

AMENDED IN ASSEMBLY AUGUST 17, 2010
AMENDED IN ASSEMBLY AUGUST 2, 2010
AMENDED IN ASSEMBLY JUNE 16, 2010
AMENDED IN ASSEMBLY SEPTEMBER 4, 2009
AMENDED IN ASSEMBLY JULY 1, 2009
AMENDED IN ASSEMBLY JUNE 8, 2009
AMENDED IN SENATE MARCH 31, 2009

SENATE BILL

No. 294

Introduced by Senator Negrete McLeod

February 25, 2009

An act to amend Sections 2001, 2020, 2531, 2569, 2570.19, 2701, 2708, 2920, 2933, 3010.5, 3014.6, 3504, 3512, 3685, 3686, 3710, 3716, 4620, 4928, 4934, 4990, 4990.04, 5000, 5015.6, 5510, 5517, 5552.5, 5620, 5621, 5622, 5810, 6510, 6710, 6714, 7000.5, 7011, 7200, 7303, 8000, 8005, 8520, 8528, 8710, 11506, 18602, 18613, 22259 of, ~~and to~~ amend and repeal Section 2531.75 of, *and to add Section 4614 to*, the Business and Professions Code, and to amend Section 94950 of the Education Code, relating to ~~the Department of Consumer Affairs professions and vocations.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 294, as amended, Negrete McLeod. ~~Department of Consumer Affairs: regulatory boards.~~ *Professions and vocations: regulation.*

(1) Existing law provides for the licensure and regulation of various healing arts licensees by various boards, as defined, within the Department of Consumer Affairs, including the California Board of

Occupational Therapy and the Physician Assistant Committee of the Medical Board of California. Existing law requires the Physician Assistant Committee of the Medical Board of California to appoint an executive officer. Under existing law, those provisions regarding the California Board of Occupational Therapy will become inoperative on July 1, 2013, and will be repealed on January 1, 2014. Those provisions governing the Physician Assistant Committee of the Medical Board of California will become inoperative on July 1, 2011, and will be repealed on January 1, 2012.

Under this bill, the provisions relating to the California Board of Occupational Therapy would become inoperative and be repealed on January 1, 2014, and the provisions concerning the Physician Assistant Committee of the Medical Board of California would become inoperative and be repealed on January 1, 2013.

Existing law provides for the licensure and regulation of certain healing arts licensees by the Medical Board of California, the State Board of Optometry, and the Respiratory Care Board of California. Existing law authorizes these boards to employ or appoint an executive director or executive officer. Existing law repeals these provisions on January 1, 2013. Existing law makes the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board responsible for the licensure of speech-language pathologists, audiologists, and hearing aid dispensers and authorizes the board to appoint an executive officer. Existing law repeals these provisions on January 1, 2012. Under existing law, the Board of Psychology is responsible for the licensure and regulation of psychologists and is authorized to employ an executive officer. Existing law repeals these provisions on January 1, 2011.

This bill would repeal these provisions on January 1, 2014.

Existing law provides for the regulation of registered dispensing opticians by the Medical Board of California and provides that the powers and duties of the board in that regard shall be subject to review by the Joint Committee on Boards, Commissions, and Consumer Protection as if those provisions were scheduled to become inoperative on July 1, 2003, and repealed on January 1, 2004.

This bill would make the powers and duties of the board subject to that review as if those provisions were scheduled to be repealed on January 1, 2014.

Existing law provides for the licensure and regulation of specified healing arts licensees by the Acupuncture Board and the Board of Behavioral Sciences (BBS). Existing law authorizes the Acupuncture

Board to appoint an executive officer and requires BBS to appoint an executive officer. Under existing law, these provisions are repealed on January 1, 2011.

Under this bill, these provisions would be repealed on January 1, 2013.

Existing law provides for the licensure and regulation of registered nurses by the Board of Registered Nursing and requires the board to appoint an executive officer. Under existing law, these provisions are repealed on January 1, 2013.

This bill would instead repeal these provisions on January 1, 2012.

Existing law provides for the licensure and regulation of naturopathic doctors by the Naturopathic Medicine Committee within the Osteopathic Medical Board of California. Existing law provides that these regulatory provisions are repealed on January 1, 2013.

This bill would provide that ~~these~~ *these* regulatory provisions are repealed on January 1, 2014.

~~Existing law provides for the certification of massage practitioners and massage therapists by the Massage Therapy Organization, a nonprofit organization. Existing law repeals these provisions on January 1, 2016.~~

~~This bill would instead repeal these provisions on January 1, 2015.~~

(2) Existing law ~~also~~ provides for the licensure and regulation of various professions and vocations by boards within the department, including, the California Board of Accountancy, the California Architects Board, the Landscape Architects Technical Committee, Professional Fiduciaries Bureau, the Board for Professional Engineers and Land Surveyors, and the State Board of Guide Dogs for the Blind. Existing law requires or authorizes, with certain exceptions, these boards to appoint an executive officer or a registrar. With respect to the Professional Fiduciaries Bureau, existing law authorizes the Governor to appoint the chief of the bureau. Under existing law, these provisions will become inoperative on July 1, 2011, and will be repealed on January 1, 2012.

This bill would make these provisions, inoperative and repealed on January 1, 2012.

Existing law authorizes the California Architects Board to implement an intern development program until July 1, 2011.

This bill would authorize the board to implement that program until July 1, 2012.

Existing law establishes in the Department of Pesticide Regulation a Structural Pest Control Board and requires the board, with the approval of the director of the department, to appoint a registrar. These provisions shall become inoperative on July 1, 2011, and are repealed on January 1, 2012.

This bill would make those provisions inoperative and repealed on January 1, 2015.

Existing law provides for the certification and regulation of interior designers until January 1, 2013.

This bill would extend the operation of these provisions to January 1, 2014.

Existing law provides for the regulation of certified common interest development managers and tax preparers and repeals these provisions on January 1, 2012.

This bill would repeal these provisions on January 1, 2015.

Under existing law, there is the Contractors' State License Board within the department and it is responsible for the licensure and regulation of contractors and existing law requires the board to appoint a registrar. Under existing law, these provisions are repealed on January 1, 2011.

This bill would repeal these provisions on January 1, 2012.

Existing law provides for the licensure and regulation of barbering and cosmetology by the Board of Barbering and Cosmetology and existing law authorizes the board to appoint an executive officer. Under existing law, these provisions are repealed on January 1, 2012.

This bill would repeal these provisions on January 1, 2014.

Under existing law, the practice of shorthand reporting is regulated by the Court Reporters Board of California and existing law authorizes the board to appoint committees. These provisions are repealed on January 1, 2011.

This bill would repeal these provisions on January 1, 2013.

Under existing law, the State Athletic Commission is responsible for licensing and regulating boxing, kickboxing, and martial arts matches and is required to appoint an executive officer. Existing law repeals these provisions on January 1, 2011.

This bill would repeal these provisions on January 1, 2012.

(3) Existing law, the California Private Postsecondary Education Act of 2009, provides for the regulation of private postsecondary educational institutions by the Bureau for Private Postsecondary Education in the

Department of Consumer Affairs. Existing law repeals that act on January 1, 2016.

This bill would repeal the act on January 1, 2015.

(4) Existing law, until January 1, 2016, provides for the voluntary certification of massage practitioners and massage therapists by a nonprofit Massage Therapy Organization that is governed by a board of directors, and imposes certain duties on that organization. Existing law prohibits a city, county, or city and county from enacting an ordinance that requires a certificate holder to obtain any other license, permit, or other authorization to engage in the practice of massage in addition to the certificate issued by the organization.

This bill would repeal these provisions on January 1, 2015. The bill would specify that establishing a uniform standard of certification and regulation of massage practitioners and massage therapists is a matter of statewide concern, and the massage therapy provisions apply to all cities and counties, including charter cities and charter counties.

