



(Winter 1987) p. 45 for background information.) The Department of Consumer Affairs will choose between the bids. The Board plans to order 5,000 decals. Once the decals are available, the Board will try to interest the California Restaurant Association in distributing the decals.

Handbook on Practical Examination. The Board is preparing a handbook for new Board members to introduce them to the examination process for license applicants. The handbook will explain methods of examination administration and scoring, the way in which the examination route is chosen, and the level of performance expected from the candidate.

Law Enforcement Implications of AB 3636. Persons using guide dogs have had difficulty with the enforcement of AB 3636, the new law which requires that guide dog users and their dogs have access to all places of public accommodation. (See CRLR Vol. 7, No. 1 (Winter 1987) p. 45.) The Board is investigating measures to educate the public regarding this law and procedures for reporting violators.

LEGISLATION:

AB 707 (Frazee). The Board has found a sponsor for its proposed leash law. This White Cane Access Law would require that all helping dogs be on a maximum six-foot leash in public places.

SB 90 (Boatwright) would repeal provisions for licensing and regulation of persons who sell, give, hire, or furnish guide dogs or seeing eye dogs by the state Board of Guide Dogs for the Blind. These powers and duties would be transferred to the Department of Rehabilitation, and the provisions would be recast in the Welfare and Institutions Code.

RECENT MEETINGS:

The Board met in Palm Springs on February 21. Mr. Buntjer, legal counsel to the Board, reported on dog ownership contract issues. (See CRLR Vol. 7, No. 1 (Winter 1987) p. 45.) Mr. Buntjer reviewed the contract for transfer of guide dog title proposed by International Guiding Eyes, the guide dog training school in Sylmar. According to Mr. Buntjer, the Board is able to monitor the school's compliance with statute, but cannot alter the school's draft of the contract. Mr. Buntjer did, however, inform the school representatives that the contract must be revised to exclude a provision which would immunize schools from liability for their own negligence.

The transfer of title to the guide dog to the blind consumer has presented many problems in the past. Often, when a consumer first receives a dog from training school, the printed contract is not read to the blind person, especially provisions relating to the transfer of title. As a result, many guide dog users are unaware that they have a right to own the dog after a one-year probationary period.

Even when title is transferred to the guide dog user, the transfer is conditional. If the conditions of the transfer are not met by the guide dog user, the schools have a legal right to reclaim the dog. Apparently, no notice is required from the school to the guide dog user before the dog is reclaimed. If the dog user wants his/her dog returned, he/she must initiate legal action. Although the schools cannot forcibly reclaim a dog from a consumer who is unwilling to relinquish the dog, most blind consumers are not aware of their rights. The Board considered monitoring the schools to determine whether the blind consumers are being informed of their rights, but decided that such monitoring is unnecessary.

Also at its February 21 meeting, the Board voted to oppose SB 90. (See LEGISLATION, *supra*.) The Executive Officer reported that the Department of Consumer Affairs as well as the Department of Rehabilitation will also oppose the proposed legislation. Discussion at the February 21 meeting revealed that the effectiveness of the Board in preventing and correcting abuses is difficult to assess. Even though ten other states have guide dog training schools, no state (other than California) has established a licensing board for guide dog trainers. No empirical data is available to show whether California's system of licensing guide dog trainers is superior to unlicensed training provided in other states.

The Board was created in 1947 at a time when there were approximately twenty guide dog training schools in the state. Currently, only three training schools remain in California. Although the Board does inspect the schools for quality and performance, no disciplinary action has been taken in over three years.

Even in the face of SB 90, suggestions have been made to broaden the Board's responsibilities to include the licensing of trainers of signal dogs and service dogs. At this time, the state does not regulate the training of other helping dogs.

FUTURE MEETINGS:

June 5 in Sacramento.

BUREAU OF HOME FURNISHINGS

*Chief: Gordon Damant
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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:

Dry Cleaner Registration. The transfer of dry cleaner registration procedures from the now-abolished Board of Dry Cleaning and Fabric Care to the Bureau continues to be an area of major activity. (See CRLR Vol. 7, No. 1 (Winter 1987) p. 45.) The Bureau has begun registration procedures, and is currently awaiting passage of SB 61 (see LEGISLATION, *infra*), which clarifies the bonding requirements set forth in AB 183. In addition, the Bureau is awaiting approval of new bond forms, which must be reviewed by the Legal Office of the Department of Consumer Affairs, the Attorney General's Office, and the Secretary of State.

