

CS FOR HOUSE BILL NO. 222(L&C) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Amended: 4/27/17

Offered: 4/24/17

Sponsor(s): REPRESENTATIVES CLAMAN, Birch, Drummond

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the licensure of nail technicians; relating to the practice of
2 manicuring; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 08.13.040 is amended to read:

5 **Sec. 08.13.040. Meetings and examinations.** The board shall meet as often as
6 necessary to conduct its business. It shall conduct separate examinations covering the
7 following fields of practice: barbering, hairdressing, **advanced** manicuring, and
8 esthetics. Examinations shall be given at least twice in every year for each of these
9 fields of practice for which applications for licensure **or endorsements** are pending.
10 An applicant may take an examination in more than one field during the same testing
11 session. **The board may not require an applicant for licensure as a manicurist to**
12 **take or pass an examination conducted by the board for the field of manicuring;**
13 **however, nothing in this sentence prohibits the board from requiring a licensed**
14 **manicurist to pass an examination to obtain an optional endorsement as an**

1 **advanced manicurist under AS 08.13.080(f).**

2 * **Sec. 2.** AS 08.13.080(a) is amended to read:

3 (a) An applicant for an examination authorized under AS 08.13.040 must

4 (1) have successfully completed all courses that a school with a
5 curriculum in barbering approved by the board is required to teach in order to be
6 licensed under AS 08.13.110 if applying for a license to practice barbering;

7 (2) have successfully completed all courses that a school with a
8 curriculum in hairdressing approved by the board is required to teach to be licensed
9 under AS 08.13.110 if applying for a license to practice hairdressing;

10 (3) have successfully completed all courses that a school with a
11 curriculum in esthetics approved by the board is required to teach in order to be
12 licensed under AS 08.13.110 if applying for a license to practice esthetics;

13 (4) [HAVE SUCCESSFULLY COMPLETED 250 HOURS OF
14 INSTRUCTION IN MANICURING FROM A SCHOOL OF MANICURING OR
15 HAIRDRESSING LICENSED UNDER AS 08.13.110 IF APPLYING FOR A
16 LICENSE TO PRACTICE MANICURING;

17 (5)] have served an apprenticeship under AS 08.13.082;

18 ~~(5)~~ [(6)] specify the field of practice in which the applicant intends to
19 teach and have held a license to practice in the field for three years or have held a
20 license in the field for one year and have completed 600 hours of student training as an
21 instructor in the field of practice from a licensed school with a curriculum approved by
22 the board if applying for a license as an instructor **except that a person licensed as an**
23 **instructor in hairdressing may be an instructor in manicuring for courses that**
24 **satisfy the requirement of (e) of this section, and the board may, by regulation,**
25 **establish requirements for other manicuring instructors, including instructors**
26 **who teach courses that satisfy requirements for an advanced manicurist**
27 **endorsement**; or

28 (6) [(7)] have completed course work and, if applicable, an
29 apprenticeship acceptable to the board.

30 * **Sec. 3.** AS 08.13.080 is amended by adding new subsections to read:

31 (e) An applicant for a license to practice manicuring shall

1 (1) submit documentation that the applicant has completed a course of
 2 12 hours of instruction or training approved by the board that addresses health, safety,
 3 and hygiene concerns of manicuring customers and practitioners that are relevant to
 4 the practice of manicuring from a school licensed under AS 08.13.110 as a school of
 5 manicuring; documentation of completion of the course must include certification
 6 from the school that the applicant has passed a test given by the school covering the
 7 health, safety, and hygiene concerns of manicuring customers and practitioners that
 8 are relevant to the practice of manicuring; and

9 (2) pay the appropriate fee.

10 (f) An applicant for an endorsement to a license to practice manicuring
 11 indicating that the person is an advanced manicurist shall

12 (1) hold, or be approved for, a current license issued under this chapter
 13 for manicuring;

14 (2) request the endorsement;

15 (3) submit documentation from a licensed school of manicuring or
 16 hairdressing certifying completion of 250 hours of instruction in manicuring that meet
 17 the requirements of AS 08.13.110(e);

18 (4) pass an examination given by the board for advanced manicurists;
 19 and

20 (5) pay the appropriate fee.

