

SB 294 (Negrete McLeod)- Department of Consumer Affairs: Regulatory Boards

Introduced February 25, 2010; amended in Assembly August 2, 2010

This bill changes the sunset dates on various Department of Consumer Affairs (DCA) regulatory boards and bureaus which are scheduled to be sunsetted in 2011, and adjusts the sunset dates for other boards to meet a four year schedule for Legislative Sunset Oversight Hearings. Amendments made to this bill on August 2, 2010 changed the proposed sunset review date for the Board of Psychology from 2014 to 2013.

The Joint Legislative Sunset Review Committee (JLSRC) established in 1994 for the purpose of routinely reviewing the performance of the semiautonomous boards begins its review process by sending a board a questionnaire and a request for information covering every aspect of the board's operation for a specified period.

According to the background provided in the analysis from the Assembly Committee on Business, Professions and Consumer Protection, although JLSRC staff and the board meet to discuss the information and to seek input from consumer groups, all the information supplied to the JLSRC comes from the board itself. The basic issue for JLSRC to consider during its deliberations is whether the board should continue to regulate the profession in question or be terminated. The JLSRC gives the department as well as the board an opportunity to respond to its review, the JLSRC might recommend that the Legislature terminate, or "sunset," a board. The 1994 law provides only for the elimination of a board, not for the actual deregulation of the profession.

The DCA is the parent organization for 35 boards and bureaus responsible for regulating businesses and licensees affecting the health and safety, and welfare of California consumers. DCA is responsible for overseeing the regulatory boards and bureaus to ensure that they carry out this mission.

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, ~~4800, 4804.5, 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, the Business and Professions Code, and to amend Section 94950 of the Education Code, relating to the Department of Consumer Affairs.

LEGISLATIVE COUNSEL'S DIGEST

SB 294, as amended, Negrete McLeod. Department of Consumer Affairs: regulatory boards.

(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; ~~and the Veterinary Medical Board~~. Existing

law requires the committee and authorizes the ~~Veterinary Medical Board 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 and the Veterinary Medical Board 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 and the Veterinary Medical Board~~ 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 and, 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 appoint an executive officer, respectively. 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 and, 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 those 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 ~~profession~~ 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.

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.

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

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

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

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

28 2020. (a) The board may employ an executive director exempt
29 from the provisions of the Civil Service Act and may also employ
30 investigators, legal counsel, medical consultants, and other
31 assistance as it may deem necessary to carry into effect this chapter

1 *this chapter into effect.* The board may fix the compensation to be
2 paid for services subject to the provisions of applicable state laws
3 and regulations and may incur other expenses as it may deem
4 necessary. Investigators employed by the board shall be provided
5 special training in investigating medical practice activities.

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

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

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

14 2531. (a) There is in the Department of Consumer Affairs a
15 Speech-Language Pathology and Audiology and Hearing Aid
16 Dispensers Board in which the enforcement and administration of
17 this chapter are vested. The Speech-Language Pathology and
18 Audiology and Hearing Aid Dispensers Board shall consist of nine
19 members, three of whom shall be public members.

20 (b) 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. 4. Section 2531.75 of the Business and Professions Code,
26 as added by Section 4 of Chapter 35 of the Statutes of 2008, is
27 amended to read:

28 2531.75. (a) The board may appoint a person exempt from
29 civil service who shall be designated as an executive officer and
30 who shall exercise the powers and perform the duties delegated
31 by the board and vested in him or her by this chapter.

32 (b) This section shall 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 that date.

35 SEC. 5. Section 2531.75 of the Business and Professions Code,
36 as amended by Section 5 of Chapter 33 of the Statutes of 2008, is
37 repealed.

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

1 2569. The powers and duties of the board, as set forth in this
2 chapter, shall be subject to the review required by Division 1.2
3 (commencing with Section 473). The review shall be performed
4 as if this chapter were scheduled to be repealed as of January 1,
5 2014, as described in Section 473.1.

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

8 2570.19. (a) There is hereby created a California Board of
9 Occupational Therapy, hereafter referred to as the board. The board
10 shall enforce and administer this chapter.

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

12 (1) Three occupational therapists who shall have practiced
13 occupational therapy for five years.