Waterbed Regulations. The Bureau plans to amend current waterbed regulations, which were adopted in 1971. The Bureau has begun to draft new regulations and standards to address changes in waterbed technology, and hopes to complete development of these new regulations within two or three months.

Insulation Regulations. Insulation regulations are currently being drafted by the Bureau to provide standards for seven or eight insulation products currently on the market for which regulations have never been adopted. The Bureau hopes to publish and adopt these regulations by the end of the year.



LEGISLATION:

SB 61 (Craven) clarifies the bonding requirements set forth by AB 183. (See CRLR Vol. 6, No. 4 (Fall 1986) pp. 35, 38 for complete background information on AB 183.) AB 183 increased the amount of 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.

FUTURE MEETINGS:

To be announced.

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 program in landscape architecture and field experience.

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:

Oral Commissioner's Manual. The Board plans to develop an Oral Commissioner's Manual, which would be updated periodically for use during oral examinations.

Landscape Irrigation Consultants. Members of the Board have met with the California Council of Landscape Architects and the American Society of Irrigation Consultants. The three groups are still in the process of developing an agreement on possible legislation to provide for the licensing of irrigation consultants. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 39 for background information.)

Public Survey. The Board undertook a study regarding the public's concept of the landscape architect. The Board is in the process of compiling the results and preparing recommendations.

LEGISLATION:

SB 87 (Boatwright) would repeal existing law which provides for the licensing and regulation of persons who engage in the practice of landscape architecture.

RECENT MEETINGS:

The Board called a special meeting on January 20 to consider SB 87 and the effect it would have on the public health, safety, and welfare. The Board also heard from the public and members of the profession regarding the proposed legislation. The Board reviewed its activities and the effect of the Board's existence on the practice of landscape architecture and the manner in which these site design professionals interface with the other licensed design and construction professionals in California.

In 1981, the Board prepared a report for the California legislature detailing its activities. During the 1983 session, the report was subjected to hearings in both the Senate and Assembly. As a result of these hearings, the legislature did not "sunset" the Board of Landscape Architects at that time. The Board has been preparing an update of the 1981 report, anticipating its completion by April 1. This report will try to demonstrate the continuing need for

licensing of landscape architects as site design professionals.

With the help of a professional facilitator, the Board has planned an aggressive campaign to counter SB 87. Members of the Board and members of the California Council on Landscape Architects will contact newspapers, state and local officials, and other associations to stress the importance of licensing landscape architects.

FUTURE MEETINGS:

To be announced.

BOARD OF MEDICAL QUALITY ASSURANCE

Executive Director: Ken Wagstaff
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BMQA is an administrative agency within the state Department of Consumer Affairs. The Board, which consists of twelve physicians and seven lay persons appointed to four-year terms, is divided into three autonomous divisions: Allied Health, Licensing and Medical Quality.

The purpose of BMQA and its three divisions is to protect the consumer from incompetent, grossly negligent, unlicensed or unethical practitioners; to enforce provisions of the Medical Practice Act (California Business and Professions Code sections 2000 *et seq.*); and to educate healing arts licensees and the public on health quality issues.

The functions of the individual divisions are as follows:

The Division of Allied Health Professions (DAHP) directly regulates five non-physician health occupations and oversees the activities of seven other examining committees which license non-physician certificate holders under the jurisdiction of the Board. The following allied health professionals are subject to the jurisdiction of the Division of Allied Health: acupuncturists, audiologists, drugless practitioners, hearing aid dispensers, lay midwives, medical assistants, physical therapists, physical therapist assistants, physician's assistants, podiatrists, psychologists, psychological assistants, registered dispensing opticians, research psychoanalysts and speech pathologists.

The Division of Medical Quality (DMQ) reviews the quality of medical practice carried out by physicians and surgeons. This responsibility includes enforcing the disciplinary and criminal provisions of the Medical Practice Act. The division operates in conjunction