(5) This bill would incorporate additional changes in Section 2570.19 of the Business and Professions Code proposed by SB 999 and SB 1489, to be operative if SB 999 and SB 1489, or either of them, and this bill become effective on or before January 1, 2011, and this bill is enacted last.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2001 of the Business and Professions
2 Code is amended to read:
3 2001. (a) There is in the Department of Consumer Affairs a
4 Medical Board of California that consists of 15 members, seven
5 of whom shall be public members.
6 (b) The Governor shall appoint 13 members to the board, subject
7 to confirmation by the Senate, five of whom shall be public
8 members. The Senate Committee on Rules and the Speaker of the
9 Assembly shall each appoint a public member.
10 (c) Notwithstanding any other provision of law, to reduce the
11 membership of the board to 15, the following shall occur:
12 (1) Two positions on the board that are public members having
13 a term that expires on June 1, 2010, shall terminate instead on
14 January 1, 2008.

1 (2) Two positions on the board that are not public members
2 having a term that expires on June 1, 2008, shall terminate instead
3 on August 1, 2008.

4 (3) Two positions on the board that are not public members
5 having a term that expires on June 1, 2011, shall terminate instead
6 on January 1, 2008.

7 (d) This section shall remain in effect only until January 1, 2014,
8 and as of that date is repealed, unless a later enacted statute, that
9 is enacted before January 1, 2014, deletes or extends that date. The
10 repeal of this section renders the board subject to the review
11 required by Division 1.2 (commencing with Section 473).

12 SEC. 2. Section 2020 of the Business and Professions Code is
13 amended to read:

14 2020. (a) The board may employ an executive director exempt
15 from the provisions of the Civil Service Act and may also employ
16 investigators, legal counsel, medical consultants, and other
17 assistance as it may deem necessary to carry this chapter into effect.
18 The board may fix the compensation to be paid for services subject
19 to the provisions of applicable state laws and regulations and may
20 incur other expenses as it may deem necessary. Investigators
21 employed by the board shall be provided special training in
22 investigating medical practice activities.

23 (b) The Attorney General shall act as legal counsel for the board
24 for any judicial and administrative proceedings and his or her
25 services shall be a charge against it.

26 (c) This section shall remain in effect only until January 1, 2014,
27 and as of that date is repealed, unless a later enacted statute, that
28 is enacted before January 1, 2014, deletes or extends that date.

29 SEC. 3. Section 2531 of the Business and Professions Code is
30 amended to read:

31 2531. (a) There is in the Department of Consumer Affairs a
32 Speech-Language Pathology and Audiology and Hearing Aid
33 Dispensers Board in which the enforcement and administration of
34 this chapter are vested. The Speech-Language Pathology and
35 Audiology and Hearing Aid Dispensers Board shall consist of nine
36 members, three of whom shall be public members.

37 (b) This section shall remain in effect only until January 1, 2014,
38 and as of that date is repealed, unless a later enacted statute, that
39 is enacted before January 1, 2014, deletes or extends that date. The

1 repeal of this section renders the board subject to the review
2 required by Division 1.2 (commencing with Section 473).

3 SEC. 4. Section 2531.75 of the Business and Professions Code,
4 as added by Section 4 of Chapter 35 of the Statutes of 2008, is
5 amended to read:

6 2531.75. (a) The board may appoint a person exempt from
7 civil service who shall be designated as an executive officer and
8 who shall exercise the powers and perform the duties delegated
9 by the board and vested in him or her by this chapter.

10 (b) This section shall remain in effect only until January 1, 2014,
11 and as of that date is repealed, unless a later enacted statute, that
12 is enacted before January 1, 2014, deletes or extends that date.

13 SEC. 5. Section 2531.75 of the Business and Professions Code,
14 as amended by Section 5 of Chapter 33 of the Statutes of 2008, is
15 repealed.

16 SEC. 6. Section 2569 of the Business and Professions Code is
17 amended to read:

18 2569. The powers and duties of the board, as set forth in this
19 chapter, shall be subject to the review required by Division 1.2
20 (commencing with Section 473). The review shall be performed
21 as if this chapter were scheduled to be repealed as of January 1,
22 2014, as described in Section 473.1.

23 SEC. 7. Section 2570.19 of the Business and Professions Code
24 is amended to read:

25 2570.19. (a) There is hereby created a California Board of
26 Occupational Therapy, hereafter referred to as the board. The board
27 shall enforce and administer this chapter.

28 (b) The members of the board shall consist of the following:

29 (1) Three occupational therapists who shall have practiced
30 occupational therapy for five years.

31 (2) One occupational therapy assistant who shall have assisted
32 in the practice of occupational therapy for five years.

33 (3) Three public members who shall not be licentiates of the
34 board or of any board referred to in Section 1000 or 3600.

35 (c) The Governor shall appoint the three occupational therapists
36 and one occupational therapy assistant to be members of the board.
37 The Governor, the Senate Rules Committee, and the Speaker of
38 the Assembly shall each appoint a public member. Not more than
39 one member of the board shall be appointed from the full-time
40 faculty of any university, college, or other educational institution.

1 (d) All members shall be residents of California at the time of
2 their appointment. The occupational therapist and occupational
3 therapy assistant members shall have been engaged in rendering
4 occupational therapy services to the public, teaching, or research
5 in occupational therapy for at least five years preceding their
6 appointments.

7 (e) The public members may not be or have ever been
8 occupational therapists or occupational therapy assistants or in
9 training to become occupational therapists or occupational therapy
10 assistants. The public members may not be related to, or have a
11 household member who is, an occupational therapist or an
12 occupational therapy assistant, and may not have had, within two
13 years of the appointment, a substantial financial interest in a person
14 regulated by the board.

15 (f) The Governor shall appoint two board members for a term
16 of one year, two board members for a term of two years, and one
17 board member for a term of three years. Appointments made
18 thereafter shall be for four-year terms, but no person shall be
19 appointed to serve more than two consecutive terms. Terms shall
20 begin on the first day of the calendar year and end on the last day
21 of the calendar year or until successors are appointed, except for
22 the first appointed members who shall serve through the last
23 calendar day of the year in which they are appointed, before
24 commencing the terms prescribed by this section. Vacancies shall
25 be filled by appointment for the unexpired term. The board shall
26 annually elect one of its members as president.

27 (g) The board shall meet and hold at least one regular meeting
28 annually in the Cities of Sacramento, Los Angeles, and San
29 Francisco. The board may convene from time to time until its
30 business is concluded. Special meetings of the board may be held
31 at any time and place designated by the board.

32 (h) Notice of each meeting of the board shall be given in
33 accordance with the Bagley-Keene Open Meeting Act (Article 9
34 commencing with Section 11120) of Chapter 1 of Part 1 of
35 Division 3 of Title 2 of the Government Code).

36 (i) Members of the board shall receive no compensation for
37 their services, but shall be entitled to reasonable travel and other
38 expenses incurred in the execution of their powers and duties in
39 accordance with Section 103.

1 (j) The appointing power shall have the power to remove any
2 member of the board from office for neglect of any duty imposed
3 by state law, for incompetency, or for unprofessional or
4 dishonorable conduct.

5 (k) A loan is hereby authorized from the General Fund to the
6 Occupational Therapy Fund on or after July 1, 2000, in an amount
7 of up to one million dollars (\$1,000,000) to fund operating,
8 personnel, and other startup costs of the board. Six hundred ten
9 thousand dollars (\$610,000) of this loan amount is hereby
10 appropriated to the board to use in the 2000–01 fiscal year for the
11 purposes described in this subdivision. In subsequent years, funds
12 from the Occupational Therapy Fund shall be available to the board
13 upon appropriation by the Legislature in the annual Budget Act.
14 The loan shall be repaid to the General Fund over a period of up
15 to five years, and the amount paid shall also include interest at the
16 rate accruing to moneys in the Pooled Money Investment Account.
17 The loan amount and repayment period shall be minimized to the
18 extent possible based upon actual board financing requirements
19 as determined by the Department of Finance.

