

**ALASKA STATE LEGISLATURE
HOUSE RULES STANDING COMMITTEE**

April 17, 2018

1:04 p.m.

MEMBERS PRESENT

Representative Gabrielle LeDoux, Chair
Representative Matt Claman, Vice Chair
Representative Sam Kito
Representative Louise Stutes
Representative Mike Chenault
Representative David Eastman
Representative Lora Reinbold

MEMBERS ABSENT

Representative Charisse Millett (alternate)
Representative Chris Tuck (alternate)

COMMITTEE CALENDAR

CS FOR SS FOR SENATE BILL NO. 4 (FIN) AM
"An Act relating to the Board of Barbers and Hairdressers;
relating to a limited license to practice non-chemical
barbering; relating to a license to practice hair braiding;
relating to the Department of Environmental Conservation; and
providing for an effective date."

- MOVED HCS CSSSSB 4 (RLS) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 4

SHORT TITLE: NON-CHEMICAL BARBERING; HAIR BRAIDING

SPONSOR(s): SENATOR(s) MICCICHE

01/18/17	(S)	PREFILE RELEASED 1/9/17
01/18/17	(S)	READ THE FIRST TIME - REFERRALS
01/18/17	(S)	L&C, FIN
02/17/17	(S)	SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
02/17/17	(S)	L&C, FIN
03/02/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/02/17	(S)	Heard & Held
03/02/17	(S)	MINUTE(L&C)
03/14/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/14/17	(S)	Moved SSSB 4 Out of Committee

03/14/17 (S) MINUTE (L&C)
03/15/17 (S) L&C RPT 1DP 4NR
03/15/17 (S) DP: COSTELLO
03/15/17 (S) NR: HUGHES, MEYER, STEVENS, GARDNER
04/14/17 (S) FIN WAIVED PUBLIC HEARING NOTICE, RULE
23
04/15/17 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/15/17 (S) <Bill Hearing Canceled>
04/16/17 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/16/17 (S) -- MEETING CANCELED --
04/17/17 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/17/17 (S) Heard & Held
04/17/17 (S) MINUTE (FIN)
02/02/18 (S) FIN AT 9:00 AM SENATE FINANCE 532
02/02/18 (S) Heard & Held
02/02/18 (S) MINUTE (FIN)
02/05/18 (S) FIN AT 9:00 AM SENATE FINANCE 532
02/05/18 (S) Moved CSSSSB 4 (FIN) Out of Committee
02/05/18 (S) MINUTE (FIN)
02/07/18 (S) FIN RPT CS 4DP SAME TITLE
02/07/18 (S) DP: MACKINNON, BISHOP, STEVENS,
MICCICHE
02/09/18 (S) TRANSMITTED TO (H)
02/09/18 (S) VERSION: CSSSSB 4 (FIN) AM
02/12/18 (H) READ THE FIRST TIME - REFERRALS
02/12/18 (H) L&C, FIN
03/16/18 (H) L&C AT 3:15 PM BARNES 124
03/16/18 (H) <Bill Hearing Canceled>
03/19/18 (H) L&C AT 3:15 PM BARNES 124
03/19/18 (H) Heard & Held
03/19/18 (H) MINUTE (L&C)
03/26/18 (H) L&C AT 3:15 PM BARNES 124
03/26/18 (H) Moved HCS CSSSSB 4 (L&C) AM Out of
Committee
03/26/18 (H) MINUTE (L&C)
03/28/18 (H) L&C RPT HCS (L&C) NT 4DP 3NR
03/28/18 (H) DP: SULLIVAN-LEONARD, WOOL, KNOPP, KITO
03/28/18 (H) NR: STUTES, JOSEPHSON, BIRCH
04/11/18 (H) FIN AT 1:30 PM ADAMS ROOM 519
04/11/18 (H) Moved HCS CSSSSB 4 (L&C) Out of
Committee
04/11/18 (H) MINUTE (FIN)
04/12/18 (H) FIN RPT HCS (L&C) NT 3DP 5NR 1AM
04/12/18 (H) DP: THOMPSON, GRENN, GARA
04/12/18 (H) NR: WILSON, PRUITT, ORTIZ, GUTTENBERG,
TILTON
04/12/18 (H) AM: KAWASAKI

04/17/18

(H)

RLS AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

CERI GODINEZ, Staff
Representative Matt Claman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Explained the changes proposed under the proposed House committee substitute (HCS) for CSSSSB 4, Version 30-LS0078\T, Radford, 4/14/18.

SENATOR PETER MICCICHE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor of SB 4, spoke to the proposed Amendment 1.

ACTION NARRATIVE

[1:04:03 PM](#)

CHAIR GABRIELLE LEDOUX called the House Rules Standing Committee meeting to order at 1:04 p.m. Representatives Chenault, Kito, Claman, Stutes, Reinbold, Eastman, and LeDoux were present at the call to order.

SB 4-NON-CHEMICAL BARBERING; HAIR BRAIDING

[Contains discussion of HB 86 and HB 373.]

[1:04:40 PM](#)

CHAIR LEDOUX announced that the only order of business would be CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 4 (FIN) am, "An Act relating to the Board of Barbers and Hairdressers; relating to a limited license to practice non-chemical barbering; relating to a license to practice hair braiding; relating to the Department of Environmental Conservation; and providing for an effective date." [Before the committee was HCS CSSSSB 4(L&C).]

[1:04:52 PM](#)

REPRESENTATIVE CLAMAN moved to adopt the proposed House committee substitute (HCS) for CSSSSB 4, Version 30-LS0078\T, Radford, 4/14/18, as the working document. There being no objection, Version T was before the committee.

[1:05:32 PM](#)

CERI GODINEZ, