



STRUCTURAL PEST CONTROL BOARD
BOARD MEETING NOTICE AND AGENDA

PUBLIC TELECONFERENCE MEETING

October 20, 2020 – 1:00 P.M.

October 21, 2020 – 9:00 A.M.

NOTE: Pursuant to the provisions of Governor Gavin Newsom’s Executive Order N-29-20, dated March 17, 2020 neither Board member locations nor a public meeting location are provided. Public participation may be through teleconferencing as provided below.

Important Notices to the Public: The Structural Pest Control Board will hold a public meeting via Webex Events. To participate in the WebEx Events meeting, please log on to this website the day of the meeting:

October 20, 2020 – 1:00 P.M. - <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=ed1eab5069b5281923df06bc108146523>

October 21, 2020 – 9:00 A.M. - <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=e7fbe7f02196ffedf70d694a806e2cfb9>

INSTRUCTIONS FOR PARTICIPATION: Please see the instructions attached hereto to observe and participate in the meeting using Webex from a Microsoft Windows based PC.

Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting modifier can identify individuals who wish to make a public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XYZ123@mailinator.com.

Public comments will be limited to two minutes unless, in the discretion of the Board, circumstances require a shorter period. Members of the public will not be permitted to yield their time to other members of the public to make comments.

As an alternative, members of the public who wish to observe the meeting without making public comment can do so (provided no unforeseen technical difficulties) at:

<https://thedcapage.wordpress.com/webcasts/>

Tuesday, October 20, 2020 – 1:00 P.M.

I. Roll Call / Establishment of Quorum

- II. Flag Salute / Pledge of Allegiance

- III. Public Comment for Items Not on the Agenda
The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]

- IV. Petition for Reinstatement
Dawn Charrette — OPR 9119 — Branches 1 & 3

- V. Petition for Modification / Termination of Probation
George Kenneth Webb — OPR 9331 — Branch 3
George Webb Termite Control, Inc. – PR 7766 – Branch 3

- VI. Closed Session - Pursuant to Subdivision (c)(3) of Section 11126 of the Government Code the Board Will Meet in Closed Session to Consider Reinstatements, Proposed Disciplinary Actions, and Stipulated Settlements

Reconvene in Open Session

Recess Until 9:00 A.M. Wednesday, October 21, 2020

- VII. Roll Call / Establishment of Quorum

- VIII. Flag Salute / Pledge of Allegiance

- IX. Public Comment for Items Not on the Agenda
The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]

- X. Review and Approval of Minutes of the March 12, 2020 Board Meeting

- XI. Department of Pesticide Regulation (DPR) Update

- XII. Executive Officer's Report
 - a. Licensing, Enforcement, Examination and WDO Statistics
 - b. Survey Results
 - c. Examination Development

- XIII. Inquiry and Discussion on the Structural Pest Control Board's Licensing Timeframes

- XIV. Update on the Status of the Research Proposals Selected for Funding at the July 26, 2018 Board Meeting

- XV. Annual Review and Possible Action Regarding the Board's Research Fund
- XVI. Annual Review and Possible Action Regarding the Board's Policies and Procedures
- XVII. Regulations Discussion, Possible Action, and Update:
 - a. California Code of Regulations (CCR), Title 16, Section 1970.4, 1970.41, 1970.42 – Pesticide Disclosure Requirements
 - b. CCR, Title 16, Section 1997 - WDO Emergency Fee Increase Certificate of Compliance
 - c. CCR, Title 16, Section 1936, 1936.1, 1936.2, 1937.1, 1937.2 – Rulemaking to Implement AB 2138
- XVIII. Legislation Update and Possible Action:
 - a. Assembly Bill 1788 (Bloom) – Pesticides: Use of Anti-Coagulants
 - b. Assembly Bill 2028 (Aguiar-Curry) – State Agencies: Meetings
 - c. Senate Bill 878 (Jones) – License Application Processing Timeframes
- XIX. Annual Election of Board President and Vice President
- XX. Future Agenda Items
- XXI. Board Calendar
- XXII. Closed Session — Pursuant to Subdivision (c)(3) of Section 11126 of the Government Code the Board Will Meet in Closed Session to Consider Reinstatements, Proposed Disciplinary Actions, Stipulated Settlements, and Pursuant to Subdivision (a)(1) of Section 11126 of the Government Code to Conduct the Executive Officer's Performance Review
- XXIII. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

Note: This meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>.

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board

to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is being held via Webex Events. The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: David Skelton at (916) 561-8700, email: pestboard@dca.ca.gov, or send a written request to the Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

HOW TO – Join – DCA WebEx Event



The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Example link:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>

The screenshot shows a web browser window with the URL <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>. The page header includes the DCA logo and the text "California Department of Consumer Affairs".

Event Information: 3/26

Event status: Started

Date and time: Thursday, March 26, 2020 10:30 am
Pacific Daylight Time (San Francisco, GMT-07:00)
[Change time zone](#)

Duration: 1 hour

Description:

By joining this event, you are accepting the Cisco Webex [Terms of Service](#) and [Privacy Statement](#).

Join Event Now

To join this event, provide the following information.

First name:

Last name:

Email address:

Event password:

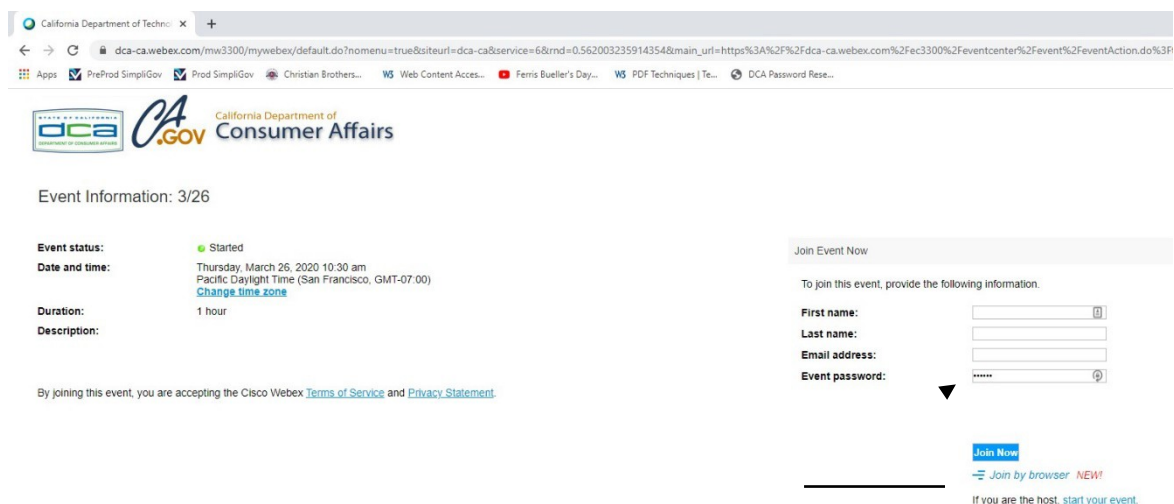
[Join Now](#)

[Join by browser](#) **NEW!**

If you are the host, [start your event](#).

2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.
NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.

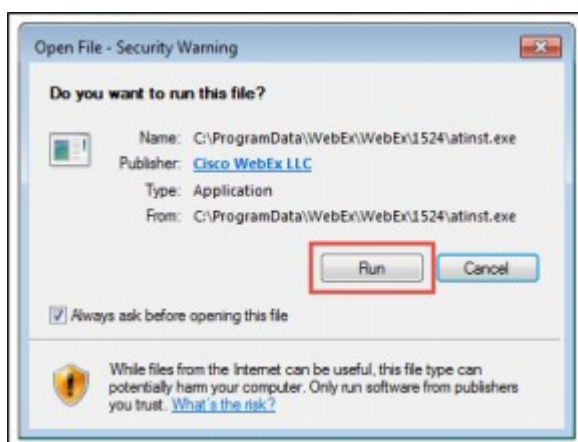
HOW TO – Join – DCA WebEx Event



3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

Starting Webex...



Still having trouble? [Run a temporary application](#) to join this meeting immediately.

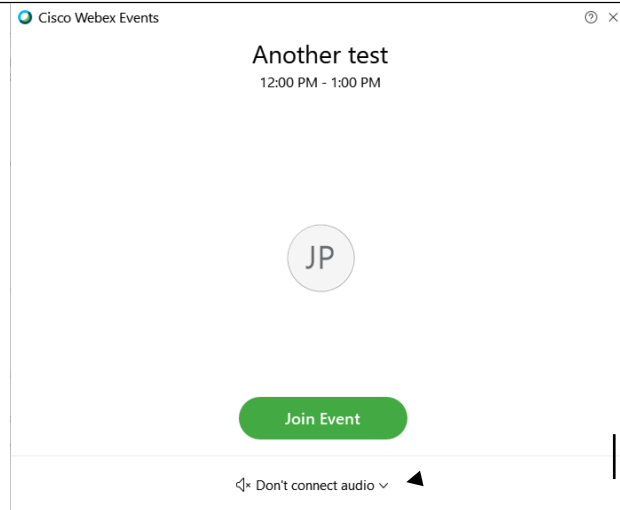
5. To bypass step 4, click 'Run a temporary application'.
6. A dialog box will appear at the bottom of the page, click 'Run'.



The temporary software will run, and the meeting window will open.

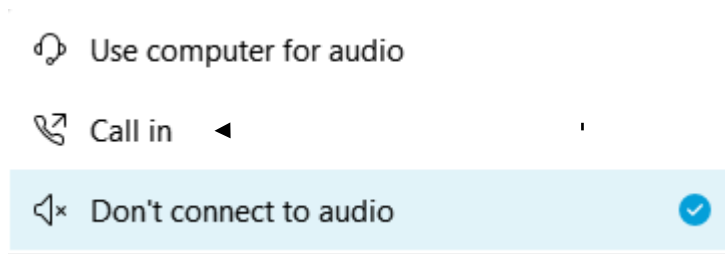
7. Click the audio menu below the green 'Join Event' button.

HOW TO – Join – DCA WebEx Event

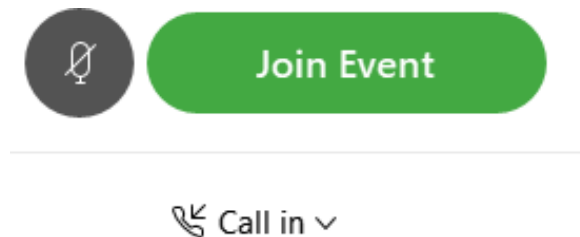


8. When the audio menu appears click 'Call in'.

HOW TO – Join – DCA WebEx Event

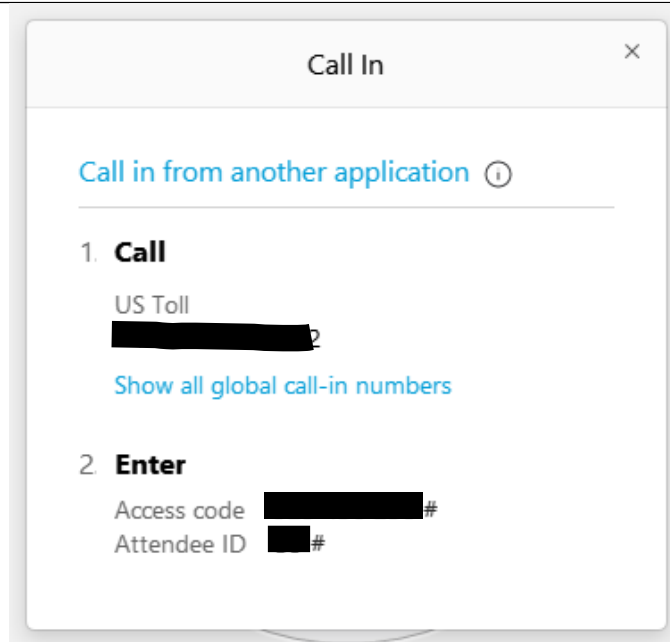


9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



10. Call into the audio conference with the details provided.

HOW TO – Join – DCA WebEx Event

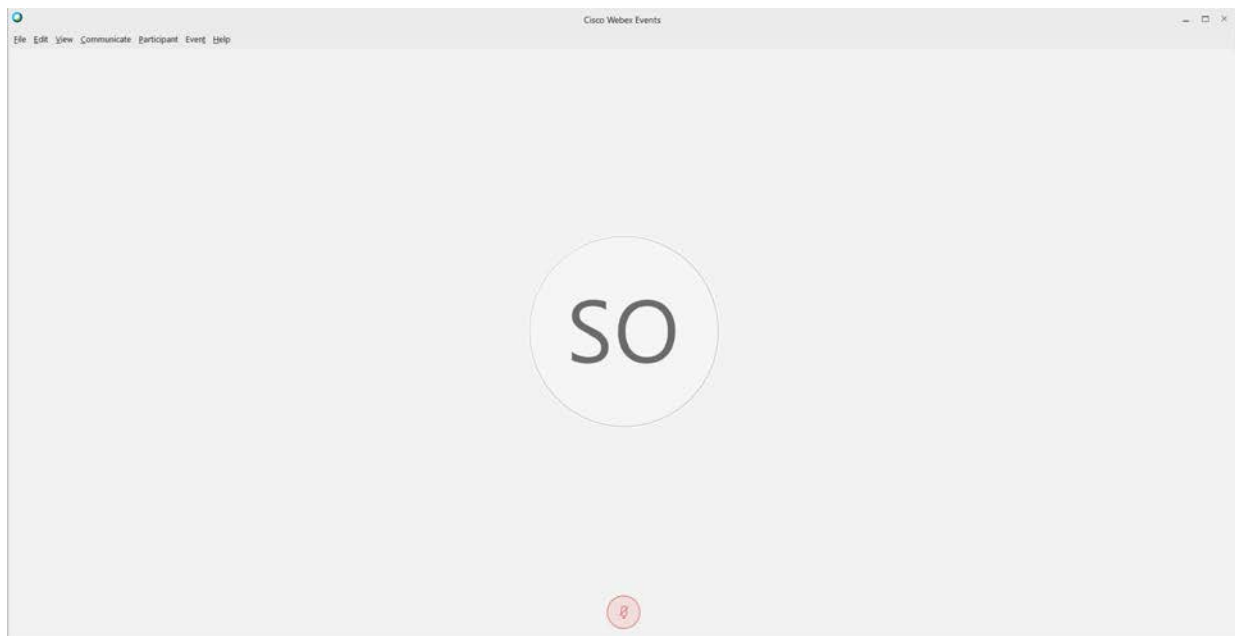


NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

HOW TO – Join – DCA WebEx Event

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

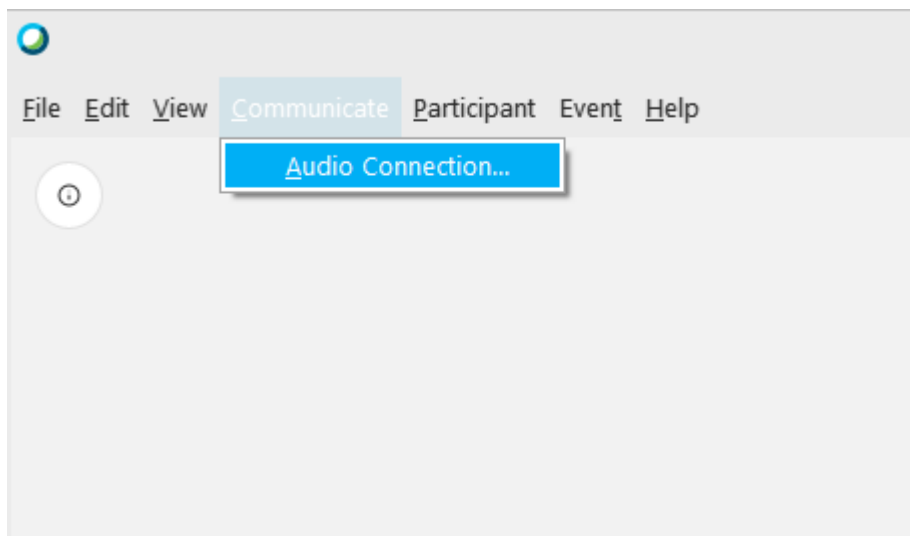


NOTE: Your audio line is muted and can only be unmuted by the event host.

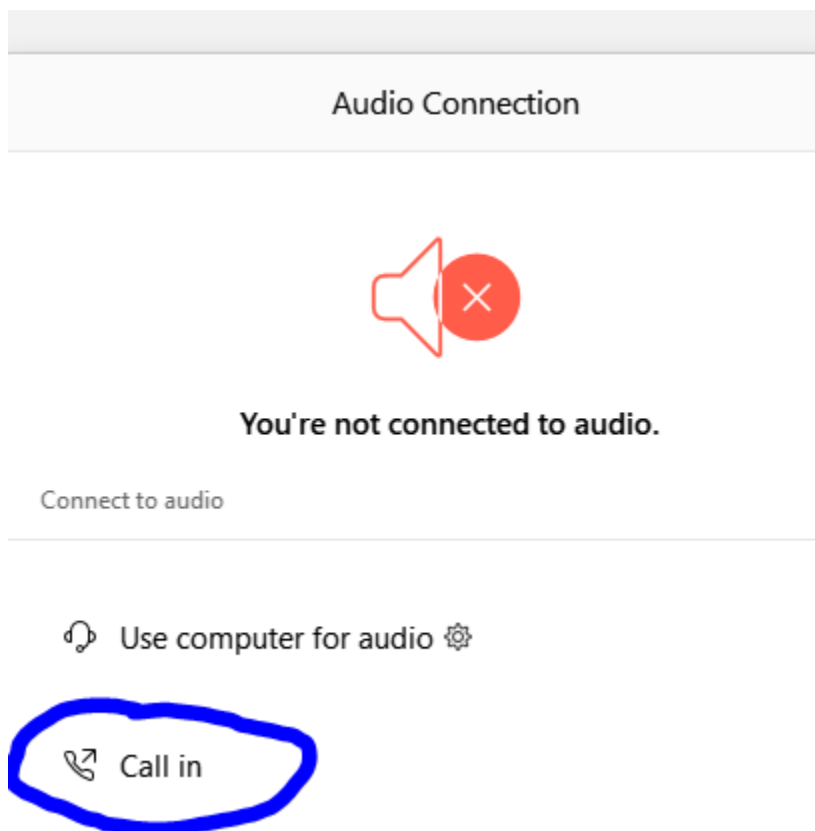
If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.

HOW TO – Join – DCA WebEx Event



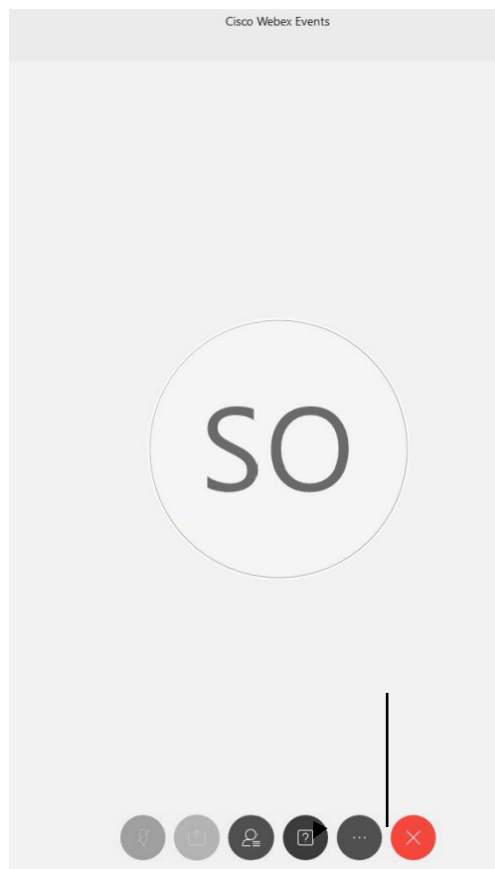
The 'Call In' information can be displayed by selecting 'Call in' then 'View'



You will then be presented the dial in information for you to call in from any phone.

Participating During a Public Comment Period

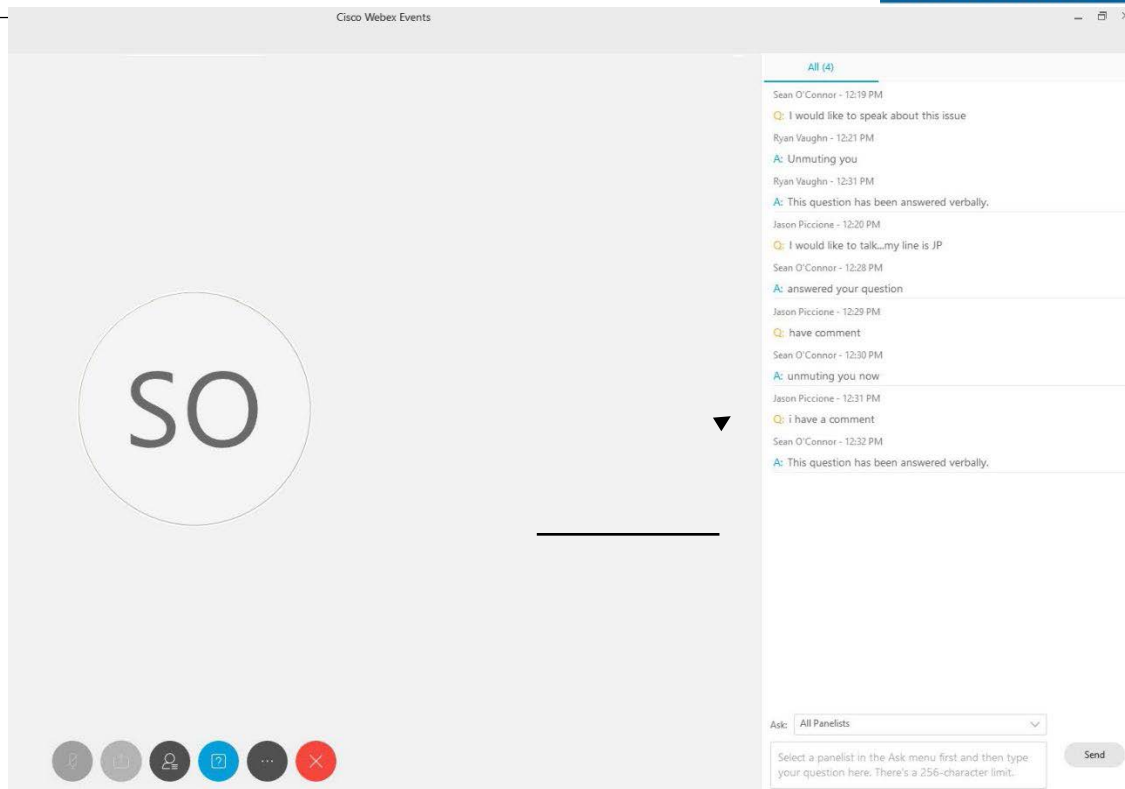
At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

HOW TO – Join – DCA WebEx Event



To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.