20 (l) This section shall remain in effect only until January 1, 2014,
21 and as of that date is repealed, unless a later enacted statute, that
22 is enacted before January 1, 2014, deletes or extends that date. The
23 repeal of this section renders the board subject to the review
24 required by Division 1.2 (commencing with Section 473).

25 *SEC. 7.5. Section 2570.19 of the Business and Professions*
26 *Code is amended to read:*

27 2570.19. (a) There is hereby created a California Board of
28 Occupational Therapy, hereafter referred to as the board. The board
29 shall enforce and administer this chapter.

30 (b) The members of the board shall consist of the following:

31 (1) Three occupational therapists who shall have practiced
32 occupational therapy for five years.

33 (2) One occupational therapy assistant who shall have assisted
34 in the practice of occupational therapy for five years.

35 (3) Three public members who shall not be licentiates of the
36 board, *of any other board under this division*, or of any board
37 referred to in Section 1000 or 3600.

38 (c) The Governor shall appoint the three occupational therapists
39 and one occupational therapy assistant to be members of the board.
40 The Governor, the Senate ~~Rules~~ Committee *on Rules*, and the

1 Speaker of the Assembly shall each appoint a public member. Not
2 more than one member of the board shall be appointed from the
3 full-time faculty of any university, college, or other educational
4 institution.

5 (d) All members shall be residents of California at the time of
6 their appointment. The occupational therapist and occupational
7 therapy assistant members shall have been engaged in rendering
8 occupational therapy services to the public, teaching, or research
9 in occupational therapy for at least five years preceding their
10 appointments.

11 (e) The public members may not be or have ever been
12 occupational therapists or occupational therapy assistants or in
13 training to become occupational therapists or occupational therapy
14 assistants. The public members may not be related to, or have a
15 household member who is, an occupational therapist or an
16 occupational therapy assistant, and may not have had, within two
17 years of the appointment, a substantial financial interest in a person
18 regulated by the board.

19 (f) The Governor shall appoint two board members for a term
20 of one year, two board members for a term of two years, and one
21 board member for a term of three years. Appointments made
22 thereafter shall be for four-year terms, but no person shall be
23 appointed to serve more than two consecutive terms. Terms shall
24 begin on the first day of the calendar year and end on the last day
25 of the calendar year or until successors are appointed, except for
26 the first appointed members who shall serve through the last
27 calendar day of the year in which they are appointed, before
28 commencing the terms prescribed by this section. Vacancies shall
29 be filled by appointment for the unexpired term. The board shall
30 annually elect one of its members as president.

31 (g) The board shall meet and hold at least one regular meeting
32 annually in the Cities of Sacramento, Los Angeles, and San
33 Francisco. The board may convene from time to time until its
34 business is concluded. Special meetings of the board may be held
35 at any time and place designated by the board.

36 (h) Notice of each meeting of the board shall be given in
37 accordance with the Bagley-Keene Open Meeting Act (Article 9
38 (commencing with Section 11120) of Chapter 1 of Part 1 of
39 Division 3 of Title 2 of the Government Code).

1 (i) Members of the board shall receive no compensation for
2 their services, but shall be entitled to reasonable travel and other
3 expenses incurred in the execution of their powers and duties in
4 accordance with Section 103.

5 (j) The appointing power shall have the power to remove any
6 member of the board from office for neglect of any duty imposed
7 by state law, for incompetency, or for unprofessional or
8 dishonorable conduct.

9 ~~(k) A loan is hereby authorized from the General Fund to the
10 Occupational Therapy Fund on or after July 1, 2000, in an amount
11 of up to one million dollars (\$1,000,000) to fund operating,
12 personnel, and other startup costs of the board. Six hundred ten
13 thousand dollars (\$610,000) of this loan amount is hereby
14 appropriated to the board to use in the 2000-01 fiscal year for the
15 purposes described in this subdivision. In subsequent years, funds
16 from the Occupational Therapy Fund shall be available to the board
17 upon appropriation by the Legislature in the annual Budget Act.
18 The loan shall be repaid to the General Fund over a period of up
19 to five years, and the amount paid shall also include interest at the
20 rate accruing to moneys in the Pooled Money Investment Account.
21 The loan amount and repayment period shall be minimized to the
22 extent possible based upon actual board financing requirements
23 as determined by the Department of Finance.~~

24 ~~(l)~~

25 ~~(k) This section shall become inoperative on July 1, 2013, and,
26 as of January 1, 2014, remain in effect only until January 1, 2014,
27 and as of that date is repealed, unless a later enacted statute, that
28 is enacted before January 1, 2014, deletes or extends the dates on
29 which it becomes inoperative and is repealed that date.~~ The repeal
30 of this section renders the board subject to the review required by
31 Division 1.2 (commencing with Section 473).

32 *SEC. 7.7. Section 2570.19 of the Business and Professions*
33 *Code is amended to read:*

34 2570.19. (a) There is hereby created a California Board of
35 Occupational Therapy, hereafter referred to as the board. The board
36 shall enforce and administer this chapter.

37 (b) The members of the board shall consist of the following:

38 (1) Three occupational therapists who shall have practiced
39 occupational therapy for five years.

1 (2) One occupational therapy assistant who shall have assisted
2 in the practice of occupational therapy for five years.

3 (3) Three public members who shall not be licentiates of the
4 board or of any board referred to in Section 1000 or 3600.

5 (c) The Governor shall appoint the three occupational therapists
6 and one occupational therapy assistant to be members of the board.
7 The Governor, the Senate ~~Rules~~ Committee *on Rules*, and the
8 Speaker of the Assembly shall each appoint a public member. Not
9 more than one member of the board shall be appointed from the
10 full-time faculty of any university, college, or other educational
11 institution.

12 (d) All members shall be residents of California at the time of
13 their appointment. The occupational therapist and occupational
14 therapy assistant members shall have been engaged in rendering
15 occupational therapy services to the public, teaching, or research
16 in occupational therapy for at least five years preceding their
17 appointments.

18 (e) The public members may not be or have ever been
19 occupational therapists or occupational therapy assistants or in
20 training to become occupational therapists or occupational therapy
21 assistants. The public members may not be related to, or have a
22 household member who is, an occupational therapist or an
23 occupational therapy assistant, and may not have had, within two
24 years of the appointment, a substantial financial interest in a person
25 regulated by the board.

26 (f) The Governor shall appoint two board members for a term
27 of one year, two board members for a term of two years, and one
28 board member for a term of three years. Appointments made
29 thereafter shall be for four-year terms, but no person shall be
30 appointed to serve more than two consecutive terms. Terms shall
31 begin on the first day of the calendar year and end on the last day
32 of the calendar year or until successors are appointed, except for
33 the first appointed members who shall serve through the last
34 calendar day of the year in which they are appointed, before
35 commencing the terms prescribed by this section. Vacancies shall
36 be filled by appointment for the unexpired term. The board shall
37 annually elect one of its members as president.

38 (g) The board shall meet and hold at least one regular meeting
39 annually in the Cities of Sacramento, Los Angeles, and San
40 Francisco. The board may convene from time to time until its

1 business is concluded. Special meetings of the board may be held
2 at any time and place designated by the board.

3 (h) Notice of each meeting of the board shall be given in
4 accordance with the Bagley-Keene Open Meeting Act (Article 9
5 (commencing with Section 11120) of Chapter 1 of Part 1 of
6 Division 3 of Title 2 of the Government Code).

7 (i) Members of the board shall receive no compensation for
8 their services, but shall be entitled to reasonable travel and other
9 expenses incurred in the execution of their powers and duties in
10 accordance with Section 103.

11 (j) The appointing power shall have the power to remove any
12 member of the board from office for neglect of any duty imposed
13 by state law, for incompetency, or for unprofessional or
14 dishonorable conduct.