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

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

18 (c) The Governor shall appoint the three occupational therapists
19 and one occupational therapy assistant to be members of the board.
20 The Governor, the Senate Rules Committee, and the Speaker of
21 the Assembly shall each appoint a public member. Not more than
22 one member of the board shall be appointed from the full-time
23 faculty of any university, college, or other educational institution.

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

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

38 (f) The Governor shall appoint two board members for a term
39 of one year, two board members for a term of two years, and one
40 board member for a term of three years. Appointments made

1 thereafter shall be for four-year terms, but no person shall be
2 appointed to serve more than two consecutive terms. Terms shall
3 begin on the first day of the calendar year and end on the last day
4 of the calendar year or until successors are appointed, except for
5 the first appointed members who shall serve through the last
6 calendar day of the year in which they are appointed, before
7 commencing the terms prescribed by this section. Vacancies shall
8 be filled by appointment for the unexpired term. The board shall
9 annually elect one of its members as president.

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

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

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

23 (j) The appointing power shall have the power to remove any
24 member of the board from office for neglect of any duty imposed
25 by state law, for incompetency, or for unprofessional or
26 dishonorable conduct.

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

1 extent possible based upon actual board financing requirements
2 as determined by the Department of Finance.

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

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

10 2701. (a) There is in the Department of Consumer Affairs the
11 Board of Registered Nursing consisting of nine members.

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

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

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

24 2708. (a) The board shall appoint an executive officer who
25 shall perform the duties delegated by the board and who shall be
26 responsible to it for the accomplishment of those duties.

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

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

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

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

36 2920. The Board of Psychology shall enforce and administer
37 this chapter. The board shall consist of nine members, four of
38 whom shall be public members.

39 This section shall remain in effect only until January 1, ~~2014~~
40 ~~2013~~, and as of that date is repealed, unless a later enacted statute,

1 that is enacted before January 1, ~~2014~~ 2013, deletes or extends
2 that date.

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

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

13 This section shall remain in effect only until January 1, ~~2014~~
14 2013, and as of that date is repealed, unless a later enacted statute,
15 that is enacted before January 1, ~~2014~~ 2013, deletes or extends
16 that date.

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

19 3010.5. (a) There is in the Department of Consumer Affairs
20 a State Board of Optometry in which the enforcement of this
21 chapter is vested. The board consists of 11 members, five of whom
22 shall be public members.

23 Six members of the board shall constitute a quorum.

24 (b) The board shall, with respect to conducting investigations,
25 inquiries, and disciplinary actions and proceedings, have the
26 authority previously vested in the board as created pursuant to
27 Section 3010. The board may enforce any disciplinary actions
28 undertaken by that board.

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

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

36 3014.6. (a) The board may appoint a person exempt from civil
37 service who shall be designated as an executive officer and who
38 shall exercise the powers and perform the duties delegated by the
39 board and vested in him or her by this chapter.

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

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

6 3504. There is established a Physician Assistant Committee
7 of the Medical Board of California. The committee consists of
8 nine members. This section shall remain in effect only until January
9 1, 2013, and as of that date is repealed, unless a later enacted
10 statute, that is enacted before January 1, 2013, deletes or extends
11 that date. The repeal of this section renders the committee subject
12 to the review required by Division 1.2 (commencing with Section
13 473).

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

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

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

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

29 3685. (a) The repeal of this chapter renders the committee
30 subject to the review required by Division 1.2 (commencing with
31 Section 473).

32 (b) The committee shall prepare the report required by Section
33 473.2 no later than September 1, 2012.

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

36 3686. This chapter shall remain in effect only until January 1,
37 2014, and as of that date is repealed, unless a later enacted statute,
38 that is enacted before January 1, 2014, deletes or extends that date.