**MINUTES OF THE MEETING OF THE
STRUCTURAL PEST CONTROL BOARD**

March 12, 2020

The meeting was held March 12, 2020 at the Department of Consumer Affairs,
Hearing Room, 2005 Evergreen Street, Sacramento, 95815

Board Members Present:

Curtis Good, President
Dave Tamayo, Vice President
Mike Duran
Darren Van Steenwyk

Board Members Absent:

Ronna Brand

Board Staff Present:

Susan Saylor, Executive Officer
Robert Lucas, Assistant Executive Officer
Kathy Boyle, Chief Enforcement Officer
David Skelton, Administrative Analyst

Departmental Staff Present:

Sabina Knight, Legal Counsel

ROLL CALL / ESTABLISHMENT OF QUORUM

Mr. Good called the meeting to order at 9:03 A.M. and Ms. Saylor called roll.

Mr. Good, Mr. Tamayo, Mr. Duran, and Mr. Van Steenwyk were present.

Ms. Brand was absent.

A quorum of the Structural Pest Control Board (SPCB) was established.

FLAG SALUTE / PLEDGE OF ALLEGIANCE

Mr. Good led everyone in a flag salute and recitation of the Pledge of Allegiance.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

There were no public comments for items not on the Agenda.

PETITION FOR REINSTATEMENT
ANDY ALFONSO BASTIEN – OPR 11417 – BRANCH 3

Administrative Law Judge Tiffany King sat with the SPCB to hear the Petition for Reinstatement for Andy Alfonso Bastien, Operator License Number 11417. Mr. Bastien was informed he would be notified by mail of the SPCB's decision.

PETITION FOR REINSTATEMENT
CHRISTOPHER J. CRAIG – FR 51975 – BRANCH 2

Administrative Law Judge Tiffany King sat with the SPCB to hear the Petition for Reinstatement for Christopher J. Craig, Field Representative License Number 51975. Mr. Craig was informed he would be notified by mail of the SPCB's decision.

CLOSED SESSION

Pursuant to subdivision (c)(3) of section 11126 of the Government Code the SPCB met in closed session to consider reinstatements, proposed disciplinary actions, and stipulated settlements.

REVIEW AND APPROVAL OF MINUTES OF THE OCTOBER 23 & 24, 2019 BOARD MEETING

Mr. Van Steenwyk moved and Mr. Tamayo seconded to approve the minutes of the October 23 & 24, 2019 Board Meeting. Passed unanimously.

(AYES: Good, Tamayo, Duran, Van Steenwyk. NOES: None. ABSTENTIONS: None.)

DEPARTMENT OF CONSUMER AFFAIRS (DCA) UPDATE WHICH MAY INCLUDE GENERAL UPDATES ON DCA'S ADMINISTRATIVE SERVICES, HUMAN RESOURCES, ENFORCEMENT, INFORMATION TECHNOLOGY, COMMUNICATIONS AND OUTREACH, AND LEGISLATIVE, REGULATORY, OR POLICY MATTERS

Kimberly Kirchmeyer, DCA Director, updated the SPCB on her recent appointment and highlighted several areas she intends to focus on as Director of DCA including the following:

- DCA working cooperatively and efficiently with the boards and bureaus and providing them excellent client services so they in turn can provide an excellent experience to the consumers they serve and the professions they regulate.
- Data transparency & utilization to inform decision making and expedite timelines as they pertain to disciplinary, licensing, and regulatory functions.
- Streamlining DCA's review process for regulatory packages, investigations performed by the Division of Investigations, and FISCAL budget reporting.

- Ensuring that DCA and all boards and bureaus are in compliance with the Americans with Disabilities Act (ADA).
- Ensuring that DCA and all board and bureaus are implementing legislation as it is passed.

Ms. Kirchmeyer also updated the SPCB on the following topics:

- The recent appointment of Lourdes Castro Ramirez as the Secretary of the Business Consumer Services and Housing Agency.
- The recent appointment of Jennifer Simoes as DCA's Deputy Director of Legislative Affairs.
- The formation and staffing of DCA's new regulations unit and the upcoming implementation of Cherwell software to improve efficiency and streamline DCA's regulations review process.
- The future availability of FISCAL data in DCA's Ad Hoc reporting system and the improved ability it will provide for boards and bureaus to access their budgetary data.
- The effort by DCA to use a variety of methods to ensure that all documents that are posted on board and bureau websites are fully compliant with the ADA.

Mr. Tamayo stated that the SPCB will have multiple vacancies before its July 2020 meeting and asked Ms. Kirchmeyer about the status of having new members appointed.

Ms. Kirchmeyer stated that the Governor's office is aware of the upcoming vacancies and that interviews are underway to appoint new members to the SPCB. Ms. Kirchmeyer also stated that she has reached out to the appropriate parties at the Senate to encourage an appointment under their authority.

DEPARTMENT OF PESTICIDE REGULATION (DPR) UPDATE WHICH MAY INCLUDE GENERAL UPDATES ON DPR'S ADMINISTRATION, COOPERATIVE ENFORCEMENT WITH SPCB AND COUNTY AGRICULTURAL COMMISSIONERS, AND PERTINENT LEGISLATION, REGULATION, OR POLICY TOPICS

Peggy Byerly, DPR, updated the SPCB on the following topics:

- The recent promotion of Ken Everett to DPR's Assistant Director over Enforcement.
- The upcoming relocation of some DPR staff to an office location in Rancho Cordova.
- The upcoming structural regulatory training from September 22-24, 2020 in Dublin, California.

Mr. Tamayo asked if there is ongoing training provided to county enforcement staff in addition to the structural regulatory training held for new enforcement personnel.

Ms. Byerly stated that although it isn't mandated by code DPR develops and provides ongoing training modules for county enforcement staff.

Mr. Tamayo asked if Pyrethroid restrictions were included in the structural regulatory training and the ongoing training modules.

Ms. Byerly stated that the Pyrethroid restrictions are informally referred to as surface water regulations and have been included in the structural regulatory training and training modules since their adoption in Title 3 of the California Code of Regulations (CCR).

Mr. Tamayo asked if DPR could give a presentation at a future board meeting about industry compliance with the Pyrethroid restrictions.

Ms. Byerly stated that if provided enough notice DPR could give a presentation at the October 2020 SPCB meeting that included both scientific and enforcement data on surface water regulations.

PRESENTATION AND DISCUSSION ON SCHOOL PESTICIDE USE DATA

Eric Denemark, DPR, gave a presentation to the SPCB on school site pesticide use and the tools and reporting mechanisms DPR has in place for monitoring and outreach. Mr. Denemark touched on the following topics during his presentation:

- The school site pesticide use database and the ability it provides to perform targeted analysis and outreach opportunities.
- The importance of proper training and sound strategy in school site pest management and pesticide application.
- The pest control strategies specific to schoolsites the industry has implemented such as making pesticide applications on Saturdays.

Mr. Good asked if school districts were following the label requirements for applications of pesticides that are water activated.

Mr. Denemark stated that for the most part pest control companies are making the applications and school districts are not applying restricted use pesticides. Mr. Denemark further stated that it can be difficult for pest control companies to ensure that school districts are irrigating in a manner that would maximize the efficacy of the application.

Mr. Good stated that the Pest Control Operators of California (PCOC) could help disseminate information about effective use of water activated pesticides.

Mr. Tamayo stated that the PowerPoint presentation Mr. Denmark gave to the Pesticide Registration and Evaluation Committee (PREC) was very informative and asked if he could give it at a future SPCB meeting.

Mr. Denmark stated that he would be happy to return and give the PowerPoint presentation at the October 2020 SPCB meeting.

DISCUSSION AND POSSIBLE ACTION ON THE STRUCTURAL PEST CONTROL BOARD'S COMPLIANCE WITH U.S. ENVIRONMENTAL PROTECTION AGENCY PESTICIDE APPLICATOR REGULATIONS

Leslie Talpasanu, DPR, updated the SPCB on the status of DPR and SPCB compliance with the U.S. Environmental Protection Agency's (EPA) certification and training regulations. Ms. Talpasanu stated that the California state plan was submitted, and the preliminary feedback indicated that the state plan would ensure California compliance with the EPA regulations.

Ms. Talpasanu further stated that the next steps in the process would be implementation and public outreach and she anticipated that process beginning in the summer of 2020.

BUSINESS MODERNIZATION PLAN UPDATE BY OFFICE OF INFORMATION SERVICES

Lisa Rangel and Sean O'Connor, DCA Office of Information Services (OIS), updated the SPCB on the business modernization plan SPCB is currently undergoing. Ms. Rangel outlined the process and timeline for both partial, and full implementation of a new information technology (IT) system for the SPCB.

Mr. Van Steenwyk asked what the anticipated timeline is for full implementation of the new IT system and if there would be capability for online payment and submission of documents.

Ms. Rangel stated that the expectation is for the new IT system to be fully operational in 18 months and that there would be capability for online payment and document submission.

Ms. Saylor stated that the new IT system will require licensees to input their continuing education course numbers and dates at the time of their renewal. Ms. Saylor further stated that her hope was to deploy this functionality in April 2021 in time for renewals.

Mr. O'Connor stated that that timeline could be feasible and that it would be something to consider including in the contract once a vendor is selected.

EXECUTIVE OFFICER'S REPORT

Ms. Saylor updated the SPCB on survey results and licensing, enforcement, examination, and wood destroying organism (WDO) statistics.

Ms. Saylor stated that although the Branch 1 Operator (OPR) and Field Representative (FR) exam construction workshop was rescheduled to January, it was very successful and resulted in a significant reduction of reference materials. Ms. Saylor thanked Mr. Good and Newport

Exterminating for hosting the workshop and stated that the first new Branch 1 OPR and FR exams in a decade will be debuted in June or July 2020.

Ms. Saylor stated that volunteers are still needed for other exam development efforts including Branch 2 FR and especially the Applicator Occupational Analysis. Ms. Saylor stated that 8 Applicators are needed to participate in a 1-hour phone interview.

Mr. Good stated that Newport Exterminating would provide 2 or possibly 3 Applicators to participate in the phone interviews.

Ms. Saylor stated that she is working with Chris Reardon and the Pest Control Operators of California (PCOC) to include the SPCB approved amendments to Business and Professions Code (BPC) sections 8572, 8593, 8593.1, and 8610 in a bill.

Ms. Saylor stated that the publication of a new SPCB Act Book will likely occur in the spring of 2021 in order to capture the upcoming statutory and regulatory changes.

Ms. Saylor stated that renewals are typically mailed out the first week of April and that continuing education hours must be completed no later than June 30.

Ms. Saylor stated that the initial letters for the 2019 continuing education audit were mailed less than a month ago and the response rate has been very good. Ms. Saylor attributed the improved response rate to licensees having the ability to submit their certificates electronically.

Mr. Tamayo asked if the survey comments are submitted anonymously or if management has the ability to contact commenters to address their concerns.

Ms. Saylor stated that survey comments are submitted anonymously.

REVIEW OF THE STRUCTURAL PEST CONTROL BOARD'S (SPCB) 2015 STRATEGIC PLAN AND DISCUSSION AND POSSIBLE ACTION ON THE FORMULATION OF A NEW SPCB STRATEGIC PLAN

Ms. Saylor stated that 2015 Strategic Plan is included in the meeting materials and has been updated with progress reports on each of the goals.

Ms. Saylor further stated that one of the goals in the 2015 Strategic Plan was increased outreach and the SPCB has been coordinating with Contractors State License Board on attending Senior Scammer Stopper events.

Ms. Saylor stated that it is time for the SPCB to adopt a new Strategic Plan and that the tentative plan is to coordinate with DCA's Solid Training unit at the March 2021 board meeting.

UPDATE ON THE STATUS OF THE RESEARCH PROPOSALS SELECTED FOR FUNDING AT THE JULY 26, 2018 BOARD MEETING

Ms. Saylor stated that there are progress reports in the meeting materials for each of the 5 research proposals the SPCB selected for funding at its July 26, 2018 meeting. Ms. Saylor added that the SPCB has the option to request that the researchers provide in person progress reports at a future meeting.

Mr. Good stated that he found several of the progress reports in the meeting materials very thorough and informative.

Mr. Tamayo stated that it would be great for the researchers to give presentations about their research once their projects have been completed.

REGULATIONS DISCUSSION, POSSIBLE ACTION, AND UPDATE:

California Code of Regulations (CCR), Title 16, Sections 1970.4, 1970.41, 1970.42 – Pesticide Disclosure Requirements

Ms. Knight stated that there has been excellent feedback on this topic from stakeholders. Ms. Knight recommended that a working committee be established to consider the feedback and prepare a final recommendation for the SPCB.

Ms. Knight stated that Mr. Van Steenwyk has volunteered to serve as the committee chairperson.

Mr. Good stated that Todd Veden, Terminix, has also volunteered to serve on the committee.

Mr. Van Steenwyk stated that he would like 5-7 people to serve on the committee. Mr. Van Steenwyk added that he would include the county agricultural commissioners in the process.

Diana Acosta, Sacramento County Agricultural Commissioner, stated that she wanted to provide input on behalf of her office as well as from the agricultural commissioners who were unable to attend the meeting.

Ms. Knight stated that Ms. Acosta could provide the input to Ms. Saylor and through her it would be distributed to Mr. Van Steenwyk and the committee for consideration during their meetings.

CCR, Title 16, section 1997 - WDO Emergency Fee Increase Certificate of Compliance

Ms. Saylor stated that the Certificate of Compliance to make the WDO Emergency Fee Increase regulation permanent was being reviewed by the Office of Administrative Law (OAL) and would soon be distributed to the public to begin the 45-day comment period.

CCR, Title 16, sections 1936, 1936.1, 1936.2, 1937.1, 1937.2 – AB 2138 Compliance

Ms. Knight stated that OAL recently suggested that the proposed language for the Disciplinary Criteria regulatory file be amended. Ms. Knight stated that the file has already been distributed for the 45-day public comment period and that the additional amendments would require a 15 Day Notice of Modified Text.

Ms. Saylor stated that the Disciplinary Criteria regulatory file will bring the SPCB into compliance with the provisions of Assembly Bill 2138 (Chiu, Chapter 995, Statutes of 2018) which goes into effect July 1, 2020.

Mr. Van Steenwyk moved and Mr. Tamayo seconded to approve the proposed text for a 15 Day Notice of Modified Text public comment period and delegate to the Executive Officer the authority to adopt the proposed regulatory changes if there are no adverse comments received during the public comment period, following established procedures and processes in doing so and also to delegate to the Executive Officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file. Passed unanimously.

(AYES: Good, Tamayo, Duran, Van Steenwyk. NOES: None. ABSTENTIONS: None.)

LEGISLATION UPDATE AND POSSIBLE ACTION

Assembly Bill 434 (Baker): State Web Accessibility: Standards and Reports

Ms. Saylor stated that AB 434 (Baker, Chapter 780, Statutes of 2017) requires the SPCB to ensure that all documents posted on its website are fully compliant with the Americans With Disabilities Act. Ms. Saylor further stated that SPCB's cost for document remediation is \$134,000 and that she has already entered into a contract for half of the documents to be remediated. Ms. Saylor added that DCA is in the process of working with students and interns to complete some of the work at a lower cost.

Mr. Good stated that all documents posted on SPCB's websites must be fully remediated by July of 2021.

Assembly Bill 613 (Low): Professions and Vocations: Regulatory Fees

Ms. Saylor stated that AB 613 (Low, 2019) is a bill that would allow the SPCB to circumvent the regulatory process once in a specified period to raise fees in amounts commiserate to the Consumer Price Index. Ms. Saylor stated that she would continue to watch AB 613 and would report on it at a future meeting.

Mr. Tamayo asked members of the industry for their thoughts on AB 613.

Mr. Van Steenwyk stated that if AB 613 helped the SPCB maintain its operational budget and avoid scenarios like the recent emergency fee increase then he would support it.

Mr. Reardon stated that he concurred with Mr. Van Steenwyk and if AB 613 helped avoid the necessity of emergency fee increases the industry would support it.

Assembly Bill 1024 (Frazier): Home Inspector Licensure Act

Ms. Saylor stated that AB 1024 (Frazier, 2019) would require home inspectors to be licensed and regulated. Ms. Saylor further stated that originally the bill called for Contractors State License Board to license them, but the bill was amended to create a new bureau within DCA for them.

Assembly Bill 1616 (Low): Department of Consumer Affairs: Boards: Expunged Convictions

Ms. Saylor stated that AB 1616 (Low, 2019) would require the SPCB to remove documents related to convictions for individuals who have had their convictions expunged.

Ms. Knight state that it would require the SPCB to post documentation of the expungement on its website.

Ms. Knight stated that AB 1616 appears to be a companion bill to AB 2138 (Chiu, Chapter 995, Statutes of 2018) in that it is intended to reduce barriers to licensure.

Mr. Reardon stated that in his opinion AB 1616 is likely to be amended further and that due to Covid-19 it is unclear how the legislative session is going to proceed.

Mr. Good stated that the SPCB would continue to watch AB 1616 and asked that it be included on the Agenda for the July 2020 meeting.

Assembly Bill 1788 (Bloom): Pesticides: Use of Anticoagulants

Mr. Reardon stated that PCOC and its membership oppose AB 1788 (Bloom, 2019) and believe that it will cause negative consequences for public health. Mr. Reardon stated that DPR has been in contact with Assemblyman Bloom's office and the sponsors of AB 1788 on possible amendments but have thus far been unsuccessful.

Assembly Bill 2373 (Blanca Rubio): Structural Pest Control: Second Generation Anti-Coagulant Rodenticides

Mr. Reardon stated AB 2373 (Blanca Rubio, 2020) is a bill sponsored by PCOC to address some of the potential deficiencies of AB 1788 should it move forward as currently written.

Ms. Saylor stated that she has recommended AB 2373 be amended to place it more appropriately within the Structural Pest Control Act.

Mr. Reardon stated that he supports the amendment offered by Ms. Saylor.

Assembly Bill 2028 (Aguiar-Curry): State Agencies: Meetings

Ms. Saylor stated that AB 2028 (Aguiar-Curry, 2020) would require the SPCB to post all board meeting materials a minimum of 10 days prior to the meeting.

Mr. Tamayo asked how difficult it would be for staff to comply with the provisions of AB 2028.

Ms. Saylor stated it would be difficult for staff to comply with the provisions of AB 2028 especially in rapidly evolving scenarios.

Ms. Knight stated it would potentially preclude discussions about legislation that is amended within 10 days of a board meeting.

Mr. Tamayo stated that while he understood the intent of the bill it could potentially limit the public's ability to meaningfully participate in policy discussions and would therefore be counter-productive.

Mr. Good asked Ms. Saylor to contact the author's office and share the SPCB's concerns about AB 2028.

Senate Bill 53 (Wilk): Open Meetings

Ms. Saylor stated that the author's office has indicated that they will not be moving forward with SB 53 (Wilk, 2018).

FUTURE AGENDA ITEMS

The following were identified as future agenda items:

- Legislative and regulatory updates including WDO Fee Increase and AB 2138 compliance
- Update on EPA certification and training rule
- Pyrethroid surface water training module (October meeting)

Mr. Good stated that Mr. Duran's and Mr. Van Steenwyk's terms were expiring and thanked them for their outstanding dedication and service.

Mr. Tamayo expressed how much we appreciated serving as a board member with both Mr. Duran and Mr. Van Steenwyk.

Mr. Good stated that both Mr. Duran and Mr. Van Steenwyk would be receiving certificates of appreciation for their outstanding performance during their tenure as board members.

BOARD CALENDAR

The SPCB scheduled meetings as follows:

July 7 & 8, 2020 in Claremont, California.

October 20 & 21, 2020 in Sacramento, California.

The SPCB agreed to wait until the July 2020 meeting to schedule the March 2021 meeting.

ADJOURNMENT

The meeting was adjourned at 1:13 P.M.

Curtis Good, President

Date

STRUCTURAL PEST CONTROL BOARD STATISTICS FOR AUGUST 2020	FISCAL YEAR 2020/2021		FISCAL YEAR 2019/2020	
	Monthly	Year To Date	Monthly	Year To Date
EXAMINATION				
Field Representatives Scheduled	386	701	566	1047
Field Representatives Examined	238	502	378	687
Field Representatives Passed	155	330	156	264
Field Representatives Failed	83	172	222	423
Operators Scheduled	22	57	42	82
Operators Examined	39	77	33	73
Operators Passed	35	67	18	40
Operators Failed	4	10	15	33
Applicators Scheduled	310	506	324	595
Applicators Examined	205	407	230	484
Applicators Passed	143	285	168	350
Applicators Failed	62	122	62	134
Field Representatives Passing Rate	65%	66%	41%	38%
Operator Passing Rate	90%	87%	55%	55%
Applicators Passing Rate	70%	70%	73%	72%
LICENSING				
Field Representative Licenses Issued	122	274	98	184
Operator Licenses Issued	19	31	9	23
Company Registrations Issued	15	33	10	32
Branch Office Registrations Issued	4	14	12	12
Change of Registered Company Officers	1	3	7	11
Change Of Qualifying Manager	8	16	12	19
Applicator Licenses Issued	117	228	183	341
Duplicate Licenses Issued	64	136	64	154
Upgrade Present License	10	42	12	36
Change of Status Processed	24	45	42	87
Address Change	79	159	158	320
Address Change (Principal Office)	14	39	38	47
Address Change (Branch Office)	1	4	0	0
Transfer of Employment Processed	91	245	117	300
Change of Name	2	4	0	5
Change of Registered Company Name	0	1	3	6
License Histories Prepared	18	29	28	30
Down Grade Present License	45	98	43	67
LICENSES/REGISTRATIONS IN EFFECT				
Field Representative		14,276		13,960
Operator		4,322		4,282
Company Registration		3,180		3,146
Branch Office		450		450
Licensed Applicator		7,334		7,512
LICENSES/REGISTRATIONS ON PROBATION				
Companies		28		28
Licensees		119		110

STRUCTURAL PEST CONTROL BOARD STATISTICS FOR AUGUST 2020	FISCAL YEAR 2020/2021		FISCAL YEAR 2019/2020	
	Monthly	Year To Date	Monthly	Year To Date
LICENSES RENEWED				
Operator	19	321	16	287
Field Representative	56	1016	54	834
Applicator	27	377	30	320
LICENSES/ REGISTRATIONS CANCELED				
Operator	1	4	2	3
Field Representative	11	21	6	17
Company Registration	10	27	17	26
Branch Office	5	12	0	0
Applicator	7	20	10	22
LICENSES DENIED				
Licenses	2	4	2	9
INVESTIGATIVE FINES PROCESSED				
Specialist Fines	\$10,750	\$29,900	\$7,500	\$12,675
Civil Penalties	\$557	\$713	\$0	\$0
County Fines	\$15,900	\$32,200	\$8,400	\$22,950
STAMPS SOLD				
Pesticide	6,930	14,420	7,040	13,400
SEARCHES MADE				
Public	41	92	65	143
Complaints	11	22	9	17
BOND & INSURANCE				
Bonds Processed	10	22	9	27
Insurance Processed	147	312	220	445
Restoration Bonds Processed	0	0	0	0
Suspension Orders	8	29	23	51
Cancellations Processed	26	40	18	72
Change of Bond/Insurance	13	26	3	51

LICENSING UNIT SURVEY RESULTS
October 20-21, 2020 – SPCB Meeting
February 27, 2020 – October 9, 2020

Response cards are sent to licensees, registered companies, and applicants receiving the following services: Licensure, Renewal of License, Upgrade/Downgrade License, Change of Qualifying Manager, Bond/Insurance, Company Registration, Transfer of Employment, Change of Address, and Examination. One hundred eighty survey cards were mailed during this reporting period. Eleven responses were received.

