



APPROVED MINUTES

Legislative Committee Meeting
Monday, April 13, 2009
10:00 AM – Noon

1624 North Market Blvd., Trinity Room (S-307)
Sacramento, CA 95834
Dial in #: (866) 443-7569
Participant Code: 1112

634 South Spring Street, #925
Los Angeles, CA 90014
(213) 488-0325

Phone Conference

Committee Members

Tom Scott, Chair
Eric Holm
Belinda Barragan (Absent)

Executive Officer
Antonette Sorrick

Attendees

Shannon Dillon, California Association of Guide Dog Users (CAGDU)
Frank Welte, California Council of the Blind (CCB)
Laurie Mehta, Guide Dog Users Inc. (GDUI)
Ken Metz, Guide Dog Users of California (GDUC)
Harry Thomas, Former Board Member and Executive Officer
Roger Oberholzer
Katherine Demos, Regulations Coordinator, DCA

Board Staff
Susan Cox

Legal Counsel
Albert Balingit

AGENDA

1. Chair Welcome and Roll Call – (T. Scott)
Chairperson Scott called the meeting to order at 10:05 AM. Roll was taken. Chair Scott and Committee Member Holm established a quorum for the meeting. Committee Member Barragan was absent. Self introductions of attendees were made. Executive Officer Sorrick thanked all attendees for participating and pointed out that four of the consumer organizations were represented at the meeting.
2. Legislation (A. Sorrick)
 - a. SB 250 (Florez) – Dogs and Cats; Mandatory Spay and Neutering (Position)
Executive Officer Sorrick read SB 250. This bill would provide, in addition, that every dog owner shall secure a license for the dog, as required by state or local law, and

that no person shall own, keep, or harbor an unaltered and unspayed dog, except as specified. It would make it ~~is~~ unlawful for any person who owns, keeps, or harbors any unspayed or unaltered cat 6 months of age or older to allow or permit that unspayed or unaltered cat to remain outdoors. It would require any owner or custodian, as defined, of an unaltered dog or cat to have the animal spayed or neutered at 6 months of age or older, or provide a certificate of sterility. It would allow an unaltered dog license to be denied, revoked, and reapplied for, as specified, and the licensing agency to utilize its existing procedures for any appeal of a denial or revocation of an unaltered dog license.

This bill would require an owner or custodian who offers any unaltered dog or cat for sale, trade, or adoption to meet specified requirements. It would permit an administrative citation, infraction, or other authorized penalty for a violation of certain provisions to be imposed only if the owner or custodian is concurrently cited for another violation under state or local law, as specified. It would require, if an unaltered dog or cat is impounded pursuant to state or local law, the owner or custodian to meet specified requirements, including paying the costs of impoundment. It would require all costs, fines, and fees collected under the bill to be paid to the licensing agency for the purpose of defraying the cost of the implementation and enforcement of the bill. By creating new crimes and imposing new duties on local animal control agencies, this bill would impose a state-mandated local program upon local governments.

Executive Officer Sorrick reported that this bill would be heard on Wednesday, April 15, 2009 in the Senate Local Government Committee. Staff recommendation was to take a neutral if amended position to exempt assistance dogs from the requirement. Ken Metz recommended an oppose unless amended position. Frank Welte reported that CCB had been in support of amending the language to exempt assistance dogs. Harry Thomas expressed a concern about including all assistance dogs. Laurie Mehta expressed concern over the term service animal versus assistance dogs. Ken Metz recommended the language read "except for guide dogs in training and breeder stock from a licensed guide dog school."

Committee Vote: Board Member Holm made the motion to oppose SB 250, unless amended to exempt guide dogs in training and breeder stock from licensed guide dog schools. Chairperson Scott seconded. Motion passed. Chairperson Scott encouraged the Executive Officer to communicate the Boards position on Bill 250 to Senator Florez. Executive Officer Sorrick will write a letter to Senator Florez on the Committee's position on the bill.

b. SB 389 (Negrete McLeod) – Retroactive Fingerprint Submission (Position)