39 ~~SEC. 18. Section 4800 of the Business and Professions Code~~
40 ~~is amended to read:~~

1 ~~4800. There is in the Department of Consumer Affairs a~~
2 ~~Veterinary Medical Board in which the administration of this~~
3 ~~chapter is vested. The board consists of seven members, three of~~
4 ~~whom shall be public members.~~

5 ~~This section shall remain in effect only until January 1, 2013,~~
6 ~~and as of that date is repealed, unless a later enacted statute, that~~
7 ~~is enacted before January 1, 2013, deletes or extends that date. The~~
8 ~~repeal of this section renders the board subject to the review~~
9 ~~provided for by Division 1.2 (commencing with Section 473).~~

10 ~~SEC. 19. Section 4804.5 of the Business and Professions Code~~
11 ~~is amended to read:~~

12 ~~4804.5. The board may appoint a person exempt from civil~~
13 ~~service who shall be designated as an executive officer and who~~
14 ~~shall exercise the powers and perform the duties delegated by the~~
15 ~~board and vested in him or her by this chapter.~~

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

19 ~~SEC. 18. Section 3710 of the Business and Professions Code~~
20 ~~is amended to read:~~

21 ~~3710. (a) The Respiratory Care Board of California, hereafter~~
22 ~~referred to as the board, shall enforce and administer this chapter.~~

23 ~~(b) This section shall remain in effect only until January 1, 2013~~
24 ~~2014, and as of that date is repealed, unless a later enacted statute,~~
25 ~~that is enacted before January 1, 2013 2014, deletes or extends~~
26 ~~that date. The repeal of this section renders the board subject to~~
27 ~~the review required by Division 1.2 (commencing with Section~~
28 ~~473).~~

29 ~~SEC. 19. Section 3716 of the Business and Professions Code~~
30 ~~is amended to read:~~

31 ~~3716. The board may employ an executive officer exempt from~~
32 ~~civil service and, subject to the provisions of law relating to civil~~
33 ~~service, clerical assistants and, except as provided in Section 159.5,~~
34 ~~other employees as it may deem necessary to carry out its powers~~
35 ~~and duties.~~

36 ~~This section shall remain in effect only until January 1, 2013~~
37 ~~2014, and as of that date is repealed, unless a later enacted statute,~~
38 ~~that is enacted before January 1, 2013 2014, deletes or extends~~
39 ~~that date.~~

1 *SEC. 20. Section 4620 of the Business and Professions Code*
2 *is amended to read:*

3 4620. This chapter shall remain in effect only until January 1,
4 ~~2016~~ 2015, and as of that date is repealed, unless a later enacted
5 statute, that is enacted before January 1, ~~2016~~ 2015, deletes or
6 extends that date.

7 ~~SEC. 20.~~

8 *SEC. 21. Section 4928 of the Business and Professions Code*
9 *is amended to read:*

10 4928. The Acupuncture Board, which consists of seven
11 members, shall enforce and administer this chapter.

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

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

17 ~~SEC. 21.~~

18 *SEC. 22. Section 4934 of the Business and Professions Code*
19 *is amended to read:*

20 4934. (a) The board, by and with the approval of the director,
21 may employ personnel necessary for the administration of this
22 chapter, and the board, by and with the approval of the director,
23 may appoint an executive officer who is exempt from the
24 provisions of the Civil Service Act.

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

28 ~~SEC. 22.~~

29 *SEC. 23. Section 4990 of the Business and Professions Code*
30 *is amended to read:*

31 4990. (a) There is in the Department of Consumer Affairs, a
32 Board of Behavioral Sciences that consists of the following
33 members:

34 (1) Two state licensed clinical social workers.

35 (2) One state licensed educational psychologist.

36 (3) Two state licensed marriage and family therapists.

37 (4) Commencing January 1, 2012, one state licensed professional
38 clinical counselor.

39 (5) Seven public members.

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

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

4 (d) The Governor shall appoint five of the public members and
5 the six licensed members with the advice and consent of the Senate.
6 The Senate Committee on Rules and the Speaker of the Assembly
7 shall each appoint a public member.

8 (e) Each member of the board shall be appointed for a term of
9 four years. A member appointed by the Speaker of the Assembly
10 or the Senate Committee on Rules shall hold office until the
11 appointment and qualification of his or her successor or until one
12 year from the expiration date of the term for which he or she was
13 appointed, whichever first occurs. Pursuant to Section 1774 of the
14 Government Code, a member appointed by the Governor shall
15 hold office until the appointment and qualification of his or her
16 successor or until 60 days from the expiration date of the term for
17 which he or she was appointed, whichever first occurs.