	Question	Yes	No	N/A
1	Was staff courteous?	100%	0%	0%
2	Did staff understand your question?	100%	0%	0%
3	Did staff clearly answer your question?	100%	0%	0%
4	Did staff promptly return your telephone call?	82%	18%	0%
5	Did staff efficiently and promptly handle your transaction?	100%	0%	0%
6	How long did it take to complete its action on your file?* (Average)	31.5 days		

*There were 4 responses to question 6.

Company Registration: 22 days (3 responses)

Operator License: N/A (0 responses)

Field Representative License: 60 (1 response)

Applicator License: N/A (0 responses)

Transfer of Employment: N/A (0 responses)

Change of Address: N/A (0 responses)

Bond/Insurance: N/A (0 responses)

Change of Qualifying Manager: N/A (0 responses)

Examination: N/A (0 responses)

Comments:

- Staff did a great job at everything.
- Thank you for your help.
- On #6, there were delays on our part and also COVID caused a delay. No one's fault.
- Thanks for everything.

- Thank you.
- Very friendly and helpful.
- I appreciated the assistance of Frank when he had a 7 week backlog.

WDO ACTIVITIES FILED

	2016/17	2017/18	2018/19	2019/20	2020/2021	Monthly Average FY16/17 to FY19/20
July	111,086	124,000	117,000	125,000	118,800	119,272
August	121,000	128,400	128,000	124,400	115,200	125,450
September	119,089	119,000	110,445	119,300	122,500	116,959
October	125,804	124,100	127,700	123,200		125,201
November	118,121	117,000	105,000	110,500		112,655
December	106,000	96,100	93,600	89,000		96,175
January	96,000	94,900	90,000	95,000		93,975
February	95,000	96,900	93,000	99,000		95,975
March	127,300	115,000	116,000	116,000		118,575
April	122,120	115,000	127,600	92,000		114,180
May	132,900	123,000	133,100	99,500		122,125
June	135,000	127,000	137,600	106,500		126,525
FY Total	1,409,420	1,380,400	1,379,045	1,299,400	356,500	1,366,732
AVG PER MO.	117,452	115,033	114,920	108,283	118,833	

SPCB RESEARCH TRACKING

RESEARCHER	TRACKING	CONTRACT BALANCE
<p>Dr. Dong-Hwan Choe University of California, Riverside Agreement No. 26710 “Improving Urban Pest Ants Management by Low-Impact IPM Strategies” Term Dates: 10/22/18 - 12/31/19 8/31/20</p> <p>Total Contract: \$77,309.00</p>	<p>10/23/18 – UC Riverside notified of contract approval effective 10/22/18. 1/28/19 – received invoice #80105-001 for \$689.61 4/30/19 – Received April 2019 Progress Report 5/11/19 – received invoice #80105-002 for \$2,645.77 7/17/19 – received invoice #80105-003 for \$3,468.85 10/17/19 – received invoice #80105-004 for \$29,042.96 1/24/20 – received invoice #80105-005 for \$17,532.01 **Pending no cost extension. Extends current contract from December 31, 2019 to June 30, 2020 August 31, 2020. 4/3/20 – Contract amended to reflect new extension date 4/28/20 – received invoice #80105-006R for \$16,748.06 7/17/20 – received invoice #80105-007 for \$6,713.11 9/4/20 – emailed Dr. Choe requesting final report due beginning of December 2020. Asked Dr. Choe to prepare a presentation for March 2021 board meeting.</p> <p>Total Expenditures: \$76,840.37</p>	<p>\$468.63</p>
<p>Dr. Michael Rust University of California, Riverside Agreement No. 26732 “Development and Evaluation of Baiting Strategies for Control of Pest Yellowjackets in California” Term Dates: 10/23/18 - 12/31/20</p> <p>Total Contract: \$280,017.00</p>	<p>10/23/18 – UC Riverside notified of contract approval effective 10/23/18. 1/11/19 – received invoice #80108-001 for \$141.99 4/18/19 – received April 2019 Progress Report 5/11/19 – received invoice #80108-002 for \$6,093.28 7/17/19 – received invoice #80108-003 for \$21,870.43 10/16/19 -received invoice #80108-004 for \$12,361.04 1/14/20 – received invoice #80108-005 for \$18,431.65 4/6/20 – received invoice #80108-006 for \$20,484.70 7/17/2 – received invoice #801808-007 for \$16,767.87 9/5/20 – requested progress report, progress report extended to 10/4/20 to allow a more informative report.</p> <p>Total Expenditures: \$96,153.96</p>	<p>\$183,863.04</p>

RESEARCHER	TRACKING	CONTRACT BALANCE
<p>Dr. Niamh Quinn University of California, Agriculture and Natural Resources Agreement Number: 26727 “Investigation of Rodenticide Pathways in an Urban System Through the Use of Isotopically Labelled Bait” Term Dates: 10/16/18 - 12/31/20</p> <p>Total Contract: \$329,749.33</p>	<p>10/16/18 – UCANR notified of contract approval effective 10/16/18. 4/30/19 – Received April 2019 Progress Report 1/27/20 – received invoice #56318501 for \$11,947.50 7/28/20 – received invoice 76c59-02 for \$0.00 9/5/20 – requested progress report 9/15/20 – received progress report</p> <p>Total Expenditures: \$11,947.50</p>	<p>\$317,801.50</p>
<p>Neil Tsutsui University of California, Berkeley Agreement Number: 26735 “Diet and Colony Structure of Two Emerging Invasive Pest Ants” Term Dates: 10/18/18 - 08/31/21</p> <p>Total Contract: \$146,325.00</p>	<p>10/18/18 – UC Berkeley notified of contract approval effective 10/18/18. 1/3/19 – received invoice #GM00159910 for \$6,079.05 1/29/19 – received invoice #GM00162310 for \$7,011.98 2/25/19 – received invoice #GM00166580 for \$2,000.00 4/7/19 – received April 2019 Progress Report 5/29/19 – received invoice #GM00175634 for \$681.23 7/2/19 – received invoice #GM00178838 for \$1,220.99 8/9/19 – received invoice #GM00184114 for \$22,099.22 8/19/19 - received invoice #GM00186274 for \$764.23 9/19/19 – received invoice #GM00188490 for \$10,290.87 10/19/19 – received invoice #GM00190757 for \$517.02 11/19/19 – received invoice #GM00193312 for \$827.24 12/19/19 – received invoice #GM00196412 for \$2,849.02 1/20/20 – received invoice #GM00197182 for \$1,259.45 2/19/20 – received invoice #GM00200261 for \$174.19 3/19/20 – received invoice #GM00204264 for \$239.20 4/20/20 – received invoice #GM00208324 for \$2,696.44 5/19/20 – received invoice #GM00212124 for \$7,394.14 6/19/20 – received invoice #GM00215027 for \$16,451.16 8/6/20 – received invoice #GM00218961 for \$6,644.52 8/19/20 – received invoice #GM00221330 for \$6,499.04 9/5/20 – requested progress report</p> <p>Total Expenditures: \$95,698.98</p>	<p>\$50,626.02</p>

RESEARCHER	TRACKING	CONTRACT BALANCE
<p>Dr. Andrew Sutherland University of California, Agriculture and Natural Resources Agreement Number: 26730 “Evaluation of bait station system efficacy for reduced-risk subterranean termite management in California” Term Dates: 10/10/18-08/31/2122</p> <p>Total Contract: \$190,425.00</p>	<p>10/10/18 – UCANR notified of contract approval effective 10/10/18. 12/11/18 – received invoice #51140867 for \$270.67 12/19/18 – received invoice #51464298 for \$1,075.53 3/4/14 – received invoice #52326394 for \$3, 671.22 4/2/19 – received invoice #52526107 for \$2,617.68 4/26/19 – received April 2019 Progress Report 5/1/19 – received invoice #52892570 for \$4,179.03 5/30/19 – received invoice #5330024 for \$3,220.42 7/26/19 – received invoice #54113894 for \$4,040.68 10/3/19 – received invoice #54886547 for \$272.95 11/13/19 – no cost extension approved by BSO to extend contract term from August 31, 2021 to August 31, 2022. 1/21/20 – received invoice #56314886 for \$1,475.42 3/26/20 – received invoice #57095974 for \$12,702.80 5/4/20 – received invoice #57413857 for \$6,097.63 5/14/20 – received invoice #57647938 for \$2,383.03 6/19/20 – received invoice #57984215 for \$22,324.44 7/23/20 – received invoice #58296943 for \$4,581.79 9/5/20 – requested progress report 9/14/20 – received September progress report</p> <p>Total Expenditures: \$68,913.29</p>	<p>\$121,511.71</p>

9/16/2020

September 202

Progress Report: Investigation of Rodenticide Pathways in an Urban System Through the Use of Isotopically Labelled Bait

Dear Board Members,

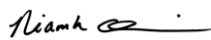
After significant delays we received ethical approval to proceed with this experiment. The labelled active ingredient was successfully created at Richmond Chemical. QA control was conducted by Liphatech in France and the labelled bait was mixed by Liphatech in the US.

The first portion (lethal) of the rat trial is complete. The second portion (sublethal) will start on September 28th and will be completed no later than 16 days after the first rat is exposed.

We are currently applying for second phase IACUC. We do not anticipate complications or delay with this IACUC which is run through the federal government and deals with similar experiments on a regular basis.

If the Board has any questions, I would be delighted to address these.

Sincerely,



Niamh Quinn
Human-Wildlife Interactions Advisor

**Evaluation of bait station system efficacy
for reduced-risk subterranean termite management in CA
Bi-Annual Progress Report**

Period Covered: February 1, 2020 – August 31, 2020

Project Team: Andrew Sutherland, Siavash Taravati, University of California Cooperative Extension (UCCE) staff members, collaborating pest control operators (PCOs), collaborating property owners, collaborating laboratories

This project aims to evaluate the efficacy of three CA-registered termite bait systems against subterranean termites, in collaboration with PCOs and property owners, at 15 single-family homes in the San Francisco Bay Area and the Los Angeles Basin. This project also aims to increase our knowledge about seasonal and spatial effects on subterranean termite incidence within bait stations in CA. Progress towards these objectives, as well as towards regular administration of this project, is reported below, following the objectives, tasks, and deliverables identified in the Scope of Work included in the successful proposal for funding.

Objective 1. Conduct collaborative field research at participating single-family homes to evaluate bait system efficacy:

We have made significant progress towards several important tasks associated with this objective. Prior delays in site identification and selection led to an April 2019 request for and granting of a one-year no-cost extension for all Objective 1 task deliverables.

Task 1.1: Identify 15 participating homes, assemble necessary supplies and equipment, evaluate monitoring options, decide on specific monitoring protocols, and negotiate project subcontracts.

Task Complete. Homes were identified and selected where termite activity was confirmed near the structure but not within the structure and where there was no recent history of liquid termiticide application. Homeowners agreed to manage infestations using bait systems only. We have partnered with Western Exterminator, Omega Termite & Pest Control, Excellence Pest Control, HomeShield Pest Control, and Thrasher Termite & Pest Control to complete this work. Western is demonstrating the Sentricon Always Active system at 3 homes in the SF Bay Area and 2 homes in the Los Angeles Basin (LA). Omega is demonstrating the ATBS-Trelona system at 3 homes in the SF Bay Area. Excellence is demonstrating the ATBS-Trelona system at 2 homes in LA. HomeShield is demonstrating the Exterra system at 2 homes in LA. Thrasher is

demonstrating the Exterra system at 3 homes in the San Jose area. All five PCOs have been established as vendors within the UC business office, and research stipend payments were made.

We have assembled all supplies and equipment necessary for monitoring and data collection. Supplies and equipment required for bait installation and service have been provided by manufacturers or purchased using project funds.

Information related to monitoring protocols and data collection can be found in previous reports.

Task 1.2: Install bait stations at all participating homes.

Task Complete. Installations have been completed at all 15 homes (see Table 1, below).

Table 1. Site information associated with Objective 1.

ID#-Location	Participating PCO	Installation Date	Inspection (1)	Inspection (2)	Inspection (3)	Inspection (4)	Inspection (5)
1-Hayward	Omega	1-Mar-2019	3-Jun-2019	3-Sep-2019	16-Dec-2019	2-Mar-2020	2-Jun-2020
2-Oakland*	Omega	23-Aug-2019	25-Nov-2019	25-Feb-2020	12-May-2020	21-Aug-2020	
3-Berkeley	Western	5-Mar-2020	2-Jun-2020	2-Sept-2020			
4-San Jose**	Thrasher	13-Nov-2019; re-installed 18-Feb-2020	19-May-2020	25-Aug-2020	_		
5-San Jose**	Thrasher	13-Nov-2019; re-installed 18-Feb-2020	19-May-2020	25-Aug-2020	_____		
6-San Leandro	Western	21-Jan-2020	14-Apr-2020	8-Jul-2020			
7-Martinez	Western	21-Jan-2020	11-Apr-2020_	6-Jul-2020			
8-Alameda	Omega	27-Jan-2020	14-Apr-2020	22-Jul-2020			
9-San Jose	Thrasher	18-Feb-2020	19-May-2020	25-Aug-2020			
10-Huntington Beach	Western	5-Aug-2019	21-Nov-2019	15-Apr-2020	21-Jul-2020		
11-Monrovia	Excellence	27-Aug-2019	10-Dec-2019	20-Mar-2020	18-Jun-2020		
12-Pasadena	Excellence	25-Sep-2019	10-Dec-2019	20-Mar-2020	18-Jun-2020		
13-Pasadena	Homesfield	7-Nov-2019	16-Mar-2020	16-Jun-2020			
14-Pasadena	Homesfield	7-Nov-2019	16-Mar-2020	16-Jun-2020			
15-Glendale	Western	13-Feb-2020	26-May-2020	21-Aug-2020			

* Many stations (15 of 27) were discovered to contain monitoring elements only and were first provisioned with bait on 08/21/2020. Investigators and collaborators have agreed to continue monitoring for an additional year at this location.

** Stations were damaged due to bait expansion issues associated with heavy rains. Stations were re-installed on 02/18/2020.

Dates within shaded cells indicate those including bait inspections with collaborating pest control operators.

Task 1.3: Visit each participating home every three months, collecting data, servicing stations, and monitoring as detailed above. Perform laboratory work, as detailed above, to determine colony presence and identity during study.

Refer to Table 1: as of this report draft, 40 quarterly inspections of monitoring stations have been conducted. Two of these inspections revealed problems with Isophthor bait expansion associated with heavy rain. All stations were re-installed at these sites, using a different protocol (one bait sachet on top of one wood block instead of two bait sachets), and the baiting period was adjusted (addition of three months). Additionally, 14 bait station inspections, with participating PCOs, have been conducted, aiming for six-month intervals. One of these inspections revealed that the collaborating PCO did not include bait within many of the stations on site. Rather, the stations had been installed with monitoring components only (BASF's Termite Inspection Cartridge and wood block). Bait was provisioned in these stations only during the 12-month inspection, necessitating an adjustment of the experimental baiting period (addition of twelve months).

Foraging termites have been recovered from wooden elements on site during initial inspections (voucher specimens), from wood blocks during quarterly inspections, and from bait matrices during six-month inspections. In some cases, termites have been observed and collected from bait stations only six months after installation (see Figure 1).



Figure 1. Sentricon Always Active bait tube damaged by termites (left) and associated bait station containing termites (right) approximately six months after installation at Berkeley site.

To date, 41 separate collections of *Reticulitermes* foragers have been curated and sent (two batches: December 2019 and April 2020) for DNA analysis (Figure 2). Several more collections have been curated and will be sent, along with future collections, sometime during autumn 2020. The collaborating laboratory has experienced staffing problems and has not yet completed the analysis. We expect these data soon and will include them in our next report.



Figure 2. Vials containing *Reticulitermes hesperus* termites collected from research sites, preserved in 100% ethanol, and curated for later DNA analysis to determine colony fidelity.

Task 1.4: Analyze and summarize data, publish all reports and articles, perform all outreach and extension activities.

This task cannot be completed until this project concludes, though outreach has already begun, at UC Riverside's Urban Pest Management Conferences and PCOC District meetings.

Objective 2. Conduct observational and manipulative research at UC field station(s) to describe colony attributes, seasonal phenology in CA, and determine time-to-attack for registered bait systems:

We have made steady progress towards this objective, completing and initiating several key tasks, as detailed below.

Task 2.1: Identify study sites, detect and delimit colonies (based on monitoring of swarms and activity associated with wooden monitors), identify and characterize colonies using DNA analysis of voucher specimens.

Task Complete. Five study sites have been established at the UC Berkeley Richmond Field Station, with corresponding DNA characterization of associated *Reticulitermes* colonies.

Task 2.2: Install station arrays.

Task Complete. Installation dates included March 25, June 24, September 23, and December 16 (all 2019). These stations will be monitored for two years, recording time-to-attack by *Reticulitermes* termites as a factor of installation season and distance from observed activity.

Task 2.3: Collect all data.

We began data collection along these arrays in May 2019 and have continued every 60 days following seasonal installation dates. We have now completed 24 data collection events; eight associated with the spring installation, seven with the summer installation, five with autumn, and four with winter. Initial findings indicate that ‘inactive’ bait within all three systems installed have been attractive to foraging *Reticulitermes* termites. Time-to-attack has been recorded after only 60 days in one case (Sentricon Always Active, summer installation, three meters from observed activity) and after 120 days in several cases (ATBS-Trelona and Exterra, several installation seasons, several distances from observed activity). Overall mean time-to-attack has been much higher, however: 296 days. Stations installed in winter have so far resulted in the lowest mean time-to-attack (149 days), while stations installed in summer have resulted in the highest mean time-to-attack (339 days). These data are not complete, and analysis cannot yet be performed. Preliminary findings, however, seem to suggest that stations installed in autumn and winter may be discovered and accessed by termites faster than stations installed in spring and summer. This may be due to the heavy clay soils at the study sites, upper layers of which become hard and dry during the summer dry season and therefore may be inhospitable to termites during this time. Surface foraging activity of *Reticulitermes hesperus* was observed to be highest during September – December and February – June in the SF Bay Area (Sutherland, unpublished data). Preliminary data are summarized within Figure 3.

Objective 2: Early Results (Sept. 2020)

- 51 station hits so far (out of 180 total)
- average time-to-attack = 296 days

station type	average time-to-attack
Advance Termite Bait System	211 days (n = 10)
Sentricon Always Active	339 days (n = 15)
Exterra Termite Baiting System	304 days (n = 26)
wood monitors (Isophthor EZE)	261 days (n = 4)

installation season	average time-to-attack
Spring: March 25, 2019	323 days (n = 21)
Summer: June 24, 2019	339 days (n = 15)
Autumn: Sept 23, 2019	249 days (n = 10)
Winter: Dec 16, 2019	149 days (n = 5)

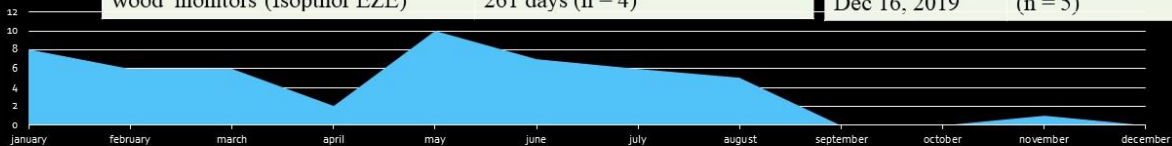


Figure 3. Preliminary data summary associated with Objective 2.

Task 2.4: Analyze data, publish reports and articles, perform outreach and extension activities.

This task cannot be completed until this project concludes, though project outreach has already begun, at UC Riverside's Urban Pest Management Conference and PCOC District meetings. A significant outreach event, the *PCOC / UC Berkeley Termite Academy*, where experimental protocols and site arrays were showcased, occurred February 19, 2020.

Objective 3. Grant Administration: Conduct general grant administration: meetings, progress reports, invoices, presentations, and final report as required.

We have completed all tasks and met all deadlines associated with this objective. Project team members have met several times via phone and Zoom video conference as well as in-person. We will continue to meet as necessary. This report serves as the third semi-annual progress report. Additional reports will be provided semi-annually, annually, and as requested. Project team members will report at a future Board meeting upon direction by Board staff.

Diet and Colony Structure of Two Emerging Invasive Pest Ants

Interim Progress Report

Since our last report, in February 2020, progress has been slow due to the COVID19 shutdown of campus and associated COVID leaves of personnel. We have, however, made some progress, which I detail below, and we have been ramping up our activities as access to our research lab has opened up.

The overarching goal of this research program is to develop fundamental biological knowledge about two recently emerging pest ants, the brown rover ant (*Brachymyrmex patagonicus*) and the Moorish sneaking ant (*Cardiocondyla mauritanica*). Specifically, we are focusing on two basic biological processes: diet and colony structure.

1. Experiment 1A. Overall goal: *Census subpopulations within 20 colonies: eggs, larvae, pupae, workers, males, mated and unmated queens.*

- **24-month goal (September 2020):** Collect and census 20 colonies each of *B. patagonicus* and *C. mauritanica*.

ACTIVITIES AND ACCOMPLISHMENTS. Although we were on schedule for this experiment in our last report, we have not added any new colony census data since then. As a result, we are now behind schedule, with only 14 of the 20 proposed colonies collected and censused of each species. However, we have identified numerous potential collection sites in northern and southern California and should be able to complete this data collection and begin data analysis within the next reporting period.

Brachymyrmex patagonicus: As previously reported, our data so far show that the mean number of workers per queen is approximately 325:1 (rounded to nearest integer) and the worker:brood ratio was 8:1 (12 sites). An important caveat is that mated queens were only found at three of the sites, and we never found more than one queen, suggesting a monogyne colony structure. Interestingly, winged males were found at half of the sites, and sometimes in relatively large numbers (range = 0-41 males). When males were present, the average worker:male ratio was approximately 20:1. Winged (unmated) queens were also found in nearly half of sites (43%) and, when present, the worker:virgin queen ratio was 77:1. There is likely some degree of seasonal variation in colony composition, and we look forward to looking for such patterns as we add data from additional sites and time points.

Cardiocondyla mauritanica: As reported in February 2020, the colony composition of this species appears to be quite different from *B. patagonicus*. Queens were found at 85.7% of sites and the worker:queen ratio across these sites was 22:1. The number of queens varied from 0 to 20, so this species can clearly be quite polygyne. The worker:brood ratio was 11:1. Unlike *B. patagonicus*, winged males were not found at any of the sites. Unmated, winged queens (gynes) were found at 8 of 14 sites, and the worker:gyne ratio was 29:1.