15 ~~(k) A loan is hereby authorized from the General Fund to the
16 Occupational Therapy Fund on or after July 1, 2000, in an amount
17 of up to one million dollars (\$1,000,000) to fund operating,
18 personnel, and other startup costs of the board. Six hundred ten
19 thousand dollars (\$610,000) of this loan amount is hereby
20 appropriated to the board to use in the 2000-01 fiscal year for the
21 purposes described in this subdivision. In subsequent years, funds
22 from the Occupational Therapy Fund shall be available to the board
23 upon appropriation by the Legislature in the annual Budget Act.
24 The loan shall be repaid to the General Fund over a period of up
25 to five years, and the amount paid shall also include interest at the
26 rate accruing to moneys in the Pooled Money Investment Account.
27 The loan amount and repayment period shall be minimized to the
28 extent possible based upon actual board financing requirements
29 as determined by the Department of Finance.~~

30 ~~(l)~~

31 ~~(k) This section shall become inoperative on July 1, 2013, and,
32 as of January 1, 2014, remain in effect only until January 1, 2014,
33 and as of that date is repealed, unless a later enacted statute, that
34 is enacted before January 1, 2014, deletes or extends the dates on
35 which it becomes inoperative and is repealed that date. The repeal
36 of this section renders the board subject to the review required by
37 Division 1.2 (commencing with Section 473).~~

38 *SEC. 7.9. Section 2570.19 of the Business and Professions*
39 *Code is amended to read:*

1 2570.19. (a) There is hereby created a California Board of
2 Occupational Therapy, hereafter referred to as the board. The board
3 shall enforce and administer this chapter.

4 (b) The members of the board shall consist of the following:

5 (1) Three occupational therapists who shall have practiced
6 occupational therapy for five years.

7 (2) One occupational therapy assistant who shall have assisted
8 in the practice of occupational therapy for five years.

9 (3) Three public members who shall not be licentiates of the
10 board, *of any other board under this division*, or of any board
11 referred to in Section 1000 or 3600.

12 (c) The Governor shall appoint the three occupational therapists
13 and one occupational therapy assistant to be members of the board.
14 The Governor, the Senate ~~Rules~~ Committee *on Rules*, and the
15 Speaker of the Assembly shall each appoint a public member. Not
16 more than one member of the board shall be appointed from the
17 full-time faculty of any university, college, or other educational
18 institution.

19 (d) All members shall be residents of California at the time of
20 their appointment. The occupational therapist and occupational
21 therapy assistant members shall have been engaged in rendering
22 occupational therapy services to the public, teaching, or research
23 in occupational therapy for at least five years preceding their
24 appointments.

25 (e) The public members may not be or have ever been
26 occupational therapists or occupational therapy assistants or in
27 training to become occupational therapists or occupational therapy
28 assistants. The public members may not be related to, or have a
29 household member who is, an occupational therapist or an
30 occupational therapy assistant, and may not have had, within two
31 years of the appointment, a substantial financial interest in a person
32 regulated by the board.

33 (f) The Governor shall appoint two board members for a term
34 of one year, two board members for a term of two years, and one
35 board member for a term of three years. Appointments made
36 thereafter shall be for four-year terms, but no person shall be
37 appointed to serve more than two consecutive terms. Terms shall
38 begin on the first day of the calendar year and end on the last day
39 of the calendar year or until successors are appointed, except for
40 the first appointed members who shall serve through the last

1 calendar day of the year in which they are appointed, before
2 commencing the terms prescribed by this section. Vacancies shall
3 be filled by appointment for the unexpired term. The board shall
4 annually elect one of its members as president.

5 (g) The board shall meet and hold at least one regular meeting
6 annually in the Cities of Sacramento, Los Angeles, and San
7 Francisco. The board may convene from time to time until its
8 business is concluded. Special meetings of the board may be held
9 at any time and place designated by the board.

10 (h) Notice of each meeting of the board shall be given in
11 accordance with the Bagley-Keene Open Meeting Act (Article 9
12 commencing with Section 11120) of Chapter 1 of Part 1 of
13 Division 3 of Title 2 of the Government Code).

14 (i) Members of the board shall receive no compensation for
15 their services, but shall be entitled to reasonable travel and other
16 expenses incurred in the execution of their powers and duties in
17 accordance with Section 103.

18 (j) The appointing power shall have the power to remove any
19 member of the board from office for neglect of any duty imposed
20 by state law, for incompetency, or for unprofessional or
21 dishonorable conduct.

22 ~~(k) A loan is hereby authorized from the General Fund to the
23 Occupational Therapy Fund on or after July 1, 2000, in an amount
24 of up to one million dollars (\$1,000,000) to fund operating,
25 personnel, and other startup costs of the board. Six hundred ten
26 thousand dollars (\$610,000) of this loan amount is hereby
27 appropriated to the board to use in the 2000-01 fiscal year for the
28 purposes described in this subdivision. In subsequent years, funds
29 from the Occupational Therapy Fund shall be available to the board
30 upon appropriation by the Legislature in the annual Budget Act.
31 The loan shall be repaid to the General Fund over a period of up
32 to five years, and the amount paid shall also include interest at the
33 rate accruing to moneys in the Pooled Money Investment Account.
34 The loan amount and repayment period shall be minimized to the
35 extent possible based upon actual board financing requirements
36 as determined by the Department of Finance.~~

37 ~~(l)~~

38 ~~(k) This section shall become inoperative on July 1, 2013, and,
39 as of January 1, 2014, remain in effect only until January 1, 2014,
40 and as of that date is repealed, unless a later enacted statute, that~~

1 is enacted before January 1, 2014, deletes or extends ~~the dates on~~
2 ~~which it becomes inoperative and is repealed~~ *that date*. The repeal
3 of this section renders the board subject to the review required by
4 Division 1.2 (commencing with Section 473).

5 SEC. 8. Section 2701 of the Business and Professions Code is
6 amended to read:

7 2701. (a) There is in the Department of Consumer Affairs the
8 Board of Registered Nursing consisting of nine members.

9 (b) Within the meaning of this chapter, board, or the board,
10 refers to the Board of Registered Nursing. Any reference in state
11 law to the Board of Nurse Examiners of the State of California or
12 California Board of Nursing Education and Nurse Registration
13 shall be construed to refer to the Board of Registered Nursing.

14 (c) This section shall remain in effect only until January 1, 2012,
15 and as of that date is repealed, unless a later enacted statute, that
16 is enacted before January 1, 2012, deletes or extends that date. The
17 repeal of this section renders the board subject to the review
18 required by Division 1.2 (commencing with Section 473).

19 SEC. 9. Section 2708 of the Business and Professions Code is
20 amended to read:

21 2708. (a) The board shall appoint an executive officer who
22 shall perform the duties delegated by the board and who shall be
23 responsible to it for the accomplishment of those duties.

24 (b) The executive officer shall be a nurse currently licensed
25 under this chapter and shall possess other qualifications as
26 determined by the board.

27 (c) The executive officer shall not be a member of the board.

28 (d) This section shall remain in effect only until January 1, 2012,
29 and as of that date is repealed, unless a later enacted statute, that
30 is enacted before January 1, 2012, deletes or extends that date.

31 SEC. 10. Section 2920 of the Business and Professions Code
32 is amended to read:

33 2920. The Board of Psychology shall enforce and administer
34 this chapter. The board shall consist of nine members, four of
35 whom shall be public members.

36 This section shall remain in effect only until January 1, 2013,
37 and as of that date is repealed, unless a later enacted statute, that
38 is enacted before January 1, 2013, deletes or extends that date.

39 SEC. 11. Section 2933 of the Business and Professions Code
40 is amended to read:

1 2933. Except as provided by Section 159.5, the board shall
2 employ and shall make available to the board within the limits of
3 the funds received by the board all personnel necessary to carry
4 out this chapter. The board may employ, exempt from the State
5 Civil Service Act, an executive officer to the Board of Psychology.
6 The board shall make all expenditures to carry out this chapter.
7 The board may accept contributions to effectuate the purposes of
8 this chapter.