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

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

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

26 (i) 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. 23.~~

30 *SEC. 24.* Section 4990.04 of the Business and Professions Code
31 is amended to read:

32 4990.04. (a) The board shall appoint an executive officer. This
33 position is designated as a confidential position and is exempt from
34 civil service under subdivision (e) of Section 4 of Article VII of
35 the California Constitution.

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

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

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

3 (e) The chairperson and executive officer may call meetings of
4 the board and any duly appointed committee at a specified time
5 and place. For purposes of this section, "call meetings" means
6 setting the agenda, time, date, or place for any meeting of the board
7 or any committee.

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

11 ~~SEC. 24.~~

12 *SEC. 25.* Section 5000 of the Business and Professions Code
13 is amended to read:

14 5000. There is in the Department of Consumer Affairs the
15 California Board of Accountancy, which consists of 15 members,
16 seven of whom shall be licensees, and eight of whom shall be
17 public members who shall not be licentiates of the board or
18 registered by the board. The board has the powers and duties
19 conferred by this chapter.

20 The Governor shall appoint four of the public members, and the
21 seven licensee members as provided in this section. The Senate
22 Rules Committee and the Speaker of the Assembly shall each
23 appoint two public members. In appointing the seven licensee
24 members, the Governor shall appoint members representing a cross
25 section of the accounting profession with at least two members
26 representing a small public accounting firm. For the purposes of
27 this chapter, a small public accounting firm shall be defined as a
28 professional firm that employs a total of no more than four
29 licensees as partners, owners, or full-time employees in the practice
30 of public accountancy within the State of California.

31 This section shall remain in effect only until January 1, 2012,
32 and as of that date is repealed, unless a later enacted statute, that
33 is enacted before January 1, 2012, deletes or extends that date. The
34 repeal of this section renders the board subject to the review
35 required by Division 1.2 (commencing with Section 473).
36 However, the review of the board shall be limited to reports or
37 studies specified in this chapter and those issues identified by the
38 Joint Committee on Boards, Commissions, and Consumer
39 Protection and the board regarding the implementation of new
40 licensing requirements.

1 ~~SEC. 25.~~

2 *SEC. 26.* Section 5015.6 of the Business and Professions Code
3 is amended to read:

4 5015.6. The board may appoint a person exempt from civil
5 service who shall be designated as an executive officer and who
6 shall exercise the powers and perform the duties delegated by the
7 board and vested in him or her by this chapter.

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.

11 ~~SEC. 26.~~ Section ~~5510~~ of the Business and Professions Code
12 is amended to read:

13 ~~5510.~~ There is in the Department of Consumer Affairs a
14 California Architects Board which consists of 10 members.

15 Any reference in law to the California Board of Architectural
16 Examiners shall mean the California Architects Board.

17 ~~This section shall remain in effect only until January 1, 2012,~~
18 ~~and as of that date is repealed, unless a later enacted statute, that~~
19 ~~is enacted before January 1, 2012, deletes or extends that date. The~~
20 ~~repeal of this section renders the board subject to the review~~
21 ~~required by Division 1.3 (commencing with Section 473).~~

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

24 5510. There is in the Department of Consumer Affairs a
25 California Architects Board which consists of 10 members.

26 Any reference in law to the California Board of Architectural
27 Examiners shall mean the California Architects Board.

28 ~~This section shall become inoperative on July 1, 2011, and, as~~
29 ~~of January 1, 2012, is repealed, unless a later enacted statute, which~~
30 ~~becomes effective on or before January 1, 2012, deletes or extends~~
31 ~~the dates on which it becomes inoperative and is repealed.~~

32 *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. 27.~~

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. 28.~~

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

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

13 ~~SEC. 29.~~

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

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

28 (a) There is in the Department of Consumer Affairs a California
29 Architects Board as defined in Article 2 (commencing with Section
30 5510) of Chapter 3.

31 Whenever in this chapter "board" is used, it refers to the
32 California Architects Board.

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

36 (c) After review of proposed regulations, the board may direct
37 the examining committee to notice and conduct hearings to adopt,
38 amend, or repeal regulations pursuant to Section 5630, provided
39 that the board itself shall take final action to adopt, amend, or
40 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. 30.~~

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

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

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

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

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

30 (e) 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. 31.~~

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

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

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

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

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

10 (e) 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. 32.~~

14 *SEC. 33.* Section 5810 of the Business and Professions Code
15 is amended to read:

16 5810. (a) This chapter shall be subject to the review required
17 by Division 1.2 (commencing with Section 473).