2. Experiment 1B. Overall goal: *Determine the spatial extent of colonies in the field using behavioral assays.*

- **24-month goal (September 2020):** Perform behavioral assays for *B. patagonicus* and *C. mauritanica* at 20 sites.

ACTIVITIES AND ACCOMPLISHMENTS. As above, we were on schedule with data collection for this experiment at the last reporting period, but have fallen behind during the past 6 months due to COVID-related shutdowns and personnel leaves. We have collected behavioral data for both *B. patagonicus* and *C. mauritanica* using ants from the 14 collection sites above for each species. I anticipate that we will be able to complete data collection for the proposed 20 sites per species by the next reporting period.

As mentioned in our February report, our data so far reveal a new and fascinating behavioral pattern for populations of *B. patagonicus*. Nearly all other introduced pest ant species form large “supercolonies” that lack territorial aggression across large spatial areas. It is well established that the formation of supercolonies is one of the factors that underlies population growth, and hence the success, of nearly all invasive ants. In addition, the absence of behavioral boundaries has important implications for pest control, as insecticides can be distributed across a larger effective area as workers move freely from one site to the next. Our data for *B. patagonicus*, however, shows a strikingly different social organization. Ants from nearly all sites, even those quite spatially close together (<100m) do not belong to the same colony, and aggressively reject each other. We look forward to finalizing our analysis and publishing this exciting new result in the near future.

The colony size and distribution of intraspecific aggression in the second focal species, *C. mauritanica*, is much more reminiscent of the typical invasive pest ant colony structure. Our data show a complete lack of intercolony aggression by workers, even from very distant sites. This lack of intraspecific aggression is typical of supercolony formation (e.g. unicoloniality).

3. Experiment 2A. Overall goal: *Perform dietary preference experiments in the laboratory.*

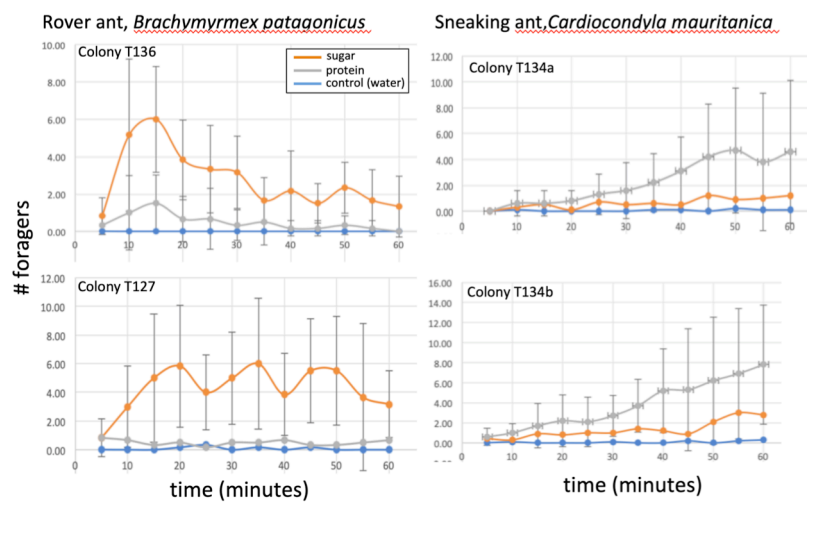
- 24-month goal (September 2020): Complete 75% of dietary experiments. Collect additional lab colonies as necessary

ACTIVITIES AND

ACCOMPLISHMENTS. Although we have been able to perform some additional data collection during this reporting period, we are still behind schedule on the collection of these dietary data.

As previously reported, our dietary experiments with *B. patagonicus* show a clear preference for sugar over protein. In 16 trials, each one hour long, with recruitment measured every five minutes, with recruitment measured every five minutes, *Brachymyrmex* workers showed rapid recruitment to the sugar water bait and consistently preferred it by a 2-5X margin over protein. We are currently testing the preference for sugar solutions

Figure 1. Examples of feeding dynamics and food preference from two colonies of each species. Rover ants show a preference for carbohydrates (sugar) whereas sneaking ants prefer protein. Rover ants recruit quickly, then forager numbers are flat or taper off, whereas the number of *Cardiocondyla* foragers steadily increases.



of different concentration.

Interestingly, *Cardiocondyla* shows the opposite preference compared to *Brachymyrmex*. *Cardiocondyla* consistently prefers protein baits by about a 2X margin. The more furtive foraging and recruitment behavior of this species is also evident, as the number of workers feeding at baits increases much more gradually than that observed for *Brachymyrmex*.

The graphs in Figure 1 show these different dynamics and preferences for the two species.

4. Experiment 2B. Overall goal: *Quantify nitrogen (N) and carbon (C) stable isotope ratios to determine trophic position.*

- **24-month goal (September 2020):** Prepare and submit samples for stable isotope quantification at UCB Center for Stable Isotope Biogeochemistry (=20 total).

ACTIVITIES AND ACCOMPLISHMENTS. The Stable Isotope Biogeochemistry lab has been closed since the state-wide shelter in place order in March 2020, so we have been unable to submit additional specimens for quantification.

However, we have received back stable isotope data for >200 specimens, from both northern and southern California. By comparing the isotope enrichment data of *Cardiocondyla* and *Brachymyrmex* ants to known herbivorous and predatory arthropods, we are beginning to reconstruct how the ants fit into their local food web. One interesting result that we have seen in this dataset is that, at some sites, *Cardiocondyla* exhibits a higher level of nitrogen (^{14}N) enrichment compared to other ants at the same site. This suggests that *Cardiocondyla* occupy a more predatory position in the food web, consistent with their apparent preference for protein in our laboratory dietary preference assays. In contrast, *Brachymyrmex* appears to occupy a trophic position that is similar to other ants in their habitat, although these are still preliminary.

0168 - Structural Pest Control Reseach Fund

Analysis of Fund Condition

Prepared 9.16.2020

(Dollars in Thousands)

2020-21 Budget Act

	PY 2018-19	PY 2019-20	Budget Act CY 2020-21	BY 2021-22	BY+1 2022-23
BEGINNING BALANCE	\$ 1,032	\$ 473	\$ 216	\$ 174	\$ 281
Prior Year Adjustment	\$ 14	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,046	\$ 473	\$ 216	\$ 174	\$ 281
REVENUES AND TRANSFERS					
Revenues:					
4129200 Other regulatory fees	\$ 146	\$ 150	\$ 150	\$ 150	\$ 150
4163000 Income from surplus money investments	\$ 24	\$ 20	\$ 23	\$ 4	\$ 6
Totals, Revenues	\$ 170	\$ 170	\$ 173	\$ 154	\$ 156
Totals, Resources	\$ 1,216	\$ 643	\$ 389	\$ 328	\$ 437
EXPENDITURES					
<u>Disbursements:</u>					
1111 Department of Consumers Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 405	\$ 3	\$ 3	\$ 3	\$ 3
Research Contracts	\$ 338	\$ 424	\$ 212	\$ 44	\$ 4
Total Disbursements	\$ 743	\$ 427	\$ 215	\$ 47	\$ 7
FUND BALANCE					
Reserve for economic uncertainties	\$ 473	\$ 216	\$ 174	\$ 281	\$ 429
Months in Reserve	13	356	618	463	1,526

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ONGOING
- B. EXPENDITURE GROWTH PROJECTED AT 2% BEGINNING IN BY+1
- C. ASSUMES INTEREST AT .3% INVESTMENTS

STRUCTURAL PEST CONTROL BOARD

PROCEDURES

(Reference to Registrar and Deputy/Assistant
Registrar is Synonymous)

Revised 10/24/2019

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GENERAL

NO. G-1

SUBJECT: REVIEW OF PROCEDURES

PURPOSE: To assure procedures are current

POLICY

A review of Board Procedures shall be made at the annual meeting.

Reference: Section 108, Business and Professions Code

History: Adopted 4/20/79
Amended 6/23/00

NO. G-2

SUBJECT: TRAVEL

PURPOSE: To establish a standard procedure for approval of Board Member and advisory committee member travel

POLICY

Board Member

Members of the Board are to receive prior approval from the President of the Board and immediately submit notice thereof to the Registrar before attending any meetings, other than Board meetings and Board committee meetings, at state expense.

Advisory Committee Member

Advisory committee members must receive prior approval from the President of the Board regarding expenditures necessary to carry out their duties at state expense. Advisory committee members are required to take the lowest cost transportation and coordinate their travel to minimize expense.

Reference: Sections 103 and 8526, Business and Professions Code

History: Adopted 4/20/79
Amended 10/22/93

NO. G-3

SUBJECT: BOARD COMMITTEES

PURPOSE: To establish guidelines for board committees

POLICY

Technical Advisory Committee members' terms expire when the appointing president's term expires.

Ad hoc committees will be established by the Board as needed. Members and the chairperson will be appointed by the President.

No action can be taken unless a quorum of a committee is present. A majority of the members shall constitute a quorum.

Reference: Sections 22, and 477, Business and Professions Code

History: Adopted 2/19/88
Amended 11/6/92
Amended 10/22/93
Amended 1/10/03
Amended 7/18/03
Amended 1/15/05
Amended 10/16/14

NO. G-4

SUBJECT: ELECTION OF OFFICERS

PURPOSE: Identify when elections are held and to assure equal representation

POLICY

Elections for the offices of president and vice president shall be conducted at the October board meeting. President and vice president shall assume duties at the board meeting following the annual October meeting. At least one of the offices of president and vice president must be held by a public member.

Reference: Sections 8521 and 8522, Business and Professions Code

History: Adopted 2/19/88
Repealed 10/12/90
Adopted 10/21/94
Amended 1/10/03
Amended 10/20/06

NO. G-5

SUBJECT: BOARD MEETING MINUTES

PURPOSE: To assure board meeting minutes are completed promptly.

POLICY

Draft minutes of Structural Pest Control Board Meetings will be completed and distributed to board members within 60 days after a board meeting.

Minutes of the Structural Pest Control Board Meetings will be distributed to individuals on the mailing list within 10 days after approval by the Board.

Reference: 8531.5

History: Adopted 10/12/90
Amended 10/22/93
Amended 10/4/96
Amended 11/18/08

NO. G-6

SUBJECT: GUIDELINES FOR ACCESS TO PUBLIC RECORDS

PURPOSE: To establish procedures to be followed when making public records available.

POLICY

Public records in the physical custody of the Structural Pest Control Board that are not exempt from disclosure will be made available for inspection or copying as follows:

1. Any person may review public records of the Board during weekdays and hours that the office is regularly open for business. Public records will be available for inspection only at the office or location where they are regularly and routinely maintained.
2. Requests for inspection or copying of public records:
 - a) should be addressed to, or directed to, the board.
3. The board will provide the following to assist a member of the public to make a focused and effective request that reasonably describes identifiable records or records to the extent it is reasonable under the circumstances:
 - a) Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.
 - b) Describe the information technology and physical location in which the records exist.
 - c) Provide suggestions for overcoming any practical basis for denying access to the records or information sought.
4. The requestor will be notified in ten (10) days whether the board has disclosable public records. Where unusual circumstances exist as specific in Government Code section 6253(c), the agency may, by written notice to the requester, extend the time for response not to exceed fourteen (14) additional days.
5. If a request is made for a record that is stored in an electronic format, the board will comply to the extent required under Government Code Section 6253.9.
6. The board may refuse to disclose any records that are exempt from disclosure under the Public Records Act (PRA).

7. Any denials of PRA requests for consumer complaints shall be subject to Legal Office review prior to responding to the requestor.
8. Functions of the board will not be suspended to permit, and public records will not be made available for, inspection during periods in which such records are reasonably required by board personnel in the performance of their duties. Special arrangements shall be made in advance for the inspection or copying of voluminous records.
9. Public records in the possession of the board may be inspected only in the presence of board personnel, except in those cases where the executive officer or his or her designee, determines otherwise. Physical inspection of such records will be permitted at places within the board office as determined by the executive officer.
10. The board will provide copies of any requested public records not exempt from disclosure upon payment of the following fees as authorized by Business and Professions Code section 161:
 - Requested public records will be produced at a charge of ten (10) cents per page plus the actual costs of the staff time for retrieving and duplicating the document(s). The cost of staff time will be computed in accordance with the guidelines contained in Section 8740 of the State Administrative Manual. However, these fees may be waived if the costs of retrieval and duplication are less than the cost of processing the payment.
 - Requests by an individual for copies of records pertaining to that individual (e.g., licensee files, personnel files, etc.) will be provided to that individual at a cost of ten (10) cents per page. In these cases, the cost of staff time for retrieving and duplicating the document(s) shall not be charged (Civil Code sec. 1798.33). However, these fees may be waived if the costs of duplication are less than the cost of processing the payment.
 - Lists of licensees will be provided in electronic, paper, or mailing label form at a charge sufficient to recover the estimated costs of providing the data. Further information and a list of charges may be obtained by contacting the Office of Information Services, Public Information Unit at the following website address: www.dca.ca.gov/consumer/public_info/ or call (916) 574-8150.
 - As provided in Business and Professions Code sec. 163, a charge of \$2.00 will be made to certify any document. This fee is in addition to copying costs.
11. A person who inspects records of the board shall not destroy, mutilate, deface, alter or remove any such records or records from the location designated for inspection, but shall physically return these in the same condition as when received, upon either the completion of the inspection or upon verbal request of departmental or agency personnel.
12. In the event that any portion of these guidelines may be deemed at any time to conflict with any law or regulation, the law or regulation shall prevail.

13. A copy of these guidelines shall be posted in a conspicuous public place in the office of the board. A copy of these guidelines shall be made available free of charge to any person requesting them.

Reference: Government Code, California Public Records Act

History: Adopted 9/5/91
Amended 10/4/96
Amended 10/11/02
Amended 10/12/07
Amended 4/28/11
Amended 10/5/11
Amended 10/10/2017

NO. G-7

SUBJECT: REVIEW OF STRATEGIC PLAN

PURPOSE: To assure plan is being followed.

POLICY

A review of the status of action taken in compliance with the Strategic Plan shall be made at the annual meeting.

Reference:

History: Adopted 6/23/00

NO. G-8

SUBJECT: DUTIES OF THE PRESIDENT AND VICE PRESIDENT

PURPOSE: Document duties for board members elected to office.

POLICY

President

1. The president shall chair all meetings of the board.
2. The president or any three members of the board may call meetings at any time.
3. If a member is unable to attend, he / she must contact the board president and the registrar / executive officer to advise them of his / her inability to attend.
4. The president will be guided by, but not bound by Robert's Rules of Order when conducting the meetings, except to the extent where it conflicts with state law (Bagley-Keene Open Meeting Act).
5. The president shall establish standing and special committees as the board deems necessary or appropriate. The president shall make the appointment of members to these committees.
6. The president will represent the board in all communications relating to any board action or policy. The president may designate another board member to represent him / her if necessary.
7. The president will approve or disapprove travel by members of the board, not including regularly scheduled board meetings, such approval not to be unreasonably withheld.
8. The president shall have the responsibilities usually vested in or customarily incident to the office of president and otherwise prescribed by law.
9. The president elect shall serve as the board delegate to ASPCRO; if he or she cannot attend, the president, or his or her designee, shall serve as the board delegate to ASPCRO.
10. The president shall supervise the activities of the registrar / executive officer.
11. In intervals between meetings of the board, the president shall have authority to make decisions respecting emergency or urgent matters.

12. The president shall sign decisions and rulings of the board on behalf of the board, and minutes after approved by the board.
13. The president shall serve as liaison between the board and the Deputy Director of Board Support.

Vice President

1. If the president is temporarily unable or unwilling to perform his or her duties as president, the vice president shall perform all of the duties of the president, and when so acting shall have all the powers of, and be subject to all the restrictions upon, the president.

Reference: Section 8523, Business and Professions Code

History: Adopted 1/10/03
Amended 7/18/03
Amended 1/14/05
Amended 11/18/08

NO. G-9

SUBJECT: MAIL VOTES

PURPOSE: To provide policies for Board members voting by mail.

Mail Votes

The Board reviews and votes on disciplinary cases on a continuous basis through mail vote. Proposed Decisions and Stipulations are sent to the Board members for their review and vote. Board members have fourteen (14) days to review the Proposed Decisions and Stipulations and submit their vote. Each Board member may vote to either:

- Adopt the Proposed Decision or Stipulation;
- Reject the Proposed Decision or Stipulation; or
- Hold Proposed Decision or Stipulation for discussion at the next closed session.

Any Proposed Decision or Stipulation received by Board staff within thirty (30) days of a Board meeting will be held for closed session. At least four (4) votes are required to adopt or reject a Proposed Decision or Stipulation.

Two (2) votes shall be required in order for a Proposed Decision or Stipulation to be held over for discussion at a meeting of the Board.

Reference:

History: Adopted 10/16/14
 Amended 10/10/2017

L I C E N S I N G
a n d
E X A M I N A T I O N

NO. L-1

SUBJECT: UNAUTHORIZED ASSISTANCE

PURPOSE: To establish guidelines for examination proctors when cheating occurs.

POLICY

An applicant who gives or receives unauthorized assistance during an examination shall be dismissed from the examination and his/her markings or results shall be void and such applicant's examination fee shall be forfeited.

Reference: Section 496, Business and Professions Code

History: Adopted 11/12/82
Amended 10/12/85

NO. L-2

SUBJECT: POSTPONEMENT OF EXAMINATION

PURPOSE: To establish unacceptable reasons for granting a postponement of examination.

POLICY

Lack of preparation is not considered a valid reason for postponement as provided in section 1941 of the Rules and Regulations. Such request will be denied and the fee forfeited.

Reference: Section 8560, Business and Professions Code
Section 1941, California Code of Regulations

History: Adopted 10/29/83

SUBJECT: FEES

PURPOSE: To establish guidelines to assure that licenses/certificates and renewals are not issued until fees are paid.

POLICY

No registration certificate or license or renewal for a license shall be issued or renewed where fees tendered is in the form of a personal check until the check has cleared. Personal checks returned unpaid for any reason shall be treated in the same way as though no fee at all had been tendered.

Reference: Sections 8562, 8564 and 8590, Business and Professions Code
Sections 1936 and 1936.1, California Code of Regulations

History: Adopted 11/12/82
Amended 10/25/96
Repealed 10/4/96

SUBJECT: APPLICATOR EXAMINATION

PURPOSE: To establish guidelines for the use, control and security of applicator examinations.

POLICY

General:

1. Examinations and answer keys must be kept in a locked cabinet, closet, drawer, or similar enclosed place and not removed until used.
2. Examination cannot be reproduced in any form.
3. A log provided by the Board of each examination given must be maintained in duplicate and a copy accounting for the previous order sent to the Board with the next order or upon request.
4. The current examination must always be used. When examinations are changed, registered companies will be notified by the Board and unused examinations must be returned to the Board to be exchanged for the current examination.
5. After completion of an examination, whether passed or failed, it must be returned immediately to the Board.
6. The owner or qualifying manager may act as proctor or designate a proctor to administer the examination. Even though the owner or qualifying manager delegates this authority, he/she remains responsible for the integrity of administration of the examination.
7. A new examination booklet must be used each time an examination is given.
8. If an examinee fails the examination, he/she may repeat the examination but a new examination booklet must be used.
9. The passing grade is 70 correct answers.
10. If an examination is lost, stolen or damaged, the Board must be notified immediately.
11. Applicator examinations are not transferable from one company to another.

Administration of Examination:

1. Proctor must identify the examinee by driver's license or other photo identification.
2. Examination must be given in a quiet place.
3. Examination must be uninterrupted.
4. Examination must be taken at one sitting.
5. Examinee must NOT write in the examination booklets.
6. Examinee can take short breaks but they must surrender examination booklets to the proctor and they cannot talk to anyone or consult any aids. If more than one examinee is taking the examination at one time, only one at a time may take a break.
7. Proctor must be present during the entire examination.
8. No resource materials or display can be used.
9. No assistance can be given.
10. Proctor must certify on the cover of the examination that it was administered in accordance with the Board instructions.
11. Examinee must certify on the cover of the examination that the examination was taken in accordance with Board instructions and agree to an audit by re-examination if selected by the Board.
12. Proctor grades the examination.
13. Proctor returns all completed booklets and answer sheets, whether passed or failed, to the Board.
14. If the examinee passes, the temporary certificate on the cover of the examination must be signed, dated, detached and retained by the applicator. The permanent certificate will be sent to the applicator within 30 days of receipt of the examination by the Board.

Reference: Sections 8551.5 and 8564.5, Business and Professions Code.

History: Adopted 1980
Amended 10/6/84
Amended 10/25/86
Repealed 1/1/91

NO. L-5

SUBJECT: INCOMPLETE EXAMINATION APPLICATIONS

PURPOSE: To establish a standard time period for retaining incomplete application for examination.

POLICY

An incomplete application for examination will be purged and such applicant's examination fee shall be forfeited six months after the last contact made with the applicant requesting completion of the examination application.

Reference: Section 8562 and 8564, Business and Professions Code
Section 1936, California Code of Regulations

History: Adopted 10/13/89

SUBJECT: CONTINUING EDUCATION EXEMPTIONS FOR ARMED SERVICES PERSONNEL

PURPOSE: To provide for the temporary waiver of continuing education renewal requirements for licensees servicing during any call for action.

POLICY

Any licensee who permitted his/her license to expire while serving in any branch of the armed services of the United States during any call for action, may have one year from the date of discharge from the armed services or return to inactive status to earn the required continuing education hours necessary to reinstate his/her license; provided the license was valid at the time the licensee was called to action, and the application for reinstatement is accompanied by an affidavit showing the date of discharge from the armed services or return to inactive status.

Reference: Sections 114, 8590 and 8593, Business and Professions Code
Sections 1950, California Code of Regulations

History: Adopted 4/5/91
Amended 9/5/91
Repealed 10/4/96
Readopted 1/18/02
Repealed 4/22/10

NO. L-7

SUBJECT: CONTINUING EDUCATION AUDITS

PURPOSE: To conduct random continuing education audits of licensees to ensure compliance with the Structural Pest Control Act and implementing regulations.

POLICY:

The Board shall require, as a condition to the renewal of each operator's, field representative's and applicator's license, that the holder submit proof of completion of continuing education courses approved by the Board.

The Board, at its discretion, may conduct random continuing education audits of an operator's, field representative's, or applicator's license, up to 3 percent of renewals received under each license category. The Board may conduct additional continuing education audits as it deems necessary to ensure compliance with the Structural Pest Control Act and implementing regulations.

Reference: Sections 114, 8590, 8593, 8593.1 Business and Professions Code
Section 1950, California Code of Regulations

History: Adopted 10/24/19

ENFORCEMENT

NO. E-1

SUBJECT: COMPLAINT PROCESS

PURPOSE: To establish guidelines and procedures for accepting and processing complaints against registered companies/licensees.

POLICY

Complaint against a licensee/registered company of the Structural Pest Control Board shall be filed with the Board's office.

