that the public convenience and advantage will be promoted by the establishment of the proposed bank or trust company; conditions in the locality of the proposed bank or trust company afford reasonable promise of successful operation; the bank is being formed for legitimate purposes; the proposed name does not so closely resemble as to cause confusion the name of any other bank or



BUSINESS AND TRANSPORTATION AGENCY

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Director: Jay Stroh
(916) 445-3221

The Department of Alcoholic Beverage Control (ABC) is a constitutionally-authorized state department. The Alcoholic Beverage Control Act vests the Department with the exclusive right and power to license and regulate the manufacture, sale, purchase, possession, and transportation of alcoholic beverages within the state. In addition, the Act vests the Department with authority, subject to certain federal laws, to regulate the importation and exportation of alcoholic beverages across state lines. ABC issues liquor licenses and investigates violations of the Business and Professions Code and other criminal acts which occur on premises where alcohol is sold. Many of the disciplinary actions taken by ABC, along with other information concerning the Department, are printed in the liquor industry trade publications "Beverage Bulletin" and "Beverage Industry News."

ABC divides the state into two divisions with assistant directors in charge of each division. The state is further subdivided into 21 districts, with two districts maintaining branch offices.

MAJOR PROJECTS:

Alcohol Abuse Programs. ABC has recently formulated several strategies to fight alcohol abuse. One such strategy involves limitations on promotions sponsored by breweries aimed at college campuses. Another major focus will be on increased training programs for servers of alcoholic beverages. ABC has supported enforcement teams consisting of ABC officials and local police, a

method which ABC plans to continue and expand.

Aside from public health and welfare matters, ABC is also involved in economic regulation. ABC, along with the U.S. Bureau of Alcohol, Tobacco, and Firearms, has developed a coordinated program to enforce regulations which ban wholesaling of alcoholic beverages by retailers.

Public Hearings. Senate Concurrent Resolution 65 (Russell) requested that ABC conduct hearings on the elimination of specified marketing practices which promote the overconsumption of alcoholic beverages. The Resolution asked that ABC consider the adoption of rules to prohibit these practices and report to the legislature on the results of any action taken. Pursuant to this resolution, ABC conducted its first hearing on December 17 in Sacramento. ABC will schedule the next hearing in Los Angeles and a third hearing in San Francisco, if necessary.

LEGISLATION:

SB 1546 (Beverly), now law, provides that no license or permit is required for the serving of alcoholic beverages in a limousine by any person operating a limousine service regulated by the Public Utilities Commission, provide there is no extra charge or fee for the alcoholic beverages.

SB 124 (Mello), introduced December 30, would prohibit any person licensed by ABC from importing wine into California that was produced outside the United States unless that person certifies that each shipment of wine meets the requirements of the Sherman Food, Drug and Cosmetic Law.