

ASSEMBLY COMMITTEE ON BUSINESS & PROFESSIONS

Honorable Lou Correa, Chair

Honorable Shirley Horton, Vice Chair

The jurisdiction of the Assembly Business and Professions Committee includes: scope of practice, licensing and enforcement issues for all boards and bureaus at the Department of Consumer Affairs (medical and non-medical); state government organization and reorganization; creation and elimination (sunsetting) of regulatory agencies, boards and commissions; governmental efficiency and cost control; consumer protection; the Department of General Services; state procurement and public contracts; state and local property acquisition law; the Administrative Procedure Act and Office of Administrative Law; charitable solicitations; product labeling; weights and measures, including accuracy of product pricing.

More than 300 bills were referred to the Assembly Business and Professions Committee during the 2003-04 session of the California State Legislature. A substantial proportion of these bills related to the Committee's primary jurisdiction – consumer protection.

The protection of consumers involves diverse subjects ranging from information privacy to the oversight of dozens of businesses and professions throughout California, including: accountancy; acupuncture; arbitration certification; architects; automotive repair; barbering and cosmetology; behavioral sciences; contractors; court reporters; dentists and dental auxiliaries; dispensing opticians; electronic and appliance repair; funeral, cemetery, and crematory establishments; geologists and geophysicists; guide dogs for the blind; hearing aid dispensers; home furnishings and thermal insulation; land surveyors; landscape architects; medical doctors; midwives; optometrists; pharmacists; physical therapists; physician assistants; professional engineers; podiatrists; private postsecondary and vocational education; psychiatric technicians; psychologists; registered nurses; respiratory care; security and investigative services; speech-language pathology and audiology; structural pest control; telephone medical advice; veterinarians and veterinary technicians; vocational nurses.

Examples of consumer-related issues considered by the Assembly Business and Professions Committee during the 2003-04 legislative session include:

- Prohibitions on unsolicited emails (spam) and computer "spyware."
- Restrictions on telemarketers.
- Protections against identity theft and privacy invasion.

- Regulation of identification cards from foreign nations.
- Regulation of the purchase of prescription drugs, including out-of-state purchases (e.g., pharmaceuticals from Canada).
- Regulation of emergency contraceptive drugs provided by pharmacists.
- Increased penalties on healthcare professionals who break laws, including Medi-Cal fraud, workers' compensation fraud, and sexual misconduct.
- Regulation of naturopathic doctors.
- Revisions to the scope of practice of oral and maxillofacial surgeons.
- Reform of Department of Consumer Affairs boards and commissions to increase accountability and ensure effective enforcement of consumer protection laws.
- Prohibitions on "gag clauses" in legal settlements that prevent consumers from notifying regulatory agencies about malpractice by licensed professionals and businesses.
- Revisions to the scope of practice of podiatrists.
- Reform of private postsecondary and vocational education.
- Regulation of petroleum distribution and motor fuel advertising.
- Regulation of the construction industry, including home service and repair contractors.
- Regulation of funeral homes, cemeteries, and crematories.
- Regulation of veterinarians, pet shops, and pet breeders.
- Prohibitions on the force-feeding of birds and the sale of foie gras (fatty liver).
- Regulation of private security guards and investigators.
- Regulation of barbering and cosmetology.
- Regulation of notaries public.
- Regulation of vacation ownership resorts (time-shares).

- Regulation of consumer service and repair warranties.
- Regulation of consumer rebates for the purchase of products and gift certificates purchased from businesses.
- Enforcement of requirements that debt collectors disclose information to fully inform consumers about their rights under the law.

The second major subject area within the jurisdiction of the Assembly Business and Professions Committee is public contracting, which involves billions of dollars. Examples of relevant legislation considered by the Committee during the 2003-04 legislative session include:

- Restricting state contracting with expatriate corporations that transfer their headquarters overseas in order to avoid federal and state taxes.
- Imposing restrictions on outsourcing jobs overseas, commonly known as "offshoring."
- Selling "surplus" state-owned property worth hundreds of millions of dollars.
- Adopting fuel-efficiency and air pollution emission standards for state-owned vehicles.
- Creating a new governance system for buying information technology.
- Expanding school facility construction and transportation projects using the "design-build" approach to contracting as a cost-saving alternative to traditional contracting methods.
- Establishing outreach programs to encourage small and disabled veteran businesses to contract with public agencies.
- Retrofitting public buildings and private residences for seismic safety and energy efficiency.
- Transferring state-owned property to local governments.
- Creating restrictions and increased penalties on public contractors who violate the law.