Upon receipt of a complaint the Board will inquire as to whether the consumer has contacted the company first and made an effort to resolve the problem. Exceptions are those complaints that the Registrar feels should be investigated by the Division of Investigation or a Structural Pest Control Board Specialist because of the seriousness of the evidence of the violation or unusual and special circumstances.

A complaint will not be accepted if the statute of limitations has expired.

When a complainant seeks repairs or treatment at no charge from a licensee/registered company whose termite inspection omitted reportable items which were available to the consumer in a prior report by another licensee/registered company, the complainant will be advised that: (1) the Board will not try to compel the licensee/registered company to bring the property into compliance other than issuing a proper report and (2) the Board will investigate the case to determine if the licensee/registered company is in violation and administrative action warranted.

Upon receipt of a complaint alleging a violation of the Structural Pest Control Act, a post card acknowledging the complaint or letter of rejection will be sent to the complainant within five working days.

Complaints involving possible pesticide poisoning shall be referred immediately by telephone to the local agricultural commissioner.

Consumer complaints shall be mediated by the Board unless criminal or gross violations are readily apparent. Complaints that are the result of gross, deliberate or repeated violations of the Act shall be sent to the Attorney General for disciplinary action regardless of the mitigating action of the licensee.

When a complaint is received, a letter of transmittal and copy of the complaint shall be sent to the licensee/registered company within five working days of receipt.

When a complaint is received, staff will determine if a building permit was required to complete repairs on the property, and also verify whether the permit was obtained.

The letter of transmittal shall request that the licensee/registered company respond to the complaint stating his/her position and intentions. The letter of transmittal shall inform the licensee/registered company that a response is expected within ten (10) days from receipt of the complaint. At the discretion of the Registrar, the ten (10) working days allowed for the licensee's /registered company's response may be extended for good cause, but not to exceed an additional twenty (20) working days. The initial contact letter sent to a registered company will request that building permit final papers must be provided to the Board for each repair performed when such permit is required.

If the licensee/registered company fails to respond to the transmittal letter, the consumer services representative shall try to contact the licensee/registered company before referring the complaint to a Structural Pest Control Board Specialist.

Complaints mediated by consumer services representatives shall be closed or referred to a Structural Pest Control Board Specialist within thirty (30) days after the date of the transmittal letter to the licensee/registered company. At the discretion of the Registrar, the thirty (30) days provided for settlement may be extended for good cause.

The Registrar shall verify all complaints that are resolved by the licensee/registered company.

When a case is closed by settlement or dismissal, the parties shall be notified by the Board within ten (10) days.

Effective August 13, 1999, when a request is made for copies of a complaint file(s) only those documents which are public records, such as accusation, statement of issues, citations, final decisions, documents introduced at an administrative hearing or documents which have been previously disclosed to the public will be provided. All other documents contained in the complaint file will not be disclosed pursuant to the Government Code section 6254(f). If the Board is served with a subpoena it will be given to the Executive Officer or the Assistant Executive Officer or Legal Counsel before any documents are released.

Reference: Sections 129, 8616.5, 8621 and 8622, Business and Professions Code

History: Adopted 4/20/79
 Amended 11/12/92
 Amended 10/6/84
 Amended 12/9/84
 Amended 10/12/85
 Amended 10/25/86
 Amended 9/5/91
 Amended 10/22/93
 Amended 10/6/95
 Amended 10/4/96
 Amended 8/13/99
 Amended 4/6/00
 Amended 10/10/2017

SUBJECT: INSPECTION PROCESS

PURPOSE: To establish guidelines and procedures for processing inspections and assessing inspection fees.

POLICY

General:

Any case that involves criminal or civil activity within the jurisdiction of a district or city attorney may be referred to those agencies in addition to the Attorney General.

Structural Pest Control Board Specialists that are hired after leaving a registered company shall not be assigned to inspect complaints against that company until after two years from leaving the company.

Structural Pest Control Board Specialists shall be encouraged to obtain a Structural Pest Control Board Field Representative's License in Branch 3 or the equivalent within one year from being hired. The Board also encourages specialist to qualify in all branches.

A Structural Pest Control Board Specialist is authorized to investigate immediately a cause of death or serious injury when structural pest control is involved without first obtaining the approval of the Registrar.

When the Registrar has information which indicates that a licensee/registered company has failed to meet standards of performance or report requirements, a Structural Pest Control Board Specialist may, at the direction of the Registrar, inspect inspections or jobs completed by the licensee/registered company to determine if errors were made or if it appears that violations are deliberate or customary.

When the Registrar requests inspections by Structural Pest Control Board Specialists, such inspections are for the purpose of determining whether the Act and/or regulations have been violated. The specialist shall not give advice, legal or otherwise, when inspecting cases for the Structural Pest Control Board.

The Structural Pest Control Board Specialists when directed by the Registrar shall determine if work is completed or repairs made as specified in the complaint. The specialist may inspect the entire property for compliance with the Act. Any violations found may be grounds for disciplinary action.

The specialist should communicate to the complainant that his/her inspection is conducted for the purpose of enforcing the provisions of the Structural Pest Control Act and that the Board's jurisdiction is over the license/registration certificate and does not award a financial settlement to the complainant.

No Violation Determined:

When a Structural Pest Control Board Specialist cannot determine that a violation by a licensee/registered company occurred, the specialist, at that time, shall inform the complainant and shall include in the specialist report that he/she has given this information to the complainant. When a case is closed by settlement or dismissal, the parties thereto shall be notified by the Board within ten (10) days.

Violation(s) Determined:

When violations are found, a letter from the Registrar enclosing the report of findings of the Structural Pest Control Board Specialist (example below) may be sent to the licensee/registered company by certified mail with return requested allowing him/her/it thirty (30) days to comply. Extensions may be granted by the specialist but all extensions must be requested for in writing and should not extend beyond thirty (30) days. A copy of the letter will be sent to the complainant.

Example

RE:

NOTICE

The above-numbered case was opened as result of a complaint filed by _____ regarding a property at _____.

Enclosed is a Report of Findings from the Specialist assigned to the case that confirms your activities regarding the property are not in compliance with the Structural Pest Control Act and/or Rules and Regulations.

Within thirty (30) calendar days from receipt of this letter, you must do the following:

- () Inspect the property and submit a Wood Destroying Pests and Organisms Inspection Report addressing, but not limited to, the items described in the attached Report of Findings to the Board. Send a copy of the report to the attention of the assigned Specialist/Investigator at the Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815-3831, as well as the complainant/property owner.
- () Bring the property into compliance by correcting the items described in the attached Report of Findings.
- () Submit a Standard Notice of Work Completed and Not Completed to the Board. Send a copy of the Notice to the assigned Specialist at the Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815-3831, as well as the complainant/property owner.

An inspection fee in accordance with Business and Professions Code section 8622 may be assessed for inspection(s). If a subsequent inspection is deemed necessary, a reinspection fee may be assessed. A notice of the total amount of inspection fees due will be sent to you under separate cover.

In order to expedite this case, please notify the Specialist named in the attached Report of Findings, in writing, within ten (10) calendar days of your intention to comply with these requirements.

You are hereby advised that if you desire a hearing to contest the Report of Findings, you must mail/deliver to the Board a written request for a hearing within twenty (20) days of your receipt of the Report of Findings. You may, but need not, be represented by counsel at any or all stages of these proceedings. You are further advised that any hearing held hereunder will not be limited to the question of non-compliance or payment of the inspection fee, but may also include evidence of any other violations you may have committed in this instant complaint case or any other case. Said hearing could result in suspension or revocation of your license, as well as the imposition of other penalties authorized by law.

Please note that failure to file a request for a hearing within the twenty (20) days of your receipt of this Report of Findings shall constitute a waiver of your right to request a hearing. If you do not request a hearing, payment of any assessment shall not constitute an admission of any non-compliance charged.

You are also advised that even if you do not request a hearing, the Board may initiate the hearing process by filing an accusation against you. Any hearing held hereunder will not be limited to the question of non-compliance or payment of the inspection fee(s), but may also include evidence of any other violations you may have committed. Said hearing could result in suspension or revocation of your license as well as the imposition of other penalties authorized by law.

Sincerely,

STRUCTURAL PEST CONTROL BOARD

Cases shall be closed by the Structural Pest Control Board Specialist or sent to the Chief Enforcement Officer for enforcement of disciplinary determination within forty (40) days after compliance or noncompliance with the report of findings.

Inspection Fees Under Section 8622

The Structural Pest Control Board Specialist shall be the Board's representative for determining licensee/registered company compliance.

The fee shall be based on the time necessary for the initial inspection and final inspection following a corrected inspection or completion report, or both. Travel time is not included.

Fees shall be assessed at the full cost recovery rate computed for Structural Pest Control Board Specialists up to \$125 per inspection.

If through mediation the licensee/registered company agrees to perform corrections as identified

by the complaint questionnaire but the homeowner will not consent and insists upon an inspection by a Structural Pest Control Board Specialist, no inspection fee will be assessed. However, a licensee/registered company must provide evidence that an offer was made prior to the Structural Pest Control Board Specialist referral in order to avoid paying fees. A positive offer must be in writing or made to the consumer services representative. Without such evidence, inspection fees will be assessed, unless the specialist determines the property is in compliance.

Complaints that result in the inspection by a Structural Pest Control Board Specialist and the filing of disciplinary action without allowing the licensee/registered company thirty (30) days to correct is exempt from the assessment.

A letter advising of the required fee will be sent to the licensee/registered company upon closure. If payment is not remitted within thirty (30) days of the original request, a final demand for payment will be sent.

If payment is not remitted within thirty (30) days of the final notice, administrative or civil action will be initiated by the Registrar.

Reference: Sections 108, 129, 155, 8520 and 8622, Business and Professions Code

History: Adopted 4/20/79
Amended 10/30/81
Amended 11/12/82
Amended 10/29/83
Amended 10/6/84
Amended 10/12/85
Amended 10/25/86
Amended 2/19/88
Amended 4/22/94
Amended 10/2/98
Amended 1/11/08
Amended 11/18/08

SUBJECT: ADMINISTRATIVE HEARING PROCESS

PURPOSE: To establish guidelines for procedures for administrative hearings and content of proposed decisions.

POLICY

When a licensee/registered company has an accusation filed against him/her, the Board will consider hearing the matter in front of the administrative law judge whenever the Registrar recommends that the accusation is unusual and warrants the Board's attention.

Office of Administrative Hearings Agency Policy Statements

Where the record permits, the proposed decision shall contain findings of fact as to whether restitution has been made. When offered by the respondent, a conditional order (probationary) may include restitution in the amounts of and on the terms offered.

When appropriate, the proposed order should permit completion of work contracted for by the licensee/registered company prior to the hearing (Business and Professions Code section 8620).

It is requested that findings of fact set forth concisely those facts upon which the administrative law judge rests any extraordinary conclusions or recommendation. Aggravating circumstances, mitigating circumstances, or factors relating to rehabilitation, or the lack thereof (particularly including whether or not restitution has been made), should be included in the findings.

Civil penalties shall not be assessed by the administrative law judge but are left to the discretion of the Board.

Board Member and Staff Appearance with Legal Counsel

The Registrar, Chief Enforcement Officer and/or Board Members shall not discuss an accusation which is pending before the Board with the respondent and/or his/her/its counsel.

Reference: Section 8620, Business and Professions Code
Section 11517 and 11518, California Administrative Procedure Act

History: Adopted 4/20/79
Amended 11/12/82
Amended 10/25/86
Amended 10/2/98
Amended 11/18/08

SUBJECT: STIPULATED AGREEMENT

PURPOSE: To establish guidelines for negotiating settlements of administrative actions.

POLICY

Stipulated agreements are recognized by the board as a means of resolving violations of the Structural Pest Control Act without further expense to either the board or the licensee/registered company. The Registrar and Chief Enforcement Officer have delegated authority to negotiate stipulated agreements on the board's behalf. The following procedures and considerations, however, must be complied with by the licensee/registered company or the licensee's/registered company's attorney in submitting stipulated agreements for board consideration.

1. The stipulation should be in writing and submitted by the respondent through the Deputy Attorney General assigned to the case for review by the registrar and submission to the board.
2. The stipulation should contain a penalty.
3. The stipulation should provide for a minimum three year probationary period.
4. The stipulation should specifically state whether restitution has been or will be made to the consumer and the amount of such restitution.
5. The stipulation should provide that respondent agrees to provide a surety bond as required by Business and Professions Code section 8697.3.
6. The stipulation should require as a condition of probation that the respondent complete the Board approved course in the appropriate branch(es) of violation within one and one-half years of the effective date of the decision with a final grade of c minus (c-) or better.
7. The stipulation may restrict discipline to the branch(es) of violation.
8. Quarterly reports may be required as a condition of probation. If so required, respondent must agree to prepare reports under penalty of perjury specifying the following for the particular quarter:

Operator – Branch I

- A. Number of fumigations performed.

- B. Number of fumigations using Methyl Bromide, Vikane and other fumigants, identifying such other fumigants.
- C. Name(s) and license number(s) of field representative(s) and operator(s) employed.
- D. Name(s) and license number(s) of supervisor(s) in charge of licensees and work crews.
- E. Type and amount of training offered to new hires and continuing employees.
- F. Complaints received by the company regarding fumigations.
- G. Notices of violations or citations issued by agencies other than the Structural Pest Control Board.
- H. Any other information requested by the registrar.

Operator – Branch II

- A. Number of services performed.
- B. Name(s) and license number(s) of field representative(s) and operator(s) employed.
- C. Name(s) and license number(s) of licensed applicator(s) employed.
- D. Name(s) and license number(s) of supervisor(s) in charge of licensees and work crews.
- E. Type and amount of training offered to new hires and continuing employees.
- F. Complaints received by the company regarding pesticide misapplication.
- G. Pesticide-related notices of violation or citations issued by agencies other than the Structural Pest Control Board.
- H. Any other information requested by the registrar.

Operator – Branch III

- A. Name(s) and license number(s) of field representative(s) and operator(s) employed and the number of inspections completed by each.
- B. Name(s) and license number(s) of licensed applicator(s) employed.
- C. Name(s) and license number(s) of supervisor(s) in charge of licensees and work crews.
- D. Type and amount of training offered to new hires and continuing employees.
- E. Complaints received by the company regarding inspections or work performed.
- F. Notices of violations or citations issued by agencies other than the Structural Pest Control Board.

- G. Number of inspections ordered by licensed real estate agents or realty offices and the number of inspections ordered by individuals.
- H. Number of Notices of Work Completed and Not Completed filed.
- I. Any other information requested by the registrar.

Field Representative/Operator-Employee – Branch I

- A. Number of fumigations performed by this licensee.
- B. Complaints regarding fumigations performed by this licensee.
- C. Training courses completed or currently being taken by this licensee.
- D. Notices of violations or citations issued to this licensee by agencies other than the Structural Pest Control Board.
- E. Any other information requested by the registrar.

Field Representative/Operator-Employee – Branch II

- A. Number of pesticide application performed by this licensee.
- B. Complaints received regarding pesticide misapplication by this licensee.
- C. Training courses completed or currently being taken by this licensee.
- D. Pesticide-related notices of violations or citations issued to this licensee by agencies other than the Structural Pest Control Board.
- E. Any other information required by the registrar.

Field Representative/Operator-Employee – Branch III

- A. Number of inspections completed by this licensee.
- B. Complaints regarding inspections or work performed by this licensee.
- C. Training courses completed or currently being taken by this licensee.
- D. Pesticide related notices of violations or citations issued to this licensee by agencies other than the Structural Pest Control Board.
- E. Any other information requested by the registrar.

A cover letter from respondent may accompany the stipulation setting forth the following:

- (1) Any mitigating circumstances which may justify a reduction of the penalty.

- (2) Procedural steps to be taken by the respondent to prevent a reoccurrence of the violations.
- (3) An explanation for the failure to resolve the complaint at the consumer services representative or board specialist level prior to filing of the accusation by the board.
- (4) An explanation as to why discipline is limited to a specific branch office(s) or to a specific branch of licensure.

A detailed cover memorandum from the deputy attorney general assigned to the case must accompany the stipulation setting out some evidence and facts adverse and/or beneficial to the board's case and setting forth the reasons why the Board should accept the stipulation. If this cover memorandum does not accompany a stipulation, it will be returned to the deputy attorney general.

Reference: Sections 101.6 and 8697.3, Business and Professions Code
Section 1999.1, California Code of Regulations
Section 11511.5, California Administrative Procedure Act

History: Adopted 11/12/82
Amended 10/29/83
Amended 8/10/85
Amended 10/25/86
Amended 2/19/88
Amended 4/22/94
Amended 10/6/95
Amended 10/5/96
Amended 10/2/98

SUBJECT: COMPLAINT/DISCIPLINARY DISCLOSURE

PURPOSE: To establish guidelines for disclosing complaints and disciplinary action histories to the public.

POLICY

It is the policy of the Structural Pest Control Board that information regarding complaints and disciplinary actions against licensees/registered companies and information regarding their license/registration certificate status as specified below shall be readily accessible in a meaningful form to the public unless in the determination of the Board, disclosure of such complaint information would be unduly prejudicial to licensees/registered companies.

Information to be Provided Regarding Complaints

The Board shall maintain a system of information regarding complaints received during the preceding two fiscal years, which will afford to the public, upon request, all of the following regarding a particular licensee/registered company:

- A. The number of complaints filed against a licensee/registered company which, after contact with the licensee/registered company, have been closed. If information is requested on a multi-branch company, information will be given on the branch office requested; and
- B. With respect to each such complaint, the following information:
 - (1) Its date of receipt
 - (2) Its disposition, by indicating whether the matter has been:
 - a) dismissed
 - b) disposed of through settlement or compromise
 - c) referred to formal disciplinary action
 - d) disposed of through any other action, formal or informal, taken against the licensee/registered company

Information to be Provided Regarding Disciplinary Actions

The Board shall maintain records showing the disciplinary history of all current

licensees/registered companies and shall inform the public, upon request, whether any current licensee/registered company has been disciplined during the preceding three years, and, if so, when and for what offense. Any request for a license history beyond the preceding three years must be made in writing and provide full cost recovery.

Information to be Provided Regarding License/Registration Certificate Status

The Board shall provide to the public, upon request, the following information regarding past and current licensees/registered companies:

- A. The name of the licensee/registered company, including all business or fictitious names that appear on board records
- B. The license/registration certificate number
- C. The address of record and telephone number
- D. The date of original licensure/or registration
- E. Information concerning a bond, insurance or cash deposit
- F. The date such license/registration certificate expired or was terminated and, if applicable, the reason for termination

Quantity of Information to be Provided per Week

To avoid undue delay in the Board's response to other requesters and in order that no requester may overburden the Board's system, the Registrar may establish reasonable limits on the number of requests per week from any one requester which the Board may accept.

Press Releases

Notices on suspension or revocation of a license and/or registration may be sent by the Board after the period for appeal has expired to media sources within the licensee's location without departmental approval. Actions that involve the department shall be submitted to the director.

Reference: Sections 6250, 6252 and 6253, Business and Professions Code

History: Adopted 1/18/80
Amended 11/12/82
Amended 10/25/86
Amended 2/19/88
Amended 10/2/97
Repealed 10/14/99

SUBJECT: ACCEPTING A COMPLAINT BY A REGISTERED COMPANY AGAINST A LICENSED EMPLOYEE

PURPOSE: To establish instructions for accepting a complaint by a registered company against a licensed employee

POLICY

1. A complaint will be accepted for serious cases at the Registrar's discretion.
2. The company must submit to the Board a minimum of three addresses where major violation of the law occurred by the licensee.
3. The company must secure an agreement with each property owner that he/she will allow a Structural Pest Control Board Specialist to inspect the property prior to the repairs being undertaken by the registered company.
4. The complaint is sent directly to the appropriate specialist for inspections of the properties. If violations are observed, the registered company and subject employee are advised.
5. The company must make the necessary repairs for the consumer.
6. Disciplinary action is initiated against the licensed employee.
7. Cases involving poor quality control by an employer, poor supervision, poor training, etc. will not be accepted by the Board.

Reference: Sections 129, 8616.5, 8621 and 6822, Business and Professions Code

History: Adopted 8/4/89
Repealed 10/4/96

SUBJECT: BOARD MEMBER ASSISTANCE IN COMPLAINT INVESTIGATION

PURPOSE: To permit a board member's assistance and expertise in the complaint investigation process while assuring a non-biased disciplinary decision.

POLICY

The registrar, at his or her discretion, may request a board member's assistance while investigating a complaint with the understanding that the board member should recuse himself/herself when the matter is considered for disciplinary action.

Reference: Sections 129, 8620, 8621 and 8622, Business and Professions Code

History: Adopted 4/22/94
Amended 11/18/08
Repealed 10/17/13

SUBJECT: BOARD REVIEW OF CLOSED COMPLAINTS

PURPOSE: To establish quality control procedures

POLICY

At each Board meeting, the Board will be provided with a list of closed consumer complaints by number and disposition. A committee of two Board Members will select and review cases.

REPEALED

Reference: Sections 129, 8620, 8621 and 8622, Business and Professions Code

History: Adopted 10/22/93
Repealed 1/18/02

SUBJECT: FALSE ADVERTISING/UNFAIR COMPETITION

PURPOSE: To establish guidelines for accepting complaints regarding false advertising/unfair competition

POLICY

In cases of significant wrong doing involving false advertising or unfair competition, appropriate action under the provisions of Business and Professions Code sections 17200 and 17500 will be considered.

REPEALED

Reference: Sections 8648, 17200 et seq., 17500 et seq.

History: Adopted 10/22/94
Repealed 10/11/02

SUBJECT: COMPLAINT DISCLOSURE POLICY

PURPOSE: Defined Policy to Provide the Public with Information Regarding Complaint and Disciplinary Actions

POLICY

The Structural Pest Control Board (hereinafter "Board") complaint disclosure policy has been developed to provide the public with information regarding complaints and disciplinary action against pest control licensees, candidates for licensure, and unlicensed individuals.

The Board's complaint disclosure policy does not include non-actionable complaints. Non-actionable complaints are those, which after investigation, were determined to be unsubstantiated or complaints which have been determined not to be within the Board's jurisdiction. If a complaint was initially determined to indicate a probable violation of law and is later found, upon further investigation, not to constitute a violation, it shall not be disclosed.

In complying with a request for complaint information, the Board may provide such cautionary statements as may be considered appropriate regarding the usefulness of complaint information to individual consumers in their selection of a pest control licensee.

Information to be Released

The Board will disclose the following information regarding complaints:

Closed Actionable Complaints

Closed actionable complaints are defined to mean complaints, which the Board has (1) investigated, (2) determined that there was a violation of the laws regulating the practice of structural pest control and (3) taken disciplinary action (i.e. citation, accusation, statement of issued, stipulated settlement).

With regard to closed actionable complaints, the board will disclose the number of closed actionable complaints, and the disposition or action taken, including any criminal conviction or any decision or stipulation which resulted from the filing of an accusation or statement of issues, and the date of closure. The disposition of administrative cases (in accusation and statement of issues) will be released only after the decision has become effective. The Board will furnish a copy of the accusation, statement of issues, citations, documents introduced at the hearing relating to a disciplinary action, and the decision resulting.