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

21 ~~SEC. 33.~~

22 *SEC. 34.* Section 6510 of the Business and Professions Code
23 is amended to read:

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

32 (b) The Governor shall appoint, subject to confirmation by the
33 Senate, the chief of the bureau, at a salary to be fixed and
34 determined by the director with the approval of the Director of
35 Finance. The chief shall serve under the direction and supervision
36 of the director and at the pleasure of the Governor.

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

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

3 Notwithstanding any other provision of law, upon the repeal of
4 this section, the responsibilities and jurisdiction of the bureau shall
5 be transferred to the Professional Fiduciaries Advisory Committee,
6 as provided by Section 6511.

7 ~~SEC. 34.~~

8 *SEC. 35.* Section 6710 of the Business and Professions Code
9 is amended to read:

10 6710. (a) There is in the Department of Consumer Affairs a
11 Board for Professional Engineers and Land Surveyors, which
12 consists of 13 members.

13 (b) Any reference in any law or regulation to the Board of
14 Registration for Professional Engineers and Land Surveyors is
15 deemed to refer to the Board for Professional Engineers and Land
16 Surveyors.

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

22 ~~SEC. 35.~~

23 *SEC. 36.* Section 6714 of the Business and Professions Code
24 is amended to read:

25 6714. The board shall appoint an executive officer at a salary
26 to be fixed and determined by the board with the approval of the
27 Director of Finance.

28 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. 36.~~

32 *SEC. 37.* Section 7000.5 of the Business and Professions Code
33 is amended to read:

34 7000.5. (a) There is in the Department of Consumer Affairs
35 a Contractors' State License Board, which consists of 15 members.

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

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.

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

6 ~~SEC. 37.~~

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

9 7011. The board, by and with the approval of the director, shall
10 appoint a registrar of contractors and fix his or her compensation.

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

14 For the purpose of administration of this chapter, there may be
15 appointed a deputy registrar, a chief reviewing and hearing officer,
16 and, subject to Section 159.5, other assistants and subordinates as
17 may be necessary.

18 Appointments shall be made in accordance with the provisions
19 of civil service laws.

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. 38.~~

24 *SEC. 39.* Section 7200 of the Business and Professions Code
25 is amended to read:

26 7200. (a) There is in the Department of Consumer Affairs a
27 State Board of Guide Dogs for the Blind in whom enforcement of
28 this chapter is vested. The board shall consist of seven members
29 appointed by the Governor. One member shall be the Director of
30 Rehabilitation or his or her designated representative. The
31 remaining members shall be persons who have shown a particular
32 interest in dealing with the problems of the blind, and at least two
33 of them shall be blind persons who use guide dogs.

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

1 ~~SEC. 39.~~

2 ~~SEC. 40.~~ Section 7303 of the Business and Professions Code
3 is amended to read:

4 7303. (a) Notwithstanding Article 8 (commencing with Section
5 9148) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the
6 Government Code, there is in the Department of Consumer Affairs
7 the State Board of Barbering and Cosmetology in which the
8 administration of this chapter is vested.

9 (b) The board shall consist of nine members. Five members
10 shall be public members, and four members shall represent the
11 professions. The Governor shall appoint three of the public
12 members and the four professional members. The Senate
13 Committee on Rules and the Speaker of the Assembly shall each
14 appoint one public member. Members of the board shall be
15 appointed for a term of four years, except that of the members
16 appointed by the Governor, two of the public members and two
17 of the professions members shall be appointed for an initial term
18 of two years. No board member may serve longer than two
19 consecutive terms.

20 (c) The board may appoint an executive officer who is exempt
21 from civil service. The executive officer shall exercise the powers
22 and perform the duties delegated by the board and vested in him
23 or her by this chapter. The appointment of the executive officer is
24 subject to the approval of the director. In the event that a newly
25 authorized board replaces an existing or previous bureau, the
26 director may appoint an interim executive officer for the board
27 who shall serve temporarily until the new board appoints a
28 permanent executive officer.

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

32 (e) This section shall 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 that date.