21 * **Sec. 4.** AS 08.13.100(a) is amended to read:

22 (a) The board shall authorize the issuance of a license for the practice of
 23 barbering, hairdressing, [MANICURING,] or esthetics to each qualified applicant who
 24 has passed an examination under AS 08.13.090 and meets other applicable
 25 requirements under this chapter. The board shall authorize the issuance of a license for
 26 the practice of tattooing and permanent cosmetic coloring or for body piercing to each
 27 applicant who has satisfied the requirements of AS 08.13.080(d). **The board shall**
 28 **authorize the issuance of a license to practice manicuring to each applicant who**
 29 **has satisfied the requirements of AS 08.13.080(e). The board shall authorize the**
 30 **issuance of an endorsement to a license to practice manicuring indicating that the**
 31 **person is an advanced manicurist to each applicant who has satisfied the**

1 **requirements of AS 08.13.080(f).**

2 * **Sec. 5.** AS 08.13.100(d) is amended to read:

3 (d) A person who holds a current valid license from a board of barbering,
4 hairdressing, manicuring, or esthetics in another state or who is licensed by another
5 state to practice tattooing and permanent cosmetic coloring or to practice body
6 piercing is entitled to a license **or endorsement** under this chapter without
7 examination or a new period of training in this state. An application must include

8 (1) proof of a valid license issued by another licensing jurisdiction; and

9 (2) proof of completed training, testing, and working experience that
10 the board finds to meet the minimum requirements of this state.

11 * **Sec. 6.** AS 08.13.110 is amended by adding new subsections to read:

12 (d) The board shall issue a license to a school of manicuring if it offers a
13 curriculum of 12 hours of instruction or training approved by the board that addresses
14 health, safety, and hygiene concerns of manicuring customers and practitioners that
15 are relevant to the practice of manicuring. A school of manicuring may offer
16 instruction in addition to the 12 hours required for a license, but the board may not
17 issue a license to a school of manicuring if the school requires its students to complete
18 more than 12 hours of the required instruction or training in health, safety, and
19 hygiene concerns before the school will certify that the student has completed the
20 school's manicuring course for purposes of AS 08.13.080(e).

21 (e) A school of manicuring may seek approval from the board for a curriculum
22 designed to qualify students for an advanced manicurist endorsement. The board shall
23 establish the curriculum requirements applicable under this subsection through its
24 authority under (a) of this section.

25 * **Sec. 7.** AS 08.13.160(d) is amended to read:

26 (d) The licensing and permit provisions of this chapter do not apply to

27 (1) a person practicing barbering, hairdressing, manicuring, or
28 esthetics in a community having a population of less than 1,000 people that is not
29 within 25 miles of a community of more than 1,000 people and who uses only
30 chemicals available to the general public;

31 (2) a licensed health care professional;

1 (3) a person licensed by another licensing jurisdiction in a field of
 2 practice licensed by this chapter while demonstrating techniques or products to
 3 persons holding licenses or permits under this chapter;

4 (4) a person practicing tattooing and permanent cosmetic coloring or
 5 body piercing solely on the person's own body;

6 **(5) the practice of manicuring by a student as part of instruction in**
 7 **a 12-hour course approved under AS 08.13.110(d).**

8 * **Sec. 8.** AS 08.13.175 is amended to read:

9 **Sec. 08.13.175. Temporary license.** A person who meets the requirements of
 10 AS 08.13.080(a)(1), (2), (3), (4), [(5),] or **(6)** [(7)] is entitled to be temporarily licensed
 11 after applying for examination under this chapter if the applicant works under the
 12 direct supervision, and within the physical presence, of a person who is licensed in the
 13 area of practice for which the applicant has applied for examination. A temporary
 14 license issued under this section is valid for 120 days and is nonrenewable. A person
 15 may not receive more than one temporary license for each area of practice licensed
 16 under this chapter. An application for a temporary license must be signed by the
 17 supervising licensee and accompanied by the temporary license fee required under
 18 AS 08.13.185.

19 * **Sec. 9.** AS 08.13.185(a) is amended to read:

20 (a) The Department of Commerce, Community, and Economic Development
 21 shall set fees under AS 08.01.065 for initial licenses and renewals for the following:

- 22 (1) schools;
- 23 (2) school owners;
- 24 (3) instructor;
- 25 (4) shop owner;
- 26 (5) practitioner of barbering;
- 27 (6) practitioner of hairdressing;
- 28 (7) practitioner of manicuring;
- 29 (8) practitioner of esthetics;
- 30 (9) practitioner of tattooing and permanent cosmetic coloring;
- 31 (10) practitioner of body piercing;

- 1 (11) temporary shop license;
- 2 (12) temporary permit;
- 3 (13) temporary license;
- 4 (14) student permit;
- 5 **(15) endorsement for advanced manicuring.**
- 6 * **Sec. 10.** AS 08.13.082(e) is repealed.
- 7 * **Sec. 11.** Section 13, ch. 27, SLA 2015, is repealed.
- 8 * **Sec. 12.** This Act takes effect immediately under AS 01.10.070(c).