Pending Complaints

Pending complaints are defined to include the following:

Category 1.

- (a) Complaints which are under investigation but no determination has been made as to whether a violation of the Board's laws has occurred, or
- (b) Complaints which after review by Board staff, indicate a probable violation of the Board's laws, but a disposition of the complaint is pending.

Category 2.

- (a) A complaint which after an investigation has indicated a probable violation of the board's law and has been referred to the Attorney General's Office for prosecution.

Category 3.

- (a) A complaint which has resulted in the issuance of a citation by the Board or county agricultural commissioners or the initiation of formal disciplinary action, e.g., an accusation or statement of issues being filed by The Office of the Attorney General, but where a decision has not been rendered.

Information To Be Disclosed on Pending Complaints

Category 1 Complaints---The Board will disclose no information regarding Category 1 complaints.

Category 2 Complaints---The Board will disclose the existence and number of Category 2 complaints filed against a licensee, along with a statement that the complaint has been referred to The Office of the Attorney General for review and possible prosecution, but that there has been no final determination of wrongdoing by the licensee.

Category 3 Complaints---The Board will disclose the existence and number of category 3 complaints and provide copies of the charging documents, e.g. accusation, statement of issues, or citations along with a statement that there has been no final determination of wrongdoing by the licensee.

History: Adopted 8/13/99

SUBJECT: COMPLAINT DISCLOSURE PROCEDURES FOR STAFF

PURPOSE: To Provide Staff Guidelines For Disclosing Information on Complaints

Closed Actionable Complaints

Upon receipt of any inquiry for complaint information, which results in identification of a closed actionable complaint(s), as defined in the Board's Complaint Disclosure Procedure, enforcement staff shall disclose specific information after making the following disclosure statement:

The Board currently has (specify number) closed complaint(s), which has resulted in a administrative or disciplinary action against this individual. A determination has been made that there has been a violation of the laws regulating the practice of pest control. Copies of an accusation, statement of issues, citations, final decisions, and any documents introduced at an administrative hearing or documents, which have been previously distributed to a member of the public, can be disclosed to a member of the public. All other documents contained in the investigatory file will not be made public in accordance with Government Code Section 6254(f).

Following the statement, enforcement staff will disclose the number of complaints received and if there was a violation or if it was settled.

Pending Complaints in Board Office

Upon receipt of an inquiry for complaint information, which results in the identification of an open complaint(s), which is under investigation and pending a determination of a violation of intended action, enforcement staff shall make the following disclosure statement:

If no action has been determined or taken on an open complaint the staff will advise that "Currently there are no complaints against the company/individuals."

If complaints after investigation indicated a probable violation, and have been referred to The Office of the Attorney General, but no formal documents have been filed then the following statement should be made. "The Board currently has (specific number) complaint(s) open against this company/individual. The matter(s) has been forwarded to The Office of the Attorney General for review and possible prosecution. At this time there have been no confirmed violations of the Structural Pest Control Act."

Pending Complaints – Accusation or Statement of Issues Has Been Served

Upon receipt of an inquiry for complaint information which results in the identification of an open complaint which has been referred to The Office of the Attorney General and an accusation or statement of issues has already been served, enforcement staff shall make the following disclosure statement:

“The Board currently has (specify number) complaint(s) open against this individual. The matter(s) has been forwarded to The Office of the Attorney General and an accusation/statement of issues has been served. At this time, there have been no confirmed violations of the Structural Pest Control Act. A copy of the accusation/statement of issues can be obtained by submitting a written request to the Board.”

Subpoenas

If the Board is served with a subpoena that document will be given to the Executive Officer or the Assistant Executive Officer and forwarded to Legal Counsel before any documents are released.

Staff will not provide any additional information.

History: Adopted 8/13/99

STRUCTURAL PEST CONTROL BOARD

REGULATORY ACTION STATUS

SECTION	SUBJECT	STATUS
1902	Definitions	October 1, 2020 – Staff Preparing Regulatory Proposal
1911	Addresses – Permits licensees to request a mailing address other than the address of record.	March 13, 1996 – Approved by the Office of Administrative Law
	Addresses – Requires applicators to report change of address.	August 12, 1996 – Approved by the Office of Administrative Law
	Change of Address / Employment Allow Employers to Notify Board of Employee Disassociation	November 5, 2014 — Act Review Committee Recommended Change to Allow Companies to Notify the Board of Employee Disassociation July 1, 2017 – The Language Proposed by the Act Review Committee is Included in Senate Bill (SB) 800 to Amend B&P Code Section 8567 and Will Accomplish the Regulatory Effect of the Proposed Changes to CCR 1911

1912	<p>Branch Office Registration – Section 100 Change. To change the phrase “A registered company who opens a branch shall ...” to “A registered company which opens a branch office shall...”</p>	<p>Section 100 Change – Approved by the Office of Administrative Law on May 17, 2004</p>
1914	<p>Name Style – Delete Board’s responsibility to disapprove confusingly similar name styles</p>	<p>December 16, 1998 – Public Hearing Disapproved by the Board April 4, 2003 - Public Hearing - Board voted to adopt February 14, 2004 Rulemaking File expired due to Executive Order Noticed for Public Hearing: April 8, 2005 Adopted by the Board. March 21, 2006 Approved by the Office of Administrative Law</p>
1914	<p>Name Style – Company Registration Will Prohibit the Approval or Use of a Company Name or Telephone Number That is the Same as the Name or Telephone Number of a Company Whose Registration has Been Surrendered</p>	<p>October 13, 2016 – Public Hearing was Conducted and Board Directed Staff to Begin Final Rulemaking Process October 2, 2017 – Approved by Office of Administrative Law and Effective January 1, 2018</p>
1918	<p>Supervision – Clarifies that a field representative or an operator can supervise. Supervision – Permits qualifying managers to supervise multiple locations.</p>	<p>August 12, 1996 – Approved by the Office of Administrative Law. December 16, 1998 – Public Hearing. Referred to Rules and Regulations Committee. August 6, 1999 – Modified language mailed. January 11, 2001 Public Hearing. Adopted by the Board. Rulemaking file not completed by deadline of December 1, 2001</p>

1918	Re-states supervision of multiple locations, clarifies liability / responsibility of qualifying manager[s] & supervisor(s).	April 4, 2003 Public Hearing, referred to Rules and Regs Committee. Committee meeting held September 17, 2003. Placed on agenda for October 17, 2003 Bd. Mtg. Modified Text mailed Nov. 19, 2003. Comments due Dec. 3, 2003. No comments rec'd. February 14, 2004 Rulemaking File expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Adopted by the Board. March 21, 2006 - Approved by the Office of Administrative Law.
1919	Research Panel – Deletes reference to public board member on panel.	March 13, 1996 – Approved by the Office of Administrative Law.
1920	Cite & Fine – Authorizes board staff to issue citations and fines.	August 13, 1998 – Approved by the Office of Administrative Law.
	Cite & Fine – Amends to clarify no appeal after modification of decision.	October 15, 1999 – Public Hearing - Board voted to adopt.
1920 (e)(1)(2)(3)	Cite & Fine – Specifies that a second informal conference for a modified citation will not be allowed.	January 11, 2001 - Public Hearing - Board voted to adopt. December 1, 2001 Rulemaking File not completed by deadline. April 4, 2003 - Public Hearing - Board voted to adopt. February 14, 2004 Rulemaking File expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Adopted by the Board. March 21, 2006 - Approved by the Office of Administrative Law.

<p>1920(b)</p>	<p>Citation - Assessment of Fines – SB 362 increased max fine amount to \$5000.</p> <p>Repealed specific criteria required in assessing fines in excess of \$2,500.</p>	<p>Section 100 Change pending Administrative decision to go forward. Filed with Sec. of State: 12-18-03. Board approved DCA’s four sets of circumstance for max. fine on October 8, 2004. Noticed for Public Hearing July 15, 2005. December 30, 2005 – Approved by the Office of Administrative Law.</p> <p>Agency subsequently agreed that the specific criteria from 2004 for fines in excess of \$2,500 should no longer apply. Board approved on April 22, 2010.</p> <p>December 22, 2010 Notice, ISOR, Language, Std 399 submitted to Linda Otani for review/approval by DPR and Agency.</p> <p>April 12, 2011 DPR returned package with approval signatures.</p> <p>May 10, 2012 – Public Hearing – Board voted to adopt.</p> <p>March 22, 2013 rulemaking file filed with Office of Administrative Law</p> <p>May 8, 2013 – Disapproved by OAL Economic Impact Statement not included</p> <p>June 25, 2013 – 15 day notice to add Economic Impact Statement</p> <p>July 17, 2015 – Resubmitted to OAL</p> <p>August 8, 2013 – Approved by OAL</p> <p>Became Effective October 1, 2013</p>
<p>1920(e)(2)</p>	<p>Citations and Fines</p> <p>Allows the Board 30 Days Rather Than 10 to Notify Respondents of Informal Conference Decisions</p>	<p>October 1, 2020 – Staff Preparing Regulatory Proposal</p>

1922	Civil Penalty Actions by Commissioners – Specifies penalty ranges. Penalty ranges serious, minor and moderate upped to mirror new law.	May 14, 1998 – Approved by the Office of Administrative Law. Noticed for Public Hearing: October 7, 2005. Adopted by the Board. August 25, 2006 – Approved by the Office of Administrative Law.
1922.3	Course requirements by County Agricultural Commissioners - Will place into regulation specific guidelines for licensee / County Ag Commissioners re: civil penalty actions.	Noticed for the April 23, 2004 Board Meeting. Approved by the Office of Administrative Law - July 6, 2005.
1923	Consumer Complaint Disclosure. DCA created new document: Public Information System – Disclosure.	July 18, 2003 - Public Hearing - Board approved to adopt after proposed language modified with a 15-day public comment period. Rulemaking file placed on hold due to Executive Order. Withdrawn by DCA Legal Dept. Noticed for Public Hearing: October 7, 2005. Board voted to not proceed. (Language needs re-drafting – (a)4(d)(A) and (B)(ii) – now conforms to healing arts situation, and, if [A] is satisfied – so is [B])
1934	Board Approved Operator’s License Course – Specifies time period in which courses must be completed.	August 13, 1998 – Approved by the Office of Administrative Law.

<p style="text-align: center;">1936</p>	<p style="text-align: center;">AB 2138 Compliance — Operator and Field Representative Forms Being Amended to Remove Questions About Criminal History</p>	<p style="text-align: center;">October 1, 2020 — Undergoing Review at Office of Administrative Law</p>
<p style="text-align: center;">1936.1</p>	<p style="text-align: center;">AB 2138 Compliance — Company Registration Form Being Amended to Remove Questions About Criminal History</p>	<p style="text-align: center;">October 1, 2020 — Undergoing Review at Office of Administrative Law</p>
<p style="text-align: center;">1936.2</p>	<p style="text-align: center;">AB 2138 Compliance — Applicator Form Being Amended to Remove Questions About Criminal History</p>	<p style="text-align: center;">October 1, 2020 — Undergoing Review at Office of Administrative Law</p>
<p style="text-align: center;">1937</p>	<p style="text-align: center;">Qualification of Applicant – Specifies minimum number of hours of training and experience. IPM training and experience – Requires that branch 2 and/or 3 applicants complete training and experience in structural Integrated Pest Management as part of their pre-licensing requirements</p>	<p>August 13, 1998 – Approved by the Office of Administrative Law. January 2008 – Noticed for Public Hearing to amend the current regulation. April 18, 2008 - Public Hearing - Board approved to adopt. June 26, 2008 - Rulemaking file submitted to DCA for Director review. November 18, 2008 – Clarification of the effective date needed for section 1950 of the rulemaking file. January 6, 2009 – Rulemaking file submitted to DCA for Director review. March 20, 2009 - Approved by the Office of Administrative Law.</p>

<p>1937.11</p>	<p>Disciplinary Guidelines – Incorporates by reference the Manual of Disciplinary Guidelines and Model Disciplinary Orders. Clean up language to change reference of UC Berkeley correspondence course to a CE course approved by board.</p>	<p>April 14, 1997 – Approved by the Office of Administrative Law. Board approved on October 28, 2010. December 22, 2010 Notice, ISOR, Language, Std 399 submitted to Linda Otani for review/approval by DPR and Agency. April 12, 2011 DPR returned package with approval signatures. May 10, 2012 – Public Hearing - Board voted to adopt. March 22, 2013 rulemaking file filed with Office of Administrative Law May 8, 2013 – Disapproved by OAL Economic Impact Statement not included June 25, 2013 – 15 day notice to add Economic Impact Statement July 17, 2015 – Resubmitted to OAL August 8, 2013 – Approved by OAL Became Effective October 1, 2013</p>
<p>1937.11</p>	<p>Revisions Regarding When Suspension Time Must be Served, Length of Probation, Tolling of Probation, etc.</p>	<p>October 13, 2016 – Public Hearing was Conducted and Board Directed Staff to Begin Final Rulemaking Process January 3, 2018 – Approved by Office of Administrative Law and Effective April 1, 2018.</p>

<p>1937.17</p>	<p>Customer Notification of Licensure – Adopts regulation requiring practitioner notification to customer of licensure.</p>	<p>October 15, 1999 – Public Hearing - Referred to committee. January 18, 2002 - Public Hearing adopted by the board with modified text. December 16, 2002 - Approved by the Office of Administrative Law.</p>
<p>1940 1941 1942</p>	<p>Applicator – Amends these actions to make distinction between field representatives, operators and applicators.</p>	<p>August 12, 1996 – Approved by the Office of Administrative Law.</p>

<p>1948</p> <p>1948</p>	<p>Applicator Renewal Fee – Establishes the fee for applicator license renewal. Applicator – Establish and specify fee for applicator’s license and license renewal.</p> <p>Applicator license/renewal fee lowered to \$10, Operator license/renewal fee lowered to \$120.</p>	<p>June 26, 1998 – Public Hearing. Pending approval by Department of Finance. January 20, 2000 – Public Hearing - Board voted to adopt. March 13, 2002 disapproved by OAL. April 12, 2002 Public Hearing: Board voted to take no action. May 5, 2002: Rulemaking file submitted to the Director. July 7, 2002 file disapproved, DCA opposed approval due to Board’s current fund condition. April 4, 2003 - Public Hearing - Board voted to adopt. February 14, 2004 Rulemaking File expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Adopted by the Board. April 2005 - DCA opposed proposal. Withdrawn from rulemaking file on April 28, 2005 for separate submission. Noticed for Public Hearing: October 7, 2005. Adopted by the Board. August 25, 2006 – Approved by the Office of Administrative Law.</p>
	<p>Field Representative – Increase field representative examination fee.</p>	<p>October 15, 1999 – Public Hearing - Adopted by the Board. January 20, 2000 Board decided to drop this section.</p>
<p>1950</p>	<p>Continuing Education - Deletes outdated renewal requirements.</p>	<p>August 12, 1996 - Approved by the Office of Administrative Law.</p>

1950	Applicator Continuing Education – Establish and specify number and type of continuing education hours required for renewal of applicator’s license. At April 2005 Hearing CE hours were changed to 12 hrs total, 8 covering pesticide application/use and 4 covering SPC Act & its rules & regulations or structural pest related agencies’ rules & regulations.	<p>June 26, 1998 - Public Hearing. Pending approval by Department of Finance.</p> <p>January 20, 2000 - Public Hearing Board voted to adopt. March 13, 2001 disapproved by the OAL. April 12, 2002 - Public Hearing. Board voted to adopt. Disapproved by the Director July 7, 2002.</p> <p>April 4, 2003 - Public Hearing - Board voted to proceed after 15-Day Notice. Notice mailed June 11, 2003, final comments due June 30, 2003. February 14, 2004 Rulemaking File expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Board voted to proceed after a 15-Day Notice. Notice mailed: May 27, 2005.</p> <p>March 21, 2006 - Approved by the Office of Administrative Law.</p>
1950	Continuing Education - Deletes language regarding Wood Roof Cleaning & Treatment Continuing Education - Hours.	Change without Regulatory Effect - Approved by the Office of Administrative Law effective March 26, 2002.
	Continuing Education - To establish four hours in ethics for license renewal of Operators and Field Representatives.	Noticed for April 23, 2004 Bd. Mtg. Matter considered and rejected at July 23, 2004 Special Mtg. Withdrawn July 2004 with Notice of Decision Not to Proceed.
1950	Continuing Education - Requires that branch 2 and/or 3 licensees gain continuing education hours in structural Integrated Pest Management as part of their license renewal requirements.	<p>Noticed for the April 18, 2008 Board Meeting.</p> <p>April 18, 2008 - Public Hearing - Board approved to adopt after proposed language modified with a 15-day public comment period.</p> <p>June 26, 2008 - Rulemaking file submitted to DCA for Director review.</p> <p>November 18, 2008 – Clarification of the effective date needed for section 1950 of the rulemaking file.</p> <p>January 6, 2009 – Rulemaking file submitted to DCA for Director review.</p> <p>March 20, 2009 - Approved by the Office of Administrative Law.</p>

<p style="text-align: center;">1950</p>	<p style="text-align: center;">CE IPM Review Committee’s Recommended Continuing Education Amendments</p>	<p style="text-align: center;">July 17, 2019 — Board Approved Language and Authorized Staff to Begin Rulemaking Process</p> <p style="text-align: center;">October 1, 2020 — On Hold Pending EPA Approval of Proposed Regulatory Language</p>
<p style="text-align: center;">1950.1</p>	<p style="text-align: center;">Armed Services Exemption – Grants a one-year extension for a licensee to complete his/her continuing education requirements if his/her license expired while serving for the United States armed services.</p>	<p style="text-align: center;">Noticed for the January 23, 2009 Board Meeting.</p> <p style="text-align: center;">January 23, 2009 - Public hearing, Board voted to send out 15-day notice of modified text.</p> <p style="text-align: center;">February 9, 2009 – Notice of modified text sent out.</p> <p style="text-align: center;">June 10, 2009 - Rulemaking file submitted to DCA for Director review.</p> <p style="text-align: center;">August 5, 2009 – Received approved rulemaking file from DCA.</p> <p style="text-align: center;">August 5, 2009 – Final rulemaking file submitted to OAL.</p> <p style="text-align: center;">September 16, 2009 – Approved by the Office of Administrative Law</p>

<p style="text-align: center;">1950.5</p>	<p style="text-align: center;">CE IPM Review Committee's Recommended Continuing Education Amendments</p>	<p style="text-align: center;">October 1, 2020 — On Hold Pending EPA Approval of Proposed Regulatory Language</p>
<p>1950.5(c),(d)(g),(h),[g]</p>	<p>Continuing Education - Requires that course providers administer a second examination.</p>	<p>March 13, 1996 - Approved by the Office of Administrative Law.</p>
<p>1950.5(c),(d)(g),(h),[g]</p>	<p>Continuing Education Requirements, Hour Value System, removal of language regarding wood roof cleaning and treatment.</p>	<p>March 26, 2002 - Approved by the Office of Administrative Law</p>
<p>1950.5</p>	<p>Hour Value System - Require all C.E. providers to administer written tests after licensees complete approved courses in technical or rules and regulations; equivalent activities will no longer be granted C.E.; Board mtg. attendance will drop to 4 hrs total C.E. credit - 1 hr General Ed and 1 hr Rules & Regs per meeting.</p>	<p>Noticed for the April 23, 2004 Board Meeting. Approved by the Office of Administrative Law - July 6, 2005.</p>

1950.5	Hour Value System - Establish an hour value for board approved Integrated Pest Management courses.	<p>Noticed for the April 18, 2008 Board Meeting.</p> <p>April 18, 2008 - Public Hearing - Board approved to adopt.</p> <p>June 26, 2008 - Rulemaking file submitted to DCA for Director review.</p> <p>November 18, 2008 – Clarification of the effective date needed for section 1950 of the rulemaking file.</p> <p>January 6, 2009 – Rulemaking file submitted to DCA for Director review.</p> <p>March 20, 2009 - Approved by the Office of Administrative Law.</p>
1951	Removal of Continuing Education Challenge Examination	October 1, 2020 — On Hold Pending EPA Approval of Proposed Regulatory Language
1953	CE IPM Review Committee’s Recommended Continuing Education Amendments	October 1, 2020 — On Hold Pending EPA Approval of Proposed Regulatory Language
1953(a)	<p>Providers of Continuing Education - C.E. providers that providers do not charge an attendee fee to be exempt from the \$25 course approval fee. Thus eliminating financial burden to the provider.</p> <p>Adopt a revised form 43M-18.</p>	<p>January 11, 2001 - Public Hearing - Board voted to adopt. February 2001-DCA opposed proposal.</p> <p>July 18, 2003 - Public Hearing Board voted to adopt new form. March 17, 2004 Rulemaking file on hold due to Executive Order.</p> <p>Approved by Office Of Administrative Law on August 12, 2004.</p>

1953(f)(3)	Approval of Activities - Revised Form.	July 18, 2003 Public Hearing - Board voted to adopt the revised form. Approved by Office Administrative Law, Section 100 Change effective on May 2, 2003.
1953(f)(3)	<p>Section 100 Change – Typo. The dates for the form numbers were duplicated. Delete (New 5/87) and replace it with (Rev. 11/99) Revise the form - Return it back to 43M-38 (5/87). Current form (Rev.11/99) is obsolete.</p> <p>Correction of reversal of form numbers 43M-38 and 43M-39 in language and 43M-39 given Rev.10/03 date.</p>	<p>Section 100 Change to OAL on May 13, 2004.</p> <p>Withdrawn June 17, 2004. Change requires language be re-noticed. Board needs to notice for public hearing.</p> <p>Approved by the Office of Administrative Law - July 6, 2005</p>
1953(3) (A)(C)(D)(E) (4)(g)	Approval of Activities - Clean up language in item (3)(A), define “syllabus” in item (3)(C), revision of form No 43M-39, and language regarding the cost of postage in item (3)(D), delete the words “or products” and language regarding the approval for meetings of in-house staff or employee training being approved in item (4)(g).	Noticed for April 23, 2004 Board Meeting. Approved by the Office of Administrative Law - July 6, 2005.
1953(f)(3)(D)	Approval of Activities - Remove the requirement that continuing education course providers provide course evaluation forms to students.	<p>Noticed for the April 18, 2008 Board Meeting.</p> <p>April 18, 2008 - Public Hearing - Board approved to adopt.</p> <p>June 26, 2008 - Rulemaking file submitted to DCA for Director review.</p> <p>November 18, 2008 – Clarification of the effective date needed for section 1950 of the rulemaking file.</p> <p>January 6, 2009 – Rulemaking file submitted to DCA for Director review.</p> <p>March 20, 2009 - Approved by the Office of Administrative Law.</p>

1960	Fingerprint Requirement – requires all licensees who have not previously been fingerprinted to do so upon license renewal	<p>March 26, 2015 - Text Approved by Board Members</p> <p>June 4, 2015 - Noticed for Public Hearing</p> <p>July 23, 2015 - Public Hearing – Adopted by Board.</p> <p>August 20, 2015 – To DCA for review.</p> <p>December 1, 2015 – Approved by DCA, to Agency for review.</p> <p>January 21, 2016 – To OAL for final review.</p> <p>February 29, 2016 – Approved and effective.</p>
1970	Standards - Construction elements allowing passage of fumigants.	<p>October 12, 2000 - Public Hearing - Board voted to adopt with modifications.</p> <p>November 23, 2001 - Approved by the Office of Administrative Law.</p>
	<p>Fumigation Log - Delete the reporting requirements of the name and address of the guard, and delete the date and hour the police department was notified of fumigation. Rev. form 43M-47.</p> <p>Add additional fumigant calculators on the Fumigation Log</p>	<p>January 11, 2001 - Public Hearing - Board voted to adopt. Rulemaking file not complete by deadline of December 1, 2001.</p> <p>April 4, 2003 - Public Hearing. Due to errors in language, re-noticed for July 18, 2003 - Public Hearing. Board voted to adopt new language and revise log form number 43M-47. Approved by Office of Administrative Law on August 12, 2004.</p> <p>Noticed for Public Hearing July 20, 2007.</p> <p>July 20, 2007 - Public Hearing. Board voted to adopt.</p> <p>September 26, 2007 language under DCA legal review by the Director.</p> <p>March 17, 2008 – Approved by the Director, filed with the Office of Administrative Law.</p> <p>April 29, 2008 – Approved by the Office of Administrative Law.</p>

1970	Standards and Record Requirements - Fumigating contractors will be required to provide a complete fumigation log to its prime contractors and retain the log for 3 years.	<p>July 18, 2003 - Board voted to place on October 17, 2003 board meeting agenda. October 17, 2003 Board voted not to adopt.</p> <p>Noticed for Public Hearing July 20, 2007. July 20, 2007 - Public Hearing. Board voted to adopt.</p> <p>September 26, 2007 language under DCA legal review by the Director.</p> <p>March 17, 2008 – Approved by the Director, filed with the Office of Administrative Law.</p> <p>April 29, 2008 – Approved by the Office of Administrative Law.</p>
1970.3	Securing Against Entry - Includes clamshell locks and pins in general description of secondary locks.	March 13, 1996 - Approved by the Office of Administrative Law.
1970.4	Pesticide Disclosure Requirement - Requires primary contractor to retain OFN for three years.	July 28, 1995 - Board voted to adopt. Technical error - Necessary to re-notice all amendments.
	Pesticide Disclosure Requirement - Includes the required Occupants Fumigation Notice into regulation.	May 12, 1995 - Public Hearing. Referred to the Laws and Regulations Committee for further review. December 8, 1995 - Board adopted revision to the OFN. Technical error-Necessary to re-notice all amendments.
1970.4	Pesticide Disclosure Requirement - Requires primary contractor to retain Occupants Fumigation Notice (OFN) for three years. Includes the required OFN into regulation.	April 28, 1998 – Approved by the Office of Administrative Law.
	Pet Notification - Amends OFN to include notification regarding neighboring pets.	<p>January 20, 2000 - Board voted to adopt. June 23, 2000 Board voted not to proceed. January 2005 Board voted to proceed. Noticed for Public Hearing July 15, 2005. December 30, 2005 – Approved by the Office of Administrative Law.</p>

1970.4	Disclosure Requirement - Deletes language regarding Wood Roof Cleaning & Treatment Pesticide.	March 26, 2002 change without regulatory effect approved by the Office of Administrative Law.
1970.4	Disclosure Requirement – Include presence of conduit language on the OFN	Noticed for Public Hearing July 20, 2007. July 20, 2007 - Public Hearing. Board voted to adopt. September 26, 2007 language under DCA legal review by the Director. March 17, 2008 – Approved by the Director, filed with the Office of Administrative Law. April 29, 2008 – Approved by the Office of Administrative Law.
1970.4	Allows for signed Occupants Fumigation Notice to be in electronic format	January 15, 2015 - Text Approved by Board Members June 4, 2015 - Noticed for Public Hearing July 23, 2015 - Public Hearing. August 20, 2015 – To DCA for review. February 17, 2016 – To OAL for final review. March 22, 2016 – Approved to become effective July 1, 2016. Industry notified May 31, 2016.
1970.4	Pesticide Disclosure Requirements — Pre and Post Pesticide Application Procedures	October 1, 2020 – Presenting Committee Proposed Language to Board for Approval

1970.5	<p>Aeration - Clarifies that a field representative or operator must be present during aeration.</p> <p>Amendment regarding when licensee is required to be present to correlate with DPR's CAP regulation. – DEAD 05/10/12</p>	<p>August 12, 1996 – Approved by the Office of Administrative Law.</p> <p>December 22, 2010 Notice, ISOR, Language, Std 399 submitted to Linda Otani for review/approval by DPR.</p> <p>March 11, 2011 DPR request this regulation be repealed.</p> <p>April 28, 2011 Board voted to repeal regulation.</p> <p>May 10, 2012 – Public Hearing – Board voted to non-adopt proposed repeal of regulation.</p>
1970.6	Fumigation - Construction elements allowing passage of fumigants.	<p>December 16, 1998 - Public Hearing - Action postponed until further input.</p> <p>June 18, 1999 - Board voted to adopt with modifications.</p> <p>November 23, 2001 - Approved by the Office of Administrative Law.</p>
1971	Gas Masks – Removed the subsection concerning gas masks. B&P Code section 8505.15 was repealed January 1, 2008	<p>Noticed for Public Hearing July 24, 2009</p> <p>July 24, 2009 – Board members voted to carryover to next board meeting.</p> <p>October 22, 2009 – Board members voted not to proceed with amending the regulation.</p>
1973	<p>Re-entry Requirements - Requires use of proper testing equipment and changes printing on re-entry notice from red to black.</p> <p>Notice of Re-entry – Replace a product trade name with the active ingredient.</p>	<p>March 13, 1996 - Approved by the Office of Administrative Law.</p> <p>Noticed for Public Hearing July 20, 2007.</p> <p>July 20, 2007 - Public Hearing. Board voted to adopt.</p> <p>September 26, 2007 language under DCA legal review by the Director.</p> <p>March 17, 2008 – Approved by the Director, filed with the Office of Administrative Law.</p> <p>April 29, 2008 – Approved by the Office of Administrative Law.</p>

1974	<p>Fumigation Warning Signs - Specifies size and placement of signs.</p> <p>Fumigation warning signs to include the name of the fumigant used and its active ingredient.</p>	<p>March 13, 1996 - Approved by the Office of Administrative Law.</p> <p>Noticed for Public Hearing January 21, 2010 Public hearing held January 21, 2010 – Board voted to adopt .</p> <p>May 18, 2010, Rulemaking File submitted to DPR for approval.</p> <p>September 23, 2010 DPR returned package with approval signatures.</p> <p>September 30, 2010 Rulemaking File submitted to OAL.</p> <p>November 8, 2010 approved by OAL</p>
1983(i)	<p>Handling, Use and Storage of Pesticides - Clarification of bait station (rodenticide and avicide) reference.</p>	<p>December 16, 1998 - Public Hearing December 30, 1998 - Notice of Modification mailed. January 11, 2001 - Public Hearing - Board voted to adopt. Rulemaking File not complete by deadline date of December 1, 2001.</p> <p>April 4, 2003 - Public Hearing - Board voted to adopt. February 14, 2004 Rulemaking File expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Adopted by the Board. March 21, 2006 - Approved by the Office of Administrative Law.</p>
1983(j)	<p>Language regarding the removal of termite bait stations when a contract for service is terminated.</p>	<p>July 18, 2003 - Public hearing Board voted to adopt with proposed amendments. Approved by the Office of Administrative Law on August 12, 2004</p>

1984	Proposed regulation to define structural Integrated Pest Management	<p>October 2007 – Noticed for Public Hearing to adopt new section.</p> <p>March 10, 2008 – Final rulemaking file submitted to the Department.</p> <p>June 6, 2008 – Approved by the Director, filed with the Office of Administrative Law.</p> <p>July 9, 2008 - Approved by the Office of Administrative Law.</p> <p>Noticed for the January 23, 2009 Board Meeting.</p> <p>January 23, 2009 - Public hearing, Board voted to adopt with proposed amendments.</p> <p>June 10, 2009 - Rulemaking file submitted to DCA for Director review.</p> <p>August 5, 2009 – Received approved rulemaking file from DCA.</p> <p>August 5, 2009 – Final rulemaking file submitted to OAL.</p> <p>September 16, 2009 – Approved by the Office of Administrative Law</p>
1990	Report Requirements - Defines separated reports and structural members, and addresses reporting requirements for carpenter ants/bees.	March 13, 1996 - Approved by the Office of Administrative Law.
1990	<p>Report Requirements Under Section 8516</p> <p>Makes Various Changes to Clarify and Update Existing Language.</p>	<p>October 1, 2020 - Staff Preparing Regulatory Proposal</p>
1990(g)	Report Requirements – Inspection of wooden decks.	April 28, 1998 - Approved by the Office of Administrative Law.
1990.1	Report Requirements - Repeal language under Section 8516.1(b) and (c)(1)(8).	March 26, 2002 change without regulatory effect - Approved by the Office of Administrative Law.

1991	Report Requirements - Eliminates requirement to cover accessible pellets and frass, and requires replacement of wood members no longer serving purpose to support or adorn the structure.	March 13, 1996 - Approved by the Office of Administrative Law.
1991(A)(B) (C)	Report Requirements - Specifies the restoration, refastening, removal or replacement of wooden decks, wooden stairs or wooden landings.	April 28, 1998 - Approved by the Office of Administrative Law.
1991(a)(5) 1991(a)(5)	Report Requirements – Allows for reinforcement of fungus infected wood and permits surface fungus to be chemically treated or left as is once the moisture is eliminated.	April 3, 1996 – Approved by the Office of Administrative Law.
1991(a)(8)c	Report Requirements – Requires registered companies to report that local treatment and/or corrective work will not eradicate other undetected infestations which may be located in other areas of the structure.	October 6, 1995 – Public Hearing - Board voted to non-adopt. Referred to committee to consider the matter of an all-encompassing disclosure statement on all inspection reports addressing inaccessible areas and potential infection and infestations.
	Report Requirements - Local treatment notification.	October 15, 1999 Public Hearing - Board voted to adopt. January 11, 2001 - Referred back to committee for comments. October 19, 2001 Public Hearing - Board voted to non-adopt, referred language back to committee. August 31, 2002 publication date expired. October 11, 2002 - Re-noticed -Public Hearing. Board voted to adopt. January 8, 2003 language under DCA legal review by the Director. February 21, 2003 filed with the Office of Administrative Law. Rulemaking file withdrawn from OAL March 27, 2003 pending a 15-Day Notice. File resubmitted to OAL. July 26, 2003 - Approved by the Office of Administrative Law.
1991 (cont.)		

1991(a)(9)	Report Requirement - Corrective Measures for extermination of a subterranean termite infestation and termite tubes. Exception for above ground termite bait stations.	January 11, 2001 Board voted to amend 1991(a)(9). October 19, 2001 Board passed unanimously to modify language with a 15-Day Notice. Notice mailed January 28, 2002, 1 year past the publication date. Bd. needs to re-notice. Noticed for Public Hearing July 15, 2005. December 30, 2005 – Approved by the Office of Administrative Law.
1991(13)(A) (B)(C)	Report Requirements - Delete specific recommendations regarding wooden decks, wooden stairs and landings. Language already exists in 1991(a)(5).	October 19, 2001 Board voted to repeal the language. August 31, 2002 publication date expired. April 4, 2003 - Public Hearing. Board voted to go forward after 15-Day Notice. Notice mailed June 11, 2003, final comments due June 30, 2003. February 14, 2004 rulemaking file expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Adopted by the Board. March 21, 2006 - Approved by the Office of Administrative Law.
1991(b)(10)	Report Requirements – Non-substantive correction to heading.	March 28, 2000 – Filed with the Office of Administrative Law. May 15, 2000 - Approved by the Office of Administrative Law.
1991	Report Requirements Makes Various Changes to the Language in Order to Promote Clarity and Consistency	October 1, 2020 - Staff Preparing Regulatory Proposal

1992	<p align="center">Secondary Recommendations</p> <p align="center">Changes Language to Specifically State That Secondary Recommendations Must be Listed on the Notice of Work Completed / Not Completed</p>	<p align="center">October 1, 2020 - Staff Preparing Regulatory Proposal</p>
1993(a)(b) (c)(d)(e)	<p>Inspection - Specifies that reports shall comply With 8516 and defines different types of inspection reports. Also clarifies difference between duties performed by a field representative, operator and applicator.</p>	<p>March 13, 1996 - Approved by the Office of Administrative Law.</p>
	<p>Inspection Reports - Clarifies that the requirement applies to licensed field representative and licensed operators, not license applicators.</p>	<p>August 12, 1996 - Approved by the Office of Administrative Law.</p>
	<p>Deletes language regarding the filing of stamps.</p>	<p>April 4, 2003 - Public Hearing - Board voted to adopt. February 14, 2004 rulemaking file expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Adopted by the Board. March 21, 2006 -Approved by the Office of Administrative Law.</p>
1993, 1998	<p>Report Requirements – To eliminate reference to filing inspection reports and notices of work completed and require companies to file the address of properties inspected.</p>	<p>January 20, 2000 - Public Hearing Board voted to adopt. March 13, 2001 Rulemaking File disapproved by the Office of Administrative Law. April 4, 2003 - Public Hearing. Sec.1996 proceed with a 15-Day Notice, Sec. 1996.3 re-notice for July 18, 2003 meeting, Sec.1993 & 1998 Board voted to adopt. February 14, 2004 Rulemaking File expired due to Executive Order. Noticed for Public Hearing: April 8, 2005. Adopted by the Board. March 21, 2006 - Approved by the Office of Administrative Law.</p>

1993.1	Reinspection Language – To adopt section 1993.1 to require Wood Destroying Pest and Organism Inspection Reports to contain statement that work performed by others must be reinspected within ten days of request at a charge no greater than the original inspection fee.	May 22, 1998 – Rulemaking file disapproved by Office of Administrative Law. December 16, 1998 – Public Hearing. December 30, 1998 - Notice of Modifications mailed. January 11, 2001 - Public Hearing. Board voted to adopt. December 1, 2001 rulemaking file not completed by deadline. April 4, 2003 re-noticed for Public Hearing. Approved by the Office of Administrative Law - July 6, 2005.
1993.2	Bait Stations.	October 19, 2001 Board passed to adopt new language. Publication date expired. October 11, 2002 language re-noticed for Board meeting. December 23, 2002 rulemaking file under review. January 8, 2003 under DCA legal review by the Director. February 21, 2003 filed with the Office of Administrative Law. March 27, 2003 rulemaking file withdrawn from OAL pending a 15-Day Notice. July 26, 2003 - Approved by the Office of Administrative Law.
1993.2	Termite Bait Stations. Defines above and below ground termite bait stations as devices containing pesticide bait. Specifies that use of termite bait stations are a control service agreement.	October 13, 2016 – Public Hearing was Conducted and Board Directed Staff to Begin Final Rulemaking Process October 6, 2017 – Approved by Office of Administrative Law. Effective January 1, 2018

1993.3	In-Ground Termite Bait Stations.	<p>October 12, 2001 Board passed to adopt new language. Publication date expired. Language re-noticed for October 11, 2002 Board meeting. Rulemaking package under review 12-23-02. January 8, 2003 – Under DCA legal review by the Director. February 21, 2003 filed with the Office of Administrative Law. March 27, 2003 rulemaking file withdrawn from OAL pending a 15-Day Notice. July 26, 2003 - Approved by the Office of Administrative Law.</p>
1993.3	<p>In-Ground Termite Bait Stations. Being repealed. Language in 1993.2 & 1993.4 make this section obsolete.</p>	<p>October 13, 2016 – Public Hearing was Conducted and Board Directed Staff to Begin Final Rulemaking Process</p> <p>October 6, 2017 – Approved by Office of Administrative Law.</p> <p>Effective January 1, 2018</p>
1993.4	<p>Termite Monitoring Devices. New section defining termite monitoring devices and providing guidelines for their installation and use.</p>	<p>October 13, 2016 – Public Hearing was Conducted and Board Directed Staff to Begin Final Rulemaking Process</p> <p>October 6, 2017 – Approved by Office of Administrative Law.</p> <p>Effective January 1, 2018</p>
1996	Pre-Treatment - Specifies Pre-Treatment Inspection Report/Notice of Intent form.	August 30, 1996 - Public Hearing. Amendment was not adopted. Board referred to Pre-Treatment Committee.
	Inspection Report – Includes a first page of the Inspection Report for scanning purposes.	August 13, 1998 – Approved by the Office of Administrative Law.

<p>1996</p> <p>1996.2</p>	<p>Requirements for Reporting All Inspections Under Section 8516(b).</p> <p>Revised Inspection Report Form and Standard Notice of work Completed and Not Completed.</p>	<p>January 18, 2002 Public Hearing - Board voted to adopt. Form Rev. date completed 1-15-03. April 4, 2003 Board again voted to adopt regulatory lang. Noticed for Public Hearing July 15, 2005. December 30, 2005 - Approved by the Office of Administrative Law.</p> <p>December 16, 2002 - Approved by the Office of Administrative Law.</p>
<p>1996.1</p>	<p>Inspection and Completion Tags - The completion tag shall include the method(s) of treatment.</p> <p>Completion tag to include the trade name of any pesticide used and active ingredient.</p>	<p>July 18, 2003 Public Hearing - Board members voted to adopt. Rulemaking file placed on hold due to Executive Order. Approved by Office of Administrative Law August 12, 2004</p> <p>Noticed for Public Hearing January 21, 2010 Public hearing held January 21, 2010 - Board voted to adopt. May 18, 2010, Rulemaking File submitted to DPR for approval. September 23, 2010 DPR returned package with approval signatures. September 30, 2010 Rulemaking File submitted to OAL. November 8, 2010 approved by OAL.</p>
<p>1996.2</p>	<p>Completion Notice - Includes a first page of the Completion Notice for scanning purposes.</p> <p>Revised Completion Notice Form.</p>	<p>August 13, 1998 - Approved by the Office of Administrative Law.</p> <p>January 18, 2002 Public Hearing - Adopted by the Board. December 16, 2002 - Approved by the Office of Administrative Law.</p>

<p>1996.3</p>	<p>Requirements for Reporting property addresses. Adopt new language that will provide guidelines of what is required when filing the WDO form with the Board.</p> <p>Increase filing fee to \$2.00 on form</p> <p>Increase filing fee to \$2.50 on form</p>	<p>March 17, 2003 Rulemaking file on hold due to Executive Order. July 18, 2003 Public Hearing - Board voted to adopt after a 15-Day Notice of modified language. Approved by Office of Administrative Law July 13, 2004</p> <p>Noticed for Public Hearing July 24, 2009 July 24, 2009 – Board voted to adopt. Sept. 3, 2009 – Rulemaking file submitted to DCA for review. January 21, 2010, Board considered 15-day comments to increase fee to \$2.50. Board voted to adopt at \$2.50 per activity. May 20, 2010 Office of Administrative Law approves Rulemaking File to increase fee to \$2.50 effective July 1, 2010.</p>
<p>1997</p>	<p>Filing Fee – Inspection Reports and Completion Notices.</p> <p>Filing Fee – Inspection Reports and Completion Notices – Fee increase.</p>	<p>October 15, 1996 – Approved by the Office of Administrative Law.</p> <p>December 16, 1998 – Public Hearing Adopted by Board. Rulemaking file not submitted based on recommendations from DCA that fee increase not necessary to fund condition.</p> <p>December 16, 1999 – Non-substantive change without regulatory effect filed with the Office of Administrative Law.</p> <p>January 28, 2000 - Approved by the Office of Administrative Law.</p>

<p>1997</p>	<p>WDO Activity Filing Fee.</p>	<p>Noticed for Public Hearing July 24, 2009 July 24, 2009 Board voted to adopt. Sept. 3, 2009 – Rulemaking file submitted to DCA for review.</p> <p>Dec. 28, 2009 – Board passed unanimously to modify language with a 15-Day Notice. Notice mailed on December 29, 2009, final comments due January 13, 2010</p> <p>January 21, 2010, Board considered 15-day comments to increase fee to \$2.50. Board voted to adopt at \$2.50 per activity. May 20, 2010 Office of Administrative Law approves Rulemaking File to increase fee to \$2.50 effective July 1, 2010.</p> <p>April 19, 2018 – Board Approved Language to Raise Fee From \$2.50 to \$3.00 per Property Address Reported</p> <p>May 24, 2018 – Staff Submitted Regulatory Proposal to DCA Legal</p> <p>May 7, 2019 – Approved by OAL. July 1, 2019 Effective Date.</p> <p>July 1, 2019 – Emergency Reg to Raise Fee From \$3.00 to \$4.00 Undergoing DCA Review</p> <p>August 22, 2019 – Emergency Reg Raising Fee to \$4.00 Approved by OAL.</p> <p>September 14, 2020 – Permanently Approved by Office of Administrative Law</p>
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<p>1999.5</p>	<p>Advertising Guidelines.</p>	<p>June 18, 1999 – Public Hearing August 27, 1999 – Modified language mailed November 22, 2001 approved by the Office of Administrative Law. September 24, 2002 non-substantive change without regulatory effect approved by the Office of Administrative Law.</p> <p>October 2007 – Noticed for Public Hearing to amend the current regulation. January 2008 – Board moved to request further analysis by Legal Counsel and staff. June 26, 2008 - Rulemaking file submitted to DCA for Director review.</p>
<p>1999.5 (cont.)</p>	<p>Include an introductory statement to clarify the purpose of the regulation. Clarify that certain subsections pertain only to Branch 3 companies.</p>	<p>September 11, 2008 - Rulemaking file submitted to OAL for approval. October 24, 2008 - Rulemaking file disapproved by OAL. February 19, 2009 – Task Force meeting held to discuss OAL’s disapproval March 2009 – Extension granted by OAL. June 2, 2009 – Resubmittal submitted to DCA for Director review. June 8, 2009 – Resubmittal submitted to OAL for approval. July 17, 2009 – Approved by OAL</p>

§ 1970.4. Pesticide Disclosure Requirement.

(a) The primary contractor for fumigation shall have in his or her possession and shall provide to any subcontractor for fumigation a form (See Form 43M-48 (Rev. 5/07) at the end of this section) signed by the occupants or designated agent of a structure. The primary contractor for fumigation and the subcontractor for fumigation shall retain a copy of the occupants fumigation notice for a period of at least three years. In case of multiple-family dwellings, the owner, manager or designated agent of the building may obtain signatures and/or verify the notification of the occupants.

The form shall state the name of the pest to be controlled, the pesticide(s)/fumigant(s) proposed to be used, the active ingredient(s) and the health cautionary statement as required under section 8538 of the code. The form shall also state that a lethal gas (poison) will be used in the building on indicated dates and that it is unsafe to return to the building until a certification notice for reentry is posted by the licensed fumigator. The form shall also indicate that the occupant has received the prime contractor's information regarding the procedures for leaving the structure.