35 ~~SEC. 40.~~

36 ~~SEC. 41.~~ Section 8000 of the Business and Professions Code
37 is amended to read:

38 8000. There is in the Department of Consumer Affairs a Court
39 Reporters Board of California, which consists of five members,
40 three of whom shall be public members and two of whom shall be

1 holders of certificates issued under this chapter who have been
2 actively engaged as shorthand reporters within this state for at least
3 five years immediately preceding their appointment.

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

7 ~~SEC. 41.~~

8 *SEC. 42.* Section 8005 of the Business and Professions Code
9 is amended to read:

10 8005. The Court Reporters Board of California is charged with
11 the executive functions necessary for effectuating the purposes of
12 this chapter. It may appoint committees as it deems necessary or
13 proper. The board may appoint, prescribe the duties, and fix the
14 salary of an executive officer. Except as provided by Section 159.5,
15 the board may also employ other employees as may be necessary,
16 subject to civil service and other provisions of law.

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

20 ~~SEC. 42.~~

21 *SEC. 43.* Section 8520 of the Business and Professions Code
22 is amended to read:

23 8520. (a) There is in the Department of Pesticide Regulation
24 a Structural Pest Control Board, which consists of seven members.

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

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

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

36 ~~SEC. 43.~~

37 *SEC. 44.* Section 8528 of the Business and Professions Code
38 is amended to read:

1 8528. With the approval of the director, the board shall appoint
2 a registrar, fix his or her compensation, and prescribe his or her
3 duties.

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

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

8 ~~SEC. 44.~~

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

11 8710. (a) The Board for Professional Engineers and Land
12 Surveyors is vested with power to administer the provisions and
13 requirements of this chapter, and may make and enforce rules and
14 regulations that are reasonably necessary to carry out its provisions.

15 (b) The board may adopt rules and regulations of professional
16 conduct that are not inconsistent with state and federal law. The
17 rules and regulations may include definitions of incompetence and
18 negligence. Every person who holds a license or certificate issued
19 by the board pursuant to this chapter, or a license or certificate
20 issued to a civil engineer pursuant to Chapter 7 (commencing with
21 Section 6700), shall be governed by these rules and regulations.

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

27 ~~SEC. 45.~~

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

30 11506. This part shall be subject to the review required by
31 Division 1.2 (commencing with Section 473). This part shall
32 remain in effect only until January 1, 2015, and as of that date is
33 repealed, unless a later enacted statute, that is enacted before
34 January 1, 2015, deletes or extends that date.

35 ~~SEC. 46.~~

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

38 18602. (a) Except as provided in this section, there is in the
39 Department of Consumer Affairs the State Athletic Commission,
40 which consists of seven members. Five members shall be appointed

1 by the Governor, one member shall be appointed by the Senate
2 Rules Committee, and one member shall be appointed by the
3 Speaker of the Assembly.

4 The members of the commission appointed by the Governor are
5 subject to confirmation by the Senate pursuant to Section 1322 of
6 the Government Code.

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

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

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

19 (2) Financial management.

20 (3) Public safety.

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

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

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

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

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

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

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

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

3 ~~SEC. 47.~~

4 *SEC. 48.* Section 18613 of the Business and Professions Code
5 is amended to read:

6 18613. (a) (1) The commission shall appoint a person exempt
7 from civil service who shall be designated as an executive officer
8 and who shall exercise the powers and perform the duties delegated
9 by the commission and vested in him or her by this chapter. The
10 appointment of the executive officer is subject to the approval of
11 the Director of Consumer Affairs.

12 (2) The commission may employ in accordance with Section
13 154 other personnel as may be necessary for the administration of
14 this chapter.

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

18 ~~SEC. 48.~~

19 *SEC. 49.* Section 22259 of the Business and Professions Code
20 is amended to read:

21 22259. This chapter shall be subject to the review required by
22 Division 1.2 (commencing with Section 473).

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

26 ~~SEC. 49.~~

27 *SEC. 50.* Section 94950 of the Education Code is amended to
28 read:

29 94950. This chapter shall remain in effect only until January
30 1, 2015, and as of that date is repealed, unless a later enacted
31 statute, that is enacted before January 1, 2015, deletes or extends
32 that date.