



The Board may issue a certificate of registration as a geologist or geophysicist without a written examination to any person holding an equivalent registration issued by any state or country, provided that the applicant's qualifications meet all other requirements and rules established by the Board.

The Board has the power to investigate and discipline licensees who act in violation of the Board's licensing statutes. The Board may issue a citation to licensees or unlicensed persons for violations of Board rules. These citations may be accompanied by an administrative fine of up to \$2,500.

The eight-member Board is composed of five public members, two geologists, and one geophysicist. BRGG's staff consists of two full-time employees (Executive Officer Frank Dellechiaie and his secretary) and two part-time personnel. The Board's committees include the Professional Practices, Legislative, and Examination Committees. BRGG is funded by the fees it generates.

#### MAJOR PROJECTS:

**New Executive Officer.** At its October meeting, the Board held public interviews of two candidates for the position of Executive Officer. Dr. Frank Dellechiaie, formerly of the Department of Health Services, was offered the position and became the Board's new Executive Officer upon John Wolfe's retirement on November 25.

**Regulatory Changes.** At its October meeting, the Board discussed the text of proposed new section 3022, Title 16 of the CCR, which the Board adopted in January 1990 but has not yet submitted to the Office of Administrative Law for approval. Section 3022 is intended to specify criteria for approval of a foreign school's curriculum in geology or geophysics. (See CRLR Vol. 10, No. 4 (Fall 1990) p. 76; Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) pp. 91-91; and Vol. 10, No. 1 (Winter 1990) p. 71 for background information.) At the October meeting, the Board approved modifications to the language of the proposed section; specifically, the Board deleted subsections (b)(1) and (b)(2), concerning some of the special procedures to be employed in the evaluation of applicants whose professional instruction in geology or geophysics was obtained outside the United States. The deleted portions of proposed section 3022 would have required an applicant to obtain an evaluation of his/her educational credentials at the applicant's expense, under specified conditions, and would have given the Board the option of considering and accepting certified copies of documents

or affidavits which establish the applicant's eligibility for examination or registration, under specified conditions. The Board will continue to discuss the proposed language of section 3022 at future meetings.

**Budget.** At its October meeting, the Board was given a presentation by a representative of the Department of Consumer Affairs' Budget Office regarding restructuring the Board's process for collecting license renewal fees. Under current procedures, all license renewal fees are collected biennially, on June 30 of even-numbered years; changing to a system in which renewal fees would be payable on the licensee's birthdate would help eliminate the uneven workload and cash flow under the present system. Under the proposed system, the fees would gain interest at an earlier date and much of the "roller coaster" aspect of the budget under the present system could be avoided. The Board approved the adoption of the staggered renewal system for the 1992-93 budget.

**Enforcement.** At the October meeting, then-Executive Officer John Wolfe reported that approximately 100 complaints are on file with the Board. Most of these complaints are reports by Board licensees concerning unauthorized practice. The Board requested a budget change proposal of \$30,000 to hire a consultant to help reduce the backlog of complaints; the Board received \$10,000 for fiscal year 1990-91 for this purpose.

#### FUTURE MEETINGS:

To be announced.

#### BOARD OF GUIDE DOGS FOR THE BLIND

*Executive Officer: Manuel Urena*  
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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.

The Board, authorized by Business and Professions Code section 7200 *et seq.*, consists of seven members, two of whom must be dog users. In carrying out its primary responsibilities, the Board is empowered to adopt and enforce regulations, which are codified in Division 22, Title 16 of the California Code of Regulations (CCR).

The Board currently licenses three guide dog schools and 48 trainers.

#### MAJOR PROJECTS:

**Implementation of SB 2229.** Pursuant to Business and Professions Code section 7218, enacted in 1988, the Board recently completed its study regarding the feasibility of developing programs to license providers of signal dogs for the deaf and service dogs for the physically disabled. The Board also evaluated accessibility laws guaranteeing the right of guide, signal, and service dog users to travel unimpeded and enter all places of public accommodation.

In June 1990, the Board submitted its findings to the legislature in a final report entitled *Report to the Legislature: Guide, Signal, and Service Dogs*. The final report was based on the product of the two earlier drafts which were distributed for public comment. Among other things, the report concluded that the licensing of signal and service dog providers would be both possible and beneficial. (See CRLR Vol. 10, No. 4 (Fall 1990) pp. 76-77; Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) pp. 92-94; and Vol. 10, No. 1 (Winter 1990) pp. 71-72 for detailed background information.)

On November 15, the Senate Subcommittee on the Rights of the Disabled held an interim hearing to enable members of the state's disabled community and others affected by the recommendations to respond to the Board's report. Comments at the hearing, primarily from signal and service dog providers, were overwhelmingly opposed to the Board's findings. According to signal and service dog providers, regulation and licensing would not improve the assistance dog field. Since the Board did not find significant abuses in assistance dog programs or clientele dissatisfaction in its study, the providers argued that licensing would unnecessarily increase governmental "red tape" and ultimately interfere with the ability of the programs to provide relatively low-cost services to their clientele.