9 This section shall remain in effect only until January 1, 2013,
10 and as of that date is repealed, unless a later enacted statute, that
11 is enacted before January 1, 2013, deletes or extends that date.

12 SEC. 12. Section 3010.5 of the Business and Professions Code
13 is amended to read:

14 3010.5. (a) There is in the Department of Consumer Affairs
15 a State Board of Optometry in which the enforcement of this
16 chapter is vested. The board consists of 11 members, five of whom
17 shall be public members.

18 Six members of the board shall constitute a quorum.

19 (b) The board shall, with respect to conducting investigations,
20 inquiries, and disciplinary actions and proceedings, have the
21 authority previously vested in the board as created pursuant to
22 Section 3010. The board may enforce any disciplinary actions
23 undertaken by that board.

24 (c) This section shall remain in effect only until January 1, 2014,
25 and as of that date is repealed, unless a later enacted statute, that
26 is enacted before January 1, 2014, deletes or extends that date. The
27 repeal of this section renders the board subject to the review
28 required by Division 1.2 (commencing with Section 473).

29 SEC. 13. Section 3014.6 of the Business and Professions Code
30 is amended to read:

31 3014.6. (a) The board may appoint a person exempt from civil
32 service who shall be designated as an executive officer and who
33 shall exercise the powers and perform the duties delegated by the
34 board and vested in him or her by this chapter.

35 (b) This section shall remain in effect only until January 1, 2014,
36 and as of that date is repealed, unless a later enacted statute, that
37 is enacted before January 1, 2014, deletes or extends that date.

38 SEC. 14. Section 3504 of the Business and Professions Code
39 is amended to read:

1 3504. There is established a Physician Assistant Committee
 2 of the Medical Board of California. The committee consists of
 3 nine members. This section shall remain in effect only until January
 4 1, 2013, and as of that date is repealed, unless a later enacted
 5 statute, that is enacted before January 1, 2013, deletes or extends
 6 that date. The repeal of this section renders the committee subject
 7 to the review required by Division 1.2 (commencing with Section
 8 473).

9 SEC. 15. Section 3512 of the Business and Professions Code
 10 is amended to read:

11 3512. (a) Except as provided in Sections 159.5 and 2020, the
 12 committee shall employ within the limits of the Physician Assistant
 13 Fund all personnel necessary to carry out the provisions of this
 14 chapter including an executive officer who shall be exempt from
 15 civil service. The board and committee shall make all necessary
 16 expenditures to carry out the provisions of this chapter from the
 17 funds established by Section 3520. The committee may accept
 18 contributions to effect the purposes of this chapter.

19 (b) This section shall remain in effect only until January 1, 2013,
 20 and as of that date is repealed, unless a later enacted statute, that
 21 is enacted before January 1, 2013, deletes or extends that date.

22 SEC. 16. Section 3685 of the Business and Professions Code
 23 is amended to read:

24 3685. (a) The repeal of this chapter renders the committee
 25 subject to the review required by Division 1.2 (commencing with
 26 Section 473).

27 (b) The committee shall prepare the report required by Section
 28 473.2 no later than September 1, 2012.

29 SEC. 17. Section 3686 of the Business and Professions Code
 30 is amended to read:

31 3686. This chapter shall remain in effect only until January 1,
 32 2014, and as of that date is repealed, unless a later enacted statute,
 33 that is enacted before January 1, 2014, deletes or extends that date.

34 SEC. 18. Section 3710 of the Business and Professions Code
 35 is amended to read:

36 3710. (a) The Respiratory Care Board of California, hereafter
 37 referred to as the board, shall enforce and administer this chapter.

38 (b) This section shall remain in effect only until January 1, 2014,
 39 and as of that date is repealed, unless a later enacted statute, that
 40 is enacted before January 1, 2014, deletes or extends that date. The

1 repeal of this section renders the board subject to the review
2 required by Division 1.2 (commencing with Section 473).

3 SEC. 19. Section 3716 of the Business and Professions Code
4 is amended to read:

5 3716. The board may employ an executive officer exempt from
6 civil service and, subject to the provisions of law relating to civil
7 service, clerical assistants and, except as provided in Section 159.5,
8 other employees as it may deem necessary to carry out its powers
9 and duties.

10 This section shall remain in effect only until January 1, 2014,
11 and as of that date is repealed, unless a later enacted statute, that
12 is enacted before January 1, 2014, deletes or extends that date.

13 SEC. 19.1. Section 4614 is added to the Business and
14 Professions Code, to read:

15 4614. *The Legislature finds and declares that due to important*
16 *health, safety, and welfare concerns that affect the entire state,*
17 *establishing a uniform standard of certification and regulation of*
18 *massage practitioners and massage therapists upon which*
19 *consumers may rely to identify individuals who have achieved*
20 *specified levels of education, training, and skill is a matter of*
21 *statewide concern and not a municipal affair, as that term is used*
22 *in Section 5 of Article XI of the California Constitution. Therefore,*
23 *this chapter shall apply to all cities and counties, including charter*
24 *cities and charter counties.*

25 SEC. 20. Section 4620 of the Business and Professions Code
26 is amended to read:

27 4620. This chapter shall remain in effect only until January 1,
28 2015, and as of that date is repealed, unless a later enacted statute,
29 that is enacted before January 1, 2015, deletes or extends that date.

30 SEC. 21. Section 4928 of the Business and Professions Code
31 is amended to read:

32 4928. The Acupuncture Board, which consists of seven
33 members, shall enforce and administer this chapter.

34 This section shall remain in effect only until January 1, 2013,
35 and as of that date is repealed, unless a later enacted statute, that
36 is enacted before January 1, 2013, deletes or extends that date.

37 The repeal of this section renders the board subject to the review
38 required by Division 1.2 (commencing with Section 473).

39 SEC. 22. Section 4934 of the Business and Professions Code
40 is amended to read:

1 4934. (a) The board, by and with the approval of the director,
2 may employ personnel necessary for the administration of this
3 chapter, and the board, by and with the approval of the director,
4 may appoint an executive officer who is exempt from the
5 provisions of the Civil Service Act.

6 (b) This section shall remain in effect only until January 1, 2013,
7 and as of that date is repealed, unless a later enacted statute, that
8 is enacted before January 1, 2013, deletes or extends that date.

9 SEC. 23. Section 4990 of the Business and Professions Code
10 is amended to read:

11 4990. (a) There is in the Department of Consumer Affairs, a
12 Board of Behavioral Sciences that consists of the following
13 members:

- 14 (1) Two state licensed clinical social workers.
- 15 (2) One state licensed educational psychologist.
- 16 (3) Two state licensed marriage and family therapists.
- 17 (4) Commencing January 1, 2012, one state licensed professional
18 clinical counselor.
- 19 (5) Seven public members.

20 (b) Each member, except the seven public members, shall have
21 at least two years of experience in his or her profession.

22 (c) Each member shall reside in the State of California.

23 (d) The Governor shall appoint five of the public members and
24 the six licensed members with the advice and consent of the Senate.
25 The Senate Committee on Rules and the Speaker of the Assembly
26 shall each appoint a public member.

27 (e) Each member of the board shall be appointed for a term of
28 four years. A member appointed by the Speaker of the Assembly
29 or the Senate Committee on Rules shall hold office until the
30 appointment and qualification of his or her successor or until one
31 year from the expiration date of the term for which he or she was
32 appointed, whichever first occurs. Pursuant to Section 1774 of the
33 Government Code, a member appointed by the Governor shall
34 hold office until the appointment and qualification of his or her
35 successor or until 60 days from the expiration date of the term for
36 which he or she was appointed, whichever first occurs.

37 (f) A vacancy on the board shall be filled by appointment for
38 the unexpired term by the authority who appointed the member
39 whose membership was vacated.

1 (g) Not later than the first of June of each calendar year, the
2 board shall elect a chairperson and a vice chairperson from its
3 membership.