This bill would make that fingerprinting requirement applicable to the Dental Board of California, the Dental Hygiene Committee of California, the Professional Fiduciary Bureau, the Osteopathic Medical Board of California, the California Board of Podiatric Medicine, and the State Board of Chiropractic Examiners. The bill would require applicants for a license and, commencing January 1, 2011, licensees who have not previously submitted fingerprints, or for whom a record of the submission of fingerprints no longer exists, to successfully complete a state and federal level criminal offender record information search, as specified. The bill would require licensees to certify compliance with that requirement, as specified, and would subject a licensee to disciplinary action for making a false certification. The bill would also

require a licensee to, as a condition of renewal of the license, notify the board on the license renewal form if he or she has been convicted, as defined, of a felony or misdemeanor since his or her last renewal, or if this is the licensee's first renewal, since the initial license was issued. The Guide Dogs for the Blind is included in the list of boards covered under this statutory change. Executive Officer Sorrick reported that 24 out of 101 licensees are not currently fingerprinted. The 24 licensees who have not been fingerprinted would be affected by the retroactive requirement. This bill will be heard in the Senate Business Professions and Economic Development Committee on April 20, 2009. Staff recommendation is to support this bill. Shannon Dillon expressed concern that the Board would have too much discretion to handle conviction information of a licensee. Legal Counsel Balingit explained the accusation process between a licensing board and the Attorney General's office. A licensee would have a right to a hearing.

Committee Vote: Board Member Holm made the motion to support SB 389. Chairperson Scott seconded. Motion passed.

c. SB 475 (Padilla) – Annual School Renewal Payment to the State Board of Guide Dogs for the Blind

Executive Officer Sorrick read SB 475 for informational purposes. This bill would specify that the license renewal fee shall be no more than .005 of a school's annual expenses as determined by the Board by regulation and would require the fee to be paid by April 30 of each year. The Board would pursue an annual school renewal payment of .00425 via regulation. Executive Officer Sorrick reported that this bill would be heard in the Senate Business Professions and Economic Development Committee on April 20, 2009, and the Committee had official letters on file in support of the bill from the Board and Guide Dogs of America. Frank Welte reported that CCB was on file as in support of the bill. Shannon Dillon reported that CAGDU was on file as in opposition to the bill.

d. SB 638 (Negrete McLeod) – Sunset Review Process (Position)

Executive Officer read SB 638. This bill would abolish the Joint Committee on Boards, Commissions, and Consumer Protection and would authorize the appropriate policy committees of the Legislature to carry out its duties. The bill would terminate the terms of office of each board member or bureau chief within the department on unspecified dates and would authorize successor board members and bureau chiefs to be appointed, as specified. The bill would also subject interior design organizations, the State Board of Chiropractic Examiners, the Osteopathic Medical Board of California, and the Tax Education Council to review on unspecified dates. The bill would authorize the appropriate policy committees of the Legislature to review the boards, bureaus, or entities that are scheduled to have their board membership or bureau chief so terminated or reviewed, as specified, and would authorize the appropriate policy committees of the Legislature to investigate their operations and to hold specified public hearings. The bill would require a board, bureau, or entity, if their annual report contains certain information, to post it on its Internet Web site. The bill would make other conforming changes. The Guide Dog Board is currently in scheduled for review by the Joint Committee in 2011 and to be Sunset in 2012. Executive Officer Sorrick reported that this bill would be heard in the Senate Business

Professions and Economic Development Committee on April 20, 2009. Staff recommended the Committee watch the bill.

Committee Vote: Board Member Holm made the motion to watch SB 638. Chairperson Scott seconded the motion. Motion passed.

e. H.R. 734 (Rep. Towns, Edolphus – NY-10) – Pedestrian Safety Enhancement Act of 2009

H.R. 734 directs the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation. This bill was referred to the House Committee of Energy and Commerce. A support letter was sent to the Author and has been posted on the Board's Web site. Copies of the support letter were sent to the California Congressional Delegation.

3. Agenda Items for the Next Meeting – (All)

Status updates on bills.

4. Public Comment on Items Not on the Agenda

Frank Welte commented that CCB was working with Senator Alan Lowenthal's office Senate Joint Resolution 6. This resolution is an official support of H.R. 734.

5. Adjournment

Committee Member Holm motioned to adjourn the meeting. Chairperson Scott adjourned the meeting at 11:11 AM