Another attack on the report was launched by independent assistance dog trainers—that is, trainers who are not affiliated with either the three signal dog schools or the service dog school. These trainers criticized the Board's conclusion that "privately trained" animals do not provide the same level of service as those trained in a formal program. Independent trainers argued that trainer competence is not dependent on whether or not the trainer works in a school. Furthermore, these trainers contended that the inability to obtain a license under a new system that does not recognize them



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would undermine their ability to make a living at their chosen profession and make it difficult for the dogs they train to be legally certified. These trainers also argued that if the goal of licensing and regulating all assistance dog programs is to provide improved service and increase access to places of public accommodation, taking away the jobs of qualified trainers and refusing to certify their assistance dogs, who are already serving the disabled community, is not the solution.

Criticism also focused on the Board's failure to consider the inclusion of an assistance dog trainer and a veterinarian on the Board in the event that its regulatory duties are expanded. According to trainers, the addition of two signal dog users and two service dog users (as the Board's report recommends) would leave the Board without the expertise needed to determine whether the best dogs are being used for a particular purpose and whether proper training techniques are being utilized.

At its December 7 meeting, the Board decided to work closely with Senator Marks, Chair of the Senate Subcommittee on the Rights of the Disabled, to initiate legislative proposals which would establish a continuing education requirement for guide dog trainers, raise fees, and improve public access for guide dog users. The Board will not, however, seek to expand its regulatory duties to include signal and service dog schools and trainers.

According to Joan Ripple of Senator Marks' office, it is also unlikely that the Senator will pursue legislation that includes the expansion of the Board's duties. Since the Board's report did not document any significant problems with assistance dog training programs, Senator Marks will concentrate his efforts on improving accessibility through the possible codification of training standards, and certification of assistance dogs based on obedience and public sociability, instead of evaluating individual training techniques. Under this system, assistance dogs from all trainers would be certifiable for public use, which would improve both public accessibility and acceptability. If problems arise with the dogs or trainers, the disabled community may seek redress through already-established consumer protection agencies. At this writing, however, no specific legislation has been introduced.

*Inspection Procedures Committee Report.* At its December 7 meeting, the Board reviewed the progress of the Inspection Procedures Committee. The task of the Committee is to develop a uniform set of procedures which the

Board can follow during its inspection process. Currently, the Board does not follow any specific criteria during its inspections of the three licensed guide dog schools in California. The Board has suggested, however, that a pre-inspection visit by a Board staff member—to help the school organize its client and fundraising records, and to solve other minor problems—would be a good place to begin.

*Inspection of International Guiding Eyes.* During a recent attempt by the Board to inspect the records of International Guiding Eyes (IGE), one of the three schools licensed by the Board, IGE was allegedly very uncooperative, responding to the Board through its attorney.

During its December 6 closed session, the Board discussed the possibility of initiating legal action against IGE and/or withdrawing IGE's guide dog training license. According to Board staff, no definitive action has been initiated by either side, and the Board would prefer to resolve the matter without revoking the license or filing a lawsuit.

### RECENT MEETINGS:

At the request of Guide Dogs for the Pacific (GDP), the Board scheduled a hearing during its December 7 meeting to consider renewing GDP's one-year fundraising license. GDP withdrew its request, however, and allowed the license to expire.

### FUTURE MEETINGS:

To be announced.

### BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION

Chief: Gordon Damant  
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The Bureau of Home Furnishings and Thermal Insulation (BHF) is charged with regulating the home furnishings and insulation industries in California. As a division of the state Department of Consumer Affairs, the Bureau's mandate is to ensure that these industries provide safe, properly labeled products which comply with state standards. Additionally, the Bureau is to protect consumers from fraudulent, misleading, and deceptive trade practices by members of the home furnishings, insulation, and dry cleaning industries. The Bureau is established in Business and Professions Code section 19000 *et seq.*

The Bureau establishes rules regarding furniture and bedding labeling and

sanitation. To enforce its regulations, which are codified in Division 3, Title 4 of the California Code of Regulations (CCR), the Bureau has access to premises, equipment, materials, and articles of furniture. The Bureau may issue notices of violation, withhold products from sale, and refer cases to the Attorney General or local district attorney's offices for possible civil penalties. The Bureau may also revoke or suspend a licensee's registration for violation of its rules.

The Bureau is also charged with the registration of dry cleaning plants throughout the state. The registration process includes submission of information regarding the plant's onsite storage, treatment, and disposal of toxic wastes. The Bureau, however, has no enforcement authority regarding this function.

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

### MAJOR PROJECTS:

*Furniture Flammability Standards.* At the December 11 Advisory Board meeting in Los Angeles, the Bureau held a public hearing on proposed regulatory changes to sections 1374 and 1374.3, Title 4 of the CCR, establishing higher flammability standards for furniture use in public buildings. (See CRLR Vol. 10, No. 4 (Fall 1990) p. 77; Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 95; and Vol. 9, No. 4 (Fall 1989) p. 59 for background information.) Most of the public comments received at the hearing were supportive of the proposed regulatory changes; however, some written comments from local fire marshals and furniture manufacturers expressed concern about the availability and increased cost of furniture that will comply with the proposed standards. Bureau Chief Gordon Damant responded to these concerns by noting that 75 different furniture manufacturers' products already comply with the proposed standards. He also stated that these manufacturers produce the furniture with no increase in cost or at lower cost, as a result of a complete reevaluation of the manufacturing process. The Bureau is currently reviewing the public comments received at the hearing, and was expected to make any necessary modifications to the proposed regulations by January.

*Proposed Increase in License Fees.* The Bureau has drafted proposed regulatory changes to section 1107, Title 4 of the CCR, which would increase license fees to the maximum levels authorized by law by July 1991. The proposed changes would increase the biennial fees