4 (h) Each member of the board shall receive a per diem and
5 reimbursement of expenses as provided in Section 103.

6 (i) This section shall remain in effect only until January 1, 2013,
7 and as of that date is repealed, unless a later enacted statute, that
8 is enacted before January 1, 2013, deletes or extends that date.

9 SEC. 24. Section 4990.04 of the Business and Professions
10 Code is amended to read:

11 4990.04. (a) The board shall appoint an executive officer. This
12 position is designated as a confidential position and is exempt from
13 civil service under subdivision (e) of Section 4 of Article VII of
14 the California Constitution.

15 (b) The executive officer serves at the pleasure of the board.

16 (c) The executive officer shall exercise the powers and perform
17 the duties delegated by the board and vested in him or her by this
18 chapter.

19 (d) With the approval of the director, the board shall fix the
20 salary of the executive officer.

21 (e) The chairperson and executive officer may call meetings of
22 the board and any duly appointed committee at a specified time
23 and place. For purposes of this section, “call meetings” means
24 setting the agenda, time, date, or place for any meeting of the board
25 or any committee.

26 (f) This section shall remain in effect only until January 1, 2013,
27 and as of that date is repealed, unless a later enacted statute, that
28 is enacted before January 1, 2013, deletes or extends that date.

29 SEC. 25. Section 5000 of the Business and Professions Code
30 is amended to read:

31 5000. There is in the Department of Consumer Affairs the
32 California Board of Accountancy, which consists of 15 members,
33 seven of whom shall be licensees, and eight of whom shall be
34 public members who shall not be licentiates of the board or
35 registered by the board. The board has the powers and duties
36 conferred by this chapter.

37 The Governor shall appoint four of the public members, and the
38 seven licensee members as provided in this section. The Senate
39 Rules Committee and the Speaker of the Assembly shall each
40 appoint two public members. In appointing the seven licensee

1 members, the Governor shall appoint members representing a cross
 2 section of the accounting profession with at least two members
 3 representing a small public accounting firm. For the purposes of
 4 this chapter, a small public accounting firm shall be defined as a
 5 professional firm that employs a total of no more than four
 6 licensees as partners, owners, or full-time employees in the practice
 7 of public accountancy within the State of California.

8 This section shall remain in effect only until January 1, 2012,
 9 and as of that date is repealed, unless a later enacted statute, that
 10 is enacted before January 1, 2012, deletes or extends that date. The
 11 repeal of this section renders the board subject to the review
 12 required by Division 1.2 (commencing with Section 473).
 13 However, the review of the board shall be limited to reports or
 14 studies specified in this chapter and those issues identified by the
 15 Joint Committee on Boards, Commissions, and Consumer
 16 Protection and the board regarding the implementation of new
 17 licensing requirements.

18 SEC. 26. Section 5015.6 of the Business and Professions Code
 19 is amended to read:

20 5015.6. The board may appoint a person exempt from civil
 21 service who shall be designated as an executive officer and who
 22 shall exercise the powers and perform the duties delegated by the
 23 board and vested in him or her by this chapter.

24 This section shall remain in effect only until January 1, 2012,
 25 and as of that date is repealed, unless a later enacted statute, that
 26 is enacted before January 1, 2012, deletes or extends that date.

27 SEC. 27. Section 5510 of the Business and Professions Code
 28 is amended to read:

29 5510. There is in the Department of Consumer Affairs a
 30 California Architects Board which consists of 10 members.

31 Any reference in law to the California Board of Architectural
 32 Examiners shall mean the California Architects Board.

33 This section shall remain in effect only until January 1, 2012,
 34 and as of that date is repealed, unless a later enacted statute, that
 35 is enacted before January 1, 2012, deletes or extends that date. The
 36 repeal of this section renders the board subject to the review
 37 required by Division 1.2 (commencing with Section 473).

38 SEC. 28. Section 5517 of the Business and Professions Code
 39 is amended to read:

1 5517. The board may appoint a person exempt from civil
2 service who shall be designated as an executive officer and who
3 shall exercise the powers and perform the duties delegated by the
4 board and vested in him or her by this chapter.

5 This section shall remain in effect only until January 1, 2012,
6 and as of that date is repealed, unless a later enacted statute, that
7 is enacted before January 1, 2012, deletes or extends that date.

8 SEC. 29. Section 5552.5 of the Business and Professions Code
9 is amended to read:

10 5552.5. The board may, by regulation, implement an intern
11 development program until July 1, 2012.

12 SEC. 30. Section 5620 of the Business and Professions Code
13 is amended to read:

14 5620. The duties, powers, purposes, responsibilities, and
15 jurisdiction of the California State Board of Landscape Architects
16 that were succeeded to and vested with the Department of
17 Consumer Affairs in accordance with Chapter 908 of the Statutes
18 of 1994 are hereby transferred to the California Architects Board.
19 The Legislature finds that the purpose for the transfer of power is
20 to promote and enhance the efficiency of state government and
21 that assumption of the powers and duties by the California
22 Architects Board shall not be viewed or construed as a precedent
23 for the establishment of state regulation over a profession or
24 vocation that was not previously regulated by a board, as defined
25 in Section 477.

26 (a) There is in the Department of Consumer Affairs a California
27 Architects Board as defined in Article 2 (commencing with Section
28 5510) of Chapter 3.

29 Whenever in this chapter “board” is used, it refers to the
30 California Architects Board.

31 (b) Except as provided herein, the board may delegate its
32 authority under this chapter to the Landscape Architects Technical
33 Committee.

34 (c) After review of proposed regulations, the board may direct
35 the examining committee to notice and conduct hearings to adopt,
36 amend, or repeal regulations pursuant to Section 5630, provided
37 that the board itself shall take final action to adopt, amend, or
38 repeal those regulations.

1 (d) The board shall not delegate its authority to discipline a
2 landscape architect or to take action against a person who has
3 violated this chapter.

4 (e) This section shall remain in effect only until January 1, 2012,
5 and as of that date is repealed, unless a later enacted statute, that
6 is enacted before January 1, 2012, deletes or extends that date.

7 SEC. 31. Section 5621 of the Business and Professions Code
8 is amended to read:

9 5621. (a) There is hereby created within the jurisdiction of the
10 board, a Landscape Architects Technical Committee, hereinafter
11 referred to in this chapter as the landscape architects committee.

12 (b) The landscape architects committee shall consist of five
13 members who shall be licensed to practice landscape architecture
14 in this state. The Governor shall appoint three of the members.
15 The Senate Committee on Rules and the Speaker of the Assembly
16 shall appoint one member each.

17 (c) The initial members to be appointed by the Governor are as
18 follows: one member for a term of one year; one member for a
19 term of two years; and one member for a term of three years. The
20 Senate Committee on Rules and the Speaker of the Assembly shall
21 initially each appoint one member for a term of four years.
22 Thereafter, appointments shall be made for four-year terms,
23 expiring on June 1 of the fourth year and until the appointment
24 and qualification of his or her successor or until one year shall
25 have elapsed, whichever first occurs. Vacancies shall be filled for
26 the unexpired term.

27 (d) No person shall serve as a member of the landscape
28 architects committee for more than two consecutive terms.

29 (e) This section shall remain in effect only until January 1, 2012,
30 and as of that date is repealed, unless a later enacted statute, that
31 is enacted before January 1, 2012, deletes or extends that date.

32 SEC. 32. Section 5622 of the Business and Professions Code
33 is amended to read:

34 5622. (a) The landscape architects committee may assist the
35 board in the examination of candidates for a landscape architect's
36 license and, after investigation, evaluate and make
37 recommendations regarding potential violations of this chapter.

38 (b) The landscape architects committee may investigate, assist,
39 and make recommendations to the board regarding the regulation
40 of landscape architects in this state.

1 (c) The landscape architects committee may perform duties and
2 functions that have been delegated to it by the board pursuant to
3 Section 5620.

4 (d) The landscape architects committee may send a
5 representative to all meetings of the full board to report on the
6 committee's activities.

7 (e) This section shall remain in effect only until January 1, 2012,
8 and as of that date is repealed, unless a later enacted statute, that
9 is enacted before January 1, 2012, deletes or extends that date.

10 SEC. 33. Section 5810 of the Business and Professions Code
11 is amended to read:

12 5810. (a) This chapter shall be subject to the review required
13 by Division 1.2 (commencing with Section 473).

14 (b) This chapter shall remain in effect only until January 1,
15 2014, and as of that date is repealed, unless a later enacted statute,
16 that is enacted before January 1, 2014, deletes or extends that date.

17 SEC. 34. Section 6510 of the Business and Professions Code
18 is amended to read:

19 6510. (a) There is within the jurisdiction of the department
20 the Professional Fiduciaries Bureau. The bureau is under the
21 supervision and control of the director. The duty of enforcing and
22 administering this chapter is vested in the chief of the bureau, who
23 is responsible to the director. Every power granted or duty imposed
24 upon the director under this chapter may be exercised or performed
25 in the name of the director by a deputy director or by the chief,
26 subject to conditions and limitations as the director may prescribe.

27 (b) The Governor shall appoint, subject to confirmation by the
28 Senate, the chief of the bureau, at a salary to be fixed and
29 determined by the director with the approval of the Director of
30 Finance. The chief shall serve under the direction and supervision
31 of the director and at the pleasure of the Governor.

32 (c) This section shall remain in effect only until January 1, 2012,
33 and as of that date is repealed, unless a later enacted statute, that
34 is enacted before January 1, 2012, deletes or extends that date. The
35 repeal of this section renders the bureau subject to the review
36 required by Division 1.2 (commencing with Section 473).

37 Notwithstanding any other provision of law, upon the repeal of
38 this section, the responsibilities and jurisdiction of the bureau shall
39 be transferred to the Professional Fiduciaries Advisory Committee,
40 as provided by Section 6511.

1 SEC. 35. Section 6710 of the Business and Professions Code
2 is amended to read:

3 6710. (a) There is in the Department of Consumer Affairs a
4 Board for Professional Engineers and Land Surveyors, which
5 consists of 13 members.

6 (b) Any reference in any law or regulation to the Board of
7 Registration for Professional Engineers and Land Surveyors is
8 deemed to refer to the Board for Professional Engineers and Land
9 Surveyors.

10 (c) This section shall remain in effect only until January 1, 2012,
11 and as of that date is repealed, unless a later enacted statute, that
12 is enacted before January 1, 2012, deletes or extends that date. The
13 repeal of this section renders the board subject to the review
14 required by Division 1.2 (commencing with Section 473).

15 SEC. 36. Section 6714 of the Business and Professions Code
16 is amended to read:

17 6714. The board shall appoint an executive officer at a salary
18 to be fixed and determined by the board with the approval of the
19 Director of Finance.

20 This section shall remain in effect only until January 1, 2012,
21 and as of that date is repealed, unless a later enacted statute, that
22 is enacted before January 1, 2012, deletes or extends that date.

23 SEC. 37. Section 7000.5 of the Business and Professions Code
24 is amended to read:

25 7000.5. (a) There is in the Department of Consumer Affairs
26 a Contractors' State License Board, which consists of 15 members.

27 (b) The repeal of this section renders the board subject to the
28 review required by Division 1.2 (commencing with Section 473).
29 However, the review of this board by the department shall be
30 limited to only those unresolved issues identified by the Joint
31 Committee on Boards, Commissions, and Consumer Protection.

32 (c) This section shall remain in effect only until January 1, 2012,
33 and as of that date is repealed, unless a later enacted statute, that
34 is enacted before January 1, 2012, deletes or extends that date.

35 The repeal of this section renders the board subject to the review
36 required by Division 1.2 (commencing with Section 473).

37 SEC. 38. Section 7011 of the Business and Professions Code
38 is amended to read:

39 7011. The board, by and with the approval of the director, shall
40 appoint a registrar of contractors and fix his or her compensation.

1 The registrar shall be the executive officer and secretary of the
2 board and shall carry out all of the administrative duties as provided
3 in this chapter and as delegated to him or her by the board.

4 For the purpose of administration of this chapter, there may be
5 appointed a deputy registrar, a chief reviewing and hearing officer,
6 and, subject to Section 159.5, other assistants and subordinates as
7 may be necessary.

8 Appointments shall be made in accordance with the provisions
9 of civil service laws.

10 This section shall remain in effect only until January 1, 2012,
11 and as of that date is repealed, unless a later enacted statute, that
12 is enacted before January 1, 2012, deletes or extends that date.

13 SEC. 39. Section 7200 of the Business and Professions Code
14 is amended to read:

15 7200. (a) There is in the Department of Consumer Affairs a
16 State Board of Guide Dogs for the Blind in whom enforcement of
17 this chapter is vested. The board shall consist of seven members
18 appointed by the Governor. One member shall be the Director of
19 Rehabilitation or his or her designated representative. The
20 remaining members shall be persons who have shown a particular
21 interest in dealing with the problems of the blind, and at least two
22 of them shall be blind persons who use guide dogs.

23 (b) This section shall remain in effect only until January 1, 2012,
24 and as of that date is repealed, unless a later enacted statute, that
25 is enacted before January 1, 2012, deletes or extends that date. The
26 repeal of this section renders the board subject to the review
27 required by Division 1.2 (commencing with Section 473).

28 SEC. 40. Section 7303 of the Business and Professions Code
29 is amended to read:

30 7303. (a) Notwithstanding Article 8 (commencing with Section
31 9148) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the
32 Government Code, there is in the Department of Consumer Affairs
33 the State Board of Barbering and Cosmetology in which the
34 administration of this chapter is vested.

35 (b) The board shall consist of nine members. Five members
36 shall be public members, and four members shall represent the
37 professions. The Governor shall appoint three of the public
38 members and the four professional members. The Senate
39 Committee on Rules and the Speaker of the Assembly shall each
40 appoint one public member. Members of the board shall be

1 appointed for a term of four years, except that of the members
2 appointed by the Governor, two of the public members and two
3 of the professions members shall be appointed for an initial term
4 of two years. No board member may serve longer than two
5 consecutive terms.

6 (c) The board may appoint an executive officer who is exempt
7 from civil service. The executive officer shall exercise the powers
8 and perform the duties delegated by the board and vested in him
9 or her by this chapter. The appointment of the executive officer is
10 subject to the approval of the director. In the event that a newly
11 authorized board replaces an existing or previous bureau, the
12 director may appoint an interim executive officer for the board
13 who shall serve temporarily until the new board appoints a
14 permanent executive officer.

15 (d) The executive officer shall provide examiners, inspectors,
16 and other personnel necessary to carry out the provisions of this
17 chapter.

18 (e) This section shall remain in effect only until January 1, 2014,
19 and as of that date is repealed, unless a later enacted statute, that
20 is enacted before January 1, 2014, deletes or extends that date.

21 SEC. 41. Section 8000 of the Business and Professions Code
22 is amended to read:

23 8000. There is in the Department of Consumer Affairs a Court
24 Reporters Board of California, which consists of five members,
25 three of whom shall be public members and two of whom shall be
26 holders of certificates issued under this chapter who have been
27 actively engaged as shorthand reporters within this state for at least
28 five years immediately preceding their appointment.

29 This section shall remain in effect only until January 1, 2013,
30 and as of that date is repealed, unless a later enacted statute, that
31 is enacted before January 1, 2013, deletes or extends that date.

32 SEC. 42. Section 8005 of the Business and Professions Code
33 is amended to read:

34 8005. The Court Reporters Board of California is charged with
35 the executive functions necessary for effectuating the purposes of
36 this chapter. It may appoint committees as it deems necessary or
37 proper. The board may appoint, prescribe the duties, and fix the
38 salary of an executive officer. Except as provided by Section 159.5,
39 the board may also employ other employees as may be necessary,
40 subject to civil service and other provisions of law.