The properly signed form or a copy, written or electronic, thereof shall be in the possession of the licensed fumigator when the fumigant is released. Such form shall be attached to and become a permanent part of the fumigation log upon completion of the fumigation.

~~(b) Any death or serious injury relating to pesticide application or use, whether to a worker or member of the public, shall be reported to the nearest Structural Pest Control Board office immediately.~~

~~(c) Whenever a licensee employed by a branch 2 or branch 3 registered company applies a pesticide within, around or to any structure such person shall leave in a conspicuous location a written notice identifying the common, generic or chemical name of each pesticide applied. In case of a multiple family structure, such notice may be given to the designated agent or the owner. Such pesticide identification notice may be a door hanger, invoice, billing statement or other similar written document which contains the registered company's name, address, and telephone number.~~

~~(d) All pest control operators, field representatives, applicators and employees in all branches shall comply in every respect with the requirements of section 8538 of the code. Failure to comply with section 8538 of the code is a misdemeanor and shall constitute grounds for discipline.~~

~~(e) Where notification is required under section 8538 of the code, and the premises on which the work is to be performed is a multiple family dwelling consisting of more than 4 units, the owner/owner's agent shall receive notification and other notices shall be posted in heavily frequented, highly visible areas including, but not limited to, all mailboxes, manager's apartment, in all laundry rooms, and community rooms on all external pest control servicing. Complexes with fewer than 5 units will have each affected unit notified. Any pest control servicing done within a tenant's apartment requires that the tenant be notified according to section 8538 of the code.~~

~~(f) A registered company which applies any pesticide within, around or to any structure shall provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied.~~

§ 1970.41 Pesticide Pre-Application Notice

In the pre-application pesticide notice, "conspicuous place" as it is used in section 8538 of the code, means heavily frequented areas, including, but not limited to: the on-site manager's office or unit, and all multi-unit or cluster mailboxes, laundry rooms, and community rooms.

§ 1970.42 Pesticide Post-Application Notice Requirements,

(a) In addition to notification required by section 8538 of the code, whenever a licensee employed by a registered Branch 2 or Branch 3 company has applied or used a pesticide the licensee must provide a post-application notice immediately after the service visit as follows:

(1) When applied around or to the exterior of any structure, the post-application notice must be provided in writing or electronically to the owner or owner's agent.

(2) When applied to the interior of a unit within a multi-unit residential structure the post-application notice must be provided in writing and left in a visible location on the door of the unit, or within the unit in a location that is visible to the occupant immediately upon entry.

(3) When applied to the interior of a commercial, industrial, or single-family residential structure, the notice must be provided in writing or electronically to the owner or owner's agent.

(b) The post-application notice specified in (a) may be a door hanger, invoice, billing statement or other similar document and must include:

(1) The common, generic or chemical name of each pesticide applied;

(2) The date of service; and

(3) The registered company's name, address, and telephone number.

(c) A registered company which applies any pesticide within, around or to any structure shall provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied.

§ 1970.43 Reporting Death or Serious Injury.

Any death or serious injury relating to a pesticide application or use, whether to the owner, an employee of the registered structural pest control company, or a member of the public, must be reported immediately to both the Structural Pest Control Board office and the County Agricultural Commissioner's office in the county where the pesticide application occurred.



AB-1788 Pesticides: use of second generation anticoagulant rodenticides. (2019-2020)

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Date Published: 09/30/2020 02:00 PM

Assembly Bill No. 1788

CHAPTER 250

An act to amend Section 12978.7 of the Food and Agricultural Code, relating to pesticides.

[Approved by Governor September 29, 2020. Filed with Secretary of State September 29, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1788, Bloom. Pesticides: use of second generation anticoagulant rodenticides.

Existing law regulates the use of pesticides and authorizes the Director of Pesticide Regulation to adopt regulations to govern the possession, sale, or use of any pesticide, as prescribed. Existing law prohibits the use of any pesticide that contains one or more of specified anticoagulants in wildlife habitat areas, as defined. Existing law exempts from this prohibition the use of these pesticides for agricultural activities, as defined. Existing law requires the director, and each county agricultural commissioner under the direction and supervision of the director, to enforce the provisions regulating the use of pesticides. A violation of these provisions is a misdemeanor.

This bill, the California Ecosystems Protection Act of 2020, would additionally prohibit the use of any second generation anticoagulant rodenticide, as defined, in this state until the director certifies to the Secretary of State that, among other things, the Department of Pesticide Regulation has completed a reevaluation of second generation anticoagulant rodenticides and the Department of Pesticide Regulation, in consultation with the Department of Fish and Wildlife, has adopted any additional restrictions necessary to ensure that continued use of second generation anticoagulant rodenticides is not reasonably expected to result in significant adverse effects to nontarget wildlife, as provided. The bill would expand the exemption for agricultural activities to include activities conducted in certain locations. The bill would also exempt from its provisions the use of second generation anticoagulant rodenticides in certain locations and under specified conditions, including use by any governmental agency employee for public health activities, use by a mosquito or vector control district to protect the public health, use for the eradication of nonnative invasive species inhabiting or found to be present on offshore islands in a manner that is consistent with all otherwise applicable federal and state laws and regulations, use to control an actual or potential rodent infestation associated with a public health need, and use for research purposes related to the above-described reevaluation.

By imposing additional duties on county agricultural commissioners, and expanding the definition of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Wildlife, including birds of prey, mountain lions, bobcats, fishers, foxes, coyotes, and endangered species such as the northern spotted owl, pacific fisher, and San Joaquin kit fox, are an irreplaceable part of California's natural ecosystems. As predators of small mammals, they play an important role in regulating and controlling the population of rodents throughout the state to improve public health and welfare.

(2) Millions of people annually visit California for the purposes of viewing and photographing wildlife, and these visits contribute millions of dollars to California's economy.

(3) Urban areas are increasingly being used by predatory mammals and birds of prey and the public enjoys seeing them and values these animals and the ecosystem services they provide.

(4) The ecosystem services provided by native wildlife predators are a public trust, just like clean air and water. We, as California residents, are obligated to conserve these wildlife populations for future generations of Californians.

(5) Scientific research and state studies have found rodenticides in over 75 percent of animals tested. These rodenticides lead to direct mortality and chronic long-term health impacts for natural predators, nontarget organisms, and endangered species and further steps are needed to reduce rodenticide exposure in nontarget animals.

(6) While all anticoagulant rodenticides have a harmful impact on nontarget animals, second generation anticoagulant rodenticides (SGARs) are particularly dangerous to nontarget wildlife as SGARs are higher potency than prior generations and a single dose has a half-life of more than 100 days in a rodent's liver. Due to high toxicity and concern for impact on nontarget wildlife, the Department of Pesticide Regulation banned consumer sales and use of SGARs in 2014, restricting their purchase and use to certified pesticide applicators.

(7) Despite the 2014 regulations issued by the Department of Pesticide Regulation, scientific research and state studies have found no significant reduction in the number of nontarget wildlife with detectable levels of SGARs in their system. From 2014 through 2018, the Department of Fish and Wildlife found SGARs in more than 90 percent of tested mountain lions, 88 percent of tested bobcats, 85 percent of protected Pacific fishers tested, and 70 percent of northern spotted owls tested. Such data indicates that a consumer sales and use ban of SGARs has been insufficient to reduce rodenticide exposure in nontarget animals and further steps must be taken.

(8) Rodenticides can be counterproductive to rodent control by poisoning, harming, and killing natural predators that help regulate rodent populations throughout California.

(9) The use of pesticides and rodenticides to reduce or eliminate nonnative invasive species inhabiting or found to be present on offshore islands is critically important for the environmental and ecosystem health of these islands, and for allowing federally and state-listed endangered and threatened species, including species presumed extinct or on the verge of extinction, to recover and propagate back to population levels that existed before the presence of these nonnative invasive species and for avoiding federal or state listing of native and endemic species due to their displacement by nonnative invasive species.

(b) It is the intent of the Legislature in enacting this act to ensure that aquatic, terrestrial, and avian wildlife species remain a fully functional component of the ecosystems they inhabit and move through in California.

(c) This act shall be known, and may be cited, as the California Ecosystems Protection Act of 2020.

SEC. 2. Section 12978.7 of the Food and Agricultural Code is amended to read:

12978.7. (a) For purposes of this section, the following terms have the following meanings:

(1) "Second generation anticoagulant rodenticide" means any pesticide product containing any of the following active ingredients:

- (A) Brodifacoum.
- (B) Bromadiolone.
- (C) Difenacoum.
- (D) Difethalone.

(2) "Wildlife habitat area" means any state park, state wildlife refuge, or state conservancy.

(b) Except as provided in subdivision (e), and notwithstanding subdivision (c), the use of any second generation anticoagulant rodenticide is prohibited in a wildlife habitat area.

(c) Except as provided in subdivision (e) or (f), the use of any second generation anticoagulant rodenticide is prohibited in this state until the director makes the certification described in subdivision (g).

(d) State agencies are directed to encourage federal agencies to comply with subdivisions (b) and (c).

(e) This section does not apply to any of the following:

(1) The use of second generation anticoagulant rodenticides by any governmental agency employee who complies with Section 106925 of the Health and Safety Code, who uses second generation anticoagulant rodenticides for public health activities.

(2) The use of second generation anticoagulant rodenticides otherwise prohibited by this section when used by any governmental agency employee for the purposes of protecting water supply infrastructure and facilities in a manner that is consistent with all otherwise applicable federal and state laws and regulations.

(3) The use of second generation anticoagulant rodenticides by a mosquito or vector control district formed under Chapter 1 (commencing with Section 2000) of Division 3 or Chapter 8 (commencing with Section 2800) of Division 3 of the Health and Safety Code to protect the public health.

(4) The use of any second generation anticoagulant rodenticides for the eradication of nonnative invasive species inhabiting or found to be present on offshore islands in a manner that is consistent with all otherwise applicable federal and state laws and regulations.

(5) The use of any department-registered second generation anticoagulant rodenticide to control an actual or potential rodent infestation associated with a public health need, as determined by a supporting declaration from the State Public Health Officer or a local public health officer. For purposes of this section, a public health need is an urgent, nonroutine situation posing a significant risk to human health in which it is documented that other rodent control alternatives, including nonchemical alternatives, are inadequate to control the rodent infestation.

(6) The use of any department-registered second generation anticoagulant rodenticide for research purposes related to the reevaluation described in paragraph (1) of subdivision (g). Before using a department-registered second generation anticoagulant in the manner described in this paragraph, a written authorization for research shall be obtained from the director. The director may specify the conditions in the authorization for research under which the research shall be conducted. The director may terminate, amend, or refuse to issue an authorization for research if the director determines any of the following:

(A) The research may involve a hazard to the environment.

(B) The research may be used for purposes unrelated to pesticide data development.

(C) A violation of the authorization for research, prior authorization for research, or Division 6 (commencing with Section 11401) or this division, or a regulation adopted pursuant to either or both of those divisions, has occurred in connection with the research.

(f) (1) This section does not apply to the use of second generation anticoagulant rodenticides in either of the following locations:

(A) A medical waste generator, as defined in Section 117705 of the Health and Safety Code.

(B) A facility registered annually and subject to inspection under Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360 et seq.) and compliant with the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 135 et seq.).

(2) This section does not apply to the use of second generation anticoagulant rodenticides for agricultural

activities, as defined in Section 564.

(3) For purposes of paragraph (2), "agricultural activities" include activities conducted in any of the following locations:

(A) A warehouse used to store foods for human or animal consumption.

(B) An agricultural food production site, including, but not limited to, a slaughterhouse or cannery.

(C) A factory, brewery, or winery.

(D) An agricultural production site housing water storage and conveyance facilities.

(E) An agricultural production site housing rights-of-way and other transportation infrastructure.

(g) After the director determines that all of the following conditions have occurred, the director shall certify to the Secretary of State of that determination:

(1) The department has completed the reevaluation of second generation anticoagulant rodenticides, as commenced by the department on March 12, 2019, pursuant to California Notice 2019-03 "(Notice of Final Decision to Begin Reevaluation of Second Generation Anticoagulant Rodenticides)."

(2) Consistent with the requirements of this division and regulations adopted pursuant to this division, the department has adopted any additional restrictions necessary to ensure that continued use of second generation anticoagulant rodenticides is not reasonably expected to result in significant adverse effects to nontarget wildlife and those restrictions are operative. Any restrictions described in this paragraph shall be developed in consultation with the Department of Fish and Wildlife.

(3) The Department of Fish and Wildlife determines that control or eradication of invasive rodent populations is necessary for the protection of threatened or endangered species or their habitats and requires the use of a second generation anticoagulant rodenticide.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



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AB-2028 State agencies: meetings. (2019-2020)

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AMENDED IN SENATE AUGUST 20, 2020

AMENDED IN SENATE JULY 28, 2020

AMENDED IN SENATE JULY 08, 2020

AMENDED IN ASSEMBLY JUNE 04, 2020

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 2028

Introduced by Assembly Member Aguiar-Curry
(Coauthor: Assembly Member Gonzalez)

January 30, 2020

An act to amend ~~Sections 11125 and~~ [Section](#) 11125.7 of the Government Code, relating to public meetings.

LEGISLATIVE COUNSEL'S DIGEST

AB 2028, as amended, Aguiar-Curry. State agencies: meetings.

~~Existing law, the Bagley-Keene Open Meeting Act, requires that all meetings of a state body, as defined, be open and public, and that all persons be permitted to attend any meeting of a state body, except as otherwise provided in that act. Existing law requires the state body to provide notice of its meeting, including specified information and a specific agenda of the meeting, as provided, to any person who requests that notice in writing and to make that notice available on the internet at least 10 days in advance of the meeting.~~

~~This bill would, except for closed sessions, require that this notice include all writings or materials provided for the noticed meeting to a member of the state body by staff of a state agency, board, or commission, or another member of the state body, that are in connection with a matter subject to discussion or consideration at the meeting. The bill would prescribe requirements to be satisfied in order for these writings or materials to be distributed or discussed. The bill would generally require that these writings and materials be made available on the body's internet website no later than the first business day after they are provided to members of the state body or at least 48 hours in advance of the meeting, whichever is earlier, and to be provided immediately upon written request. If the writings or materials are provided to the members of the state body by another state body after this 48-hour deadline, the bill would require that they be posted on the body's internet website no later than the first business day, but prior to the meeting of the state body, following the dissemination of the writings and materials to the members of the state body, and made available immediately upon written request.~~

~~The bill would except writings or materials relating to matters to be discussed in a closed session and state financial materials, as defined, that put the Treasurer, or specified entities for which the Treasurer serves as chairperson, at a competitive disadvantage in financial transactions from its requirements. The bill would authorize a state body to post and provide additional time-sensitive materials related to certain active legislation, as specified, and changing financial market conditions as they become available, as specified. Upon receipt of a written request, the bill would require that these writings or materials be provided immediately.~~

Existing law, *the Bagley-Keene Open Meeting Act*, requires that a state body provide an opportunity for members of the public to directly address the body on each agenda item. Existing law exempts from this requirement, among other things, an agenda item that has already been considered by a committee composed exclusively of members of the state body at a public meeting where members of the public were afforded an opportunity to address the committee on the item.

This bill would delete this exception, thereby making the requirement to provide an opportunity to address the state body applicable to an agenda item for which the public had an opportunity to address it at a public meeting of a committee of the state body.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following:

(a) The Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) (hereafter "Bagley-Keene") was intended to implement Section 3 of Article I of the California Constitution, which states in part, "The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny."

(b) Bagley-Keene was written to protect public meetings and public notice and to ensure the transparency of actions taken by state agencies, boards, and commissions.

(c) Californians have the right to participate in state body deliberations. This includes the public's ability to comment on all agenda items discussed at a meeting of the state body, regardless of whether an item has been discussed previously in a committee of the state body.

(d) The purpose of public notice is so that state bodies give the public adequate time for review of the substance of a state body meeting and for comment.

(e) Public notice must also include any writings or materials provided by a state body's staff or by a member of the state body to other members of the state body for a noticed meeting of the body.

(f) Bagley-Keene affirms these rights by stating in Section 11120 of the Government Code, "The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."

~~SEC. 2. Section 11125 of the Government Code is amended to read:~~

~~11125.(a)The state body shall provide notice of its meeting to any person who requests that notice in writing. Notice shall be given and also made available on the internet website at least 10 days in advance of the meeting, and shall include the name, address, and telephone number of any person who can provide further information prior to the meeting, but need not include a list of witnesses expected to appear at the meeting. The written notice shall additionally include the address of the internet website where notices required by this article are made available.~~

~~(b)The notice of a meeting of a body that is a state body shall include a specific agenda for the meeting, containing a brief description of the items of business to be transacted or discussed in either open or closed session. A brief general description of an item generally need not exceed 20 words. A description of an item to be transacted or discussed in closed session shall include a citation of the specific statutory authority under which a closed session is being held. No item shall be added to the agenda subsequent to the provision of this notice, unless otherwise permitted by this article.~~

~~(c)(1)Any notice provided pursuant to subdivision (a) shall include all writings or materials provided for the noticed meeting to a member of the state body by the staff of that state agency, board, or commission, or another member of the state body, that are in connection with a matter subject to discussion or consideration at the meeting. A state body may distribute or discuss writings or materials only to the extent that it has complied with the applicable requirements of this subdivision.~~

~~(2)(A)The writings or materials to be considered at a noticed meeting and provided to members of the state body in advance of the meeting shall be made available on the body's internet website no later than the first business day following the dissemination of the writings and materials to members of the state body or at least 48 hours in advance of the meeting, whichever is earlier. Upon receipt of a written request for writings or materials provided to members of the state body in advance of the meeting, a state body shall provide them immediately.~~

~~(B)Any writings or materials provided to the members of the state body by another state body after the time periods described in subparagraph (A) have passed shall be posted on the body's internet website no later than the first business day, but prior to the meeting of the state body, following the dissemination of the writings and materials to the members of the state body. Upon receipt of a written request, these writings or materials shall be provided immediately. A state body that satisfies the requirements of this subparagraph may discuss these writings and materials at an otherwise properly noticed meeting.~~

~~(3)(A)This subdivision does not apply to writings or materials prepared for a matter to be discussed in a closed session of the state body or to state financial materials that put the Treasurer, or any of the boards, authorities, commissions, committees, and councils for which the Treasurer serves as chairperson, at a competitive disadvantage in financial transactions.~~

~~(B)For purposes of this paragraph, "financial materials" mean documents related to bonds, loans, and grants.~~

~~(4)If the writings or materials described in paragraph (1) on an agenda for discussion at a meeting of the state body are related to legislation that is before the Legislature in a current legislative session or are related to changing financial market conditions, a state body shall satisfy the requirements of this subdivision by posting on its internet website the writings and materials related to the legislation or the changing market conditions as they become available after the time periods described in paragraph (2). Upon receipt of a written request, these writings or materials shall be provided immediately. The state body shall make clear what date the new or changed writings or materials are posted and, when applicable, what changes have been made in the writings or materials.~~

~~(d)Notice of a meeting of a state body that complies with this section shall also constitute notice of a meeting of an advisory body of that state body, provided that the business to be discussed by the advisory body is covered by the notice of the meeting of the state body, provided that the specific time and place of the advisory body's meeting is announced during the open and public state body's meeting, and provided that the advisory body's meeting is conducted within a reasonable time of, and nearby, the meeting of the state body.~~

~~(e)A person may request, and shall be provided, notice pursuant to subdivision (a) for all meetings of a state body or for a specific meeting or meetings. In addition, at the state body's discretion, a person may request, and may be provided, notice of only those meetings of a state body at which a particular subject or subjects specified in the request will be discussed.~~

~~(f)A request for notice of more than one meeting of a state body shall be subject to the provisions of Section 14911.~~

~~(g)The notice shall be made available in appropriate alternative formats, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof, upon request by any person with a disability. The notice shall include information regarding how, to whom, and by when a request for any disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires these aids or services in order to participate in the public meeting.~~

SEC. 3. SEC. 2. Section 11125.7 of the Government Code is amended to read:

11125.7. (a) Except as otherwise provided in this section, the state body shall provide an opportunity for members of the public to directly address the state body on each agenda item before or during the state body's discussion or consideration of the item. Every notice for a special meeting at which action is proposed to be taken on an item shall provide an opportunity for members of the public to directly address the state body

concerning that item prior to action on the item. In addition, the notice requirement of Section 11125 shall not preclude the acceptance of testimony at meetings, other than emergency meetings, from members of the public if no action is taken by the state body at the same meeting on matters brought before the body by members of the public.

(b) The state body may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public comment on particular issues and for each individual speaker.

(c) (1) Notwithstanding subdivision (b), when a state body limits time for public comment the state body shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the state body.

(2) Paragraph (1) shall not apply if the state body utilizes simultaneous translation equipment in a manner that allows the state body to hear the translated public testimony simultaneously.

(d) The state body shall not prohibit public criticism of the policies, programs, or services of the state body, or of the acts or omissions of the state body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

(e) This section is not applicable to any of the following:

(1) Closed sessions held pursuant to Section 11126.

(2) Decisions regarding proceedings held pursuant to Chapter 5 (commencing with Section 11500), relating to administrative adjudication, or to the conduct of those proceedings.

(3) Hearings conducted by the California Victim Compensation Board pursuant to Sections 13963 and 13963.1.

(4) Agenda items that involve decisions of the Public Utilities Commission regarding adjudicatory hearings held pursuant to Chapter 9 (commencing with Section 1701) of Part 1 of Division 1 of the Public Utilities Code. For all other agenda items, the commission shall provide members of the public, other than those who have already participated in the proceedings underlying the agenda item, an opportunity to directly address the commission before or during the commission's consideration of the item.



SB-878 Department of Consumer Affairs: license: application: processing timeframes. (2019-2020)

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Date Published: 09/24/2020 09:00 PM

Senate Bill No. 878

CHAPTER 131

An act to add Section 139.5 to the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 24, 2020. Filed with Secretary of State September 24, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

SB 878, Jones. Department of Consumer Affairs: license: application: processing timeframes.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs.

This bill, beginning July 1, 2021, would require each board within the department that issues licenses to prominently display on its internet website, on at least a quarterly basis, either the current average timeframes for processing initial and renewal license applications or the combined current average timeframe for processing both initial and renewal license applications. The bill would also require each board to prominently display on its internet website, on at least a quarterly basis, either the current average timeframes for processing each license type that the board administers or the combined current average timeframe for processing all license types that the board administers.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 139.5 is added to the Business and Professions Code, to read:

139.5. Beginning July 1, 2021, each board, as defined in Section 22, within the department that issues a license shall do both of the following on at least a quarterly basis:

(a) Prominently display on its internet website one of the following:

(1) The current average timeframes for processing initial and renewal license applications.

(2) The combined current average timeframe for processing both initial and renewal license applications.

(b) Prominently display on its internet website one of the following:

(1) The current average timeframes for processing each license type that the board administers.

(2) The combined current average timeframe for processing all license types that the board administers.

March 2021

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July 2021

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

October 2021

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31