1 This section shall remain in effect only until January 1, 2013,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2013, deletes or extends that date.

4 SEC. 43. Section 8520 of the Business and Professions Code
5 is amended to read:

6 8520. (a) There is in the Department of Pesticide Regulation
7 a Structural Pest Control Board, which consists of seven members.

8 (b) Subject to the jurisdiction conferred upon the director by
9 Division 6 (commencing with Section 11401) of the Food and
10 Agricultural Code, the board is vested with the power to and shall
11 administer the provisions of this chapter.

12 (c) It is the intent of the Legislature that consumer protection
13 is the primary mission of the board.

14 (d) This section shall remain in effect only until January 1, 2015,
15 and as of that date is repealed, unless a later enacted statute, that
16 is enacted before January 1, 2015, deletes or extends that date. The
17 repeal of this section renders the board subject to the review
18 required by Division 1.2 (commencing with Section 473).

19 SEC. 44. Section 8528 of the Business and Professions Code
20 is amended to read:

21 8528. With the approval of the director, the board shall appoint
22 a registrar, fix his or her compensation, and prescribe his or her
23 duties.

24 The registrar is the executive officer and secretary of the board.

25 This section shall remain in effect only until January 1, 2015,
26 and as of that date is repealed, unless a later enacted statute, that
27 is enacted before January 1, 2015, deletes or extends that date.

28 SEC. 45. Section 8710 of the Business and Professions Code
29 is amended to read:

30 8710. (a) The Board for Professional Engineers and Land
31 Surveyors is vested with power to administer the provisions and
32 requirements of this chapter, and may make and enforce rules and
33 regulations that are reasonably necessary to carry out its provisions.

34 (b) The board may adopt rules and regulations of professional
35 conduct that are not inconsistent with state and federal law. The
36 rules and regulations may include definitions of incompetence and
37 negligence. Every person who holds a license or certificate issued
38 by the board pursuant to this chapter, or a license or certificate
39 issued to a civil engineer pursuant to Chapter 7 (commencing with
40 Section 6700), shall be governed by these rules and regulations.

1 (c) This section shall remain in effect only until January 1, 2012,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2012, deletes or extends that date. The
4 repeal of this section shall render the board subject to the review
5 required by Division 1.2 (commencing with Section 473).

6 SEC. 46. Section 11506 of the Business and Professions Code
7 is amended to read:

8 11506. This part shall be subject to the review required by
9 Division 1.2 (commencing with Section 473). This part shall
10 remain in effect only until January 1, 2015, and as of that date is
11 repealed, unless a later enacted statute, that is enacted before
12 January 1, 2015, deletes or extends that date.

13 SEC. 47. Section 18602 of the Business and Professions Code
14 is amended to read:

15 18602. (a) Except as provided in this section, there is in the
16 Department of Consumer Affairs the State Athletic Commission,
17 which consists of seven members. Five members shall be appointed
18 by the Governor, one member shall be appointed by the Senate
19 Rules Committee, and one member shall be appointed by the
20 Speaker of the Assembly.

21 The members of the commission appointed by the Governor are
22 subject to confirmation by the Senate pursuant to Section 1322 of
23 the Government Code.

24 No person who is currently licensed, or who was licensed within
25 the last two years, under this chapter may be appointed or
26 reappointed to, or serve on, the commission.

27 (b) In appointing commissioners under this section, the
28 Governor, the Senate Rules Committee, and the Speaker of the
29 Assembly shall make every effort to ensure that at least four of
30 the members of the commission shall have experience and
31 demonstrate expertise in one of the following areas:

32 (1) A licensed physician or surgeon having expertise or
33 specializing in neurology, neurosurgery, head trauma, or sports
34 medicine. Sports medicine includes, but is not limited to,
35 physiology, kinesiology, or other aspects of sports medicine.

36 (2) Financial management.

37 (3) Public safety.

38 (4) Past experience in the activity regulated by this chapter,
39 either as a contestant, a referee or official, a promoter, or a venue
40 operator.

1 (c) Each member of the commission shall be appointed for a
2 term of four years. All terms shall end on January 1. Vacancies
3 occurring prior to the expiration of the term shall be filled by
4 appointment for the unexpired term. No commission member may
5 serve more than two consecutive terms.

6 (d) Notwithstanding any other provision of this chapter,
7 members first appointed shall be subject to the following terms:

8 (1) The Governor shall appoint two members for two years, two
9 members for three years, and one member for four years.

10 (2) The Senate Committee on Rules shall appoint one member
11 for four years.

12 (3) The Speaker of the Assembly shall appoint one member for
13 four years.

14 (e) This section shall remain in effect only until January 1, 2012,
15 and as of that date is repealed, unless a later enacted statute, that
16 is enacted before January 1, 2012, deletes or extends that date.

17 The repeal of this section renders the commission subject to the
18 review required by Division 1.2 (commencing with Section 473).

19 SEC. 48. Section 18613 of the Business and Professions Code
20 is amended to read:

21 18613. (a) (1) The commission shall appoint a person exempt
22 from civil service who shall be designated as an executive officer
23 and who shall exercise the powers and perform the duties delegated
24 by the commission and vested in him or her by this chapter. The
25 appointment of the executive officer is subject to the approval of
26 the Director of Consumer Affairs.

27 (2) The commission may employ in accordance with Section
28 154 other personnel as may be necessary for the administration of
29 this chapter.

30 (b) This section shall remain in effect only until January 1, 2012,
31 and as of that date is repealed, unless a later enacted statute, that
32 is enacted before January 1, 2012, deletes or extends that date.

33 SEC. 49. Section 22259 of the Business and Professions Code
34 is amended to read:

35 22259. This chapter shall be subject to the review required by
36 Division 1.2 (commencing with Section 473).

37 This chapter shall remain in effect only until January 1, 2015,
38 and as of that date is repealed, unless a later enacted statute, that
39 is enacted before January 1, 2015, deletes or extends that date.

1 SEC. 50. Section 94950 of the Education Code is amended to
2 read:

3 94950. This chapter shall remain in effect only until January
4 1, 2015, and as of that date is repealed, unless a later enacted
5 statute, that is enacted before January 1, 2015, deletes or extends
6 that date.

7 SEC. 51. (a) Section 7.5 of this bill incorporates amendments
8 to Section 2570.19 of the Business and Professions Code proposed
9 by both this bill and SB 999. It shall only become operative if (1)
10 both bills are enacted and become effective on or before January
11 1, 2011, (2) each bill amends Section 2570.19 of the Business and
12 Professions Code, and (3) SB 1489 is not enacted or as enacted
13 does not amend that section, and (4) this bill is enacted after SB
14 999, in which case Sections 7, 7.7, and 7.9 of this bill shall not
15 become operative.

16 (b) Section 7.7 of this bill incorporates amendments to Section
17 2570.19 of the Business and Professions Code proposed by both
18 this bill and SB 1489. It shall only become operative if (1) both
19 bills are enacted and become effective on or before January 1,
20 2011, (2) each bill amends Section 2570.19 of the Business and
21 Professions Code, (3) SB 999 is not enacted or as enacted does
22 not amend that section, and (4) this bill is enacted after SB 1489
23 in which case Sections 7, 7.5, and 7.9 of this bill shall not become
24 operative.

25 (c) Section 7.9 of this bill incorporates amendments to Section
26 2570.19 of the Business and Professions Code proposed by this
27 bill, SB 999, and SB 1489. It shall only become operative if (1) all
28 three bills are enacted and become effective on or before January
29 1, 2011, (2) all three bills amend Section 2570.19 of the Business
30 and Professions Code, and (3) this bill is enacted after SB 999
31 and SB 1489, in which case Sections 7, 7.5, and 7.7 of this bill
32 shall not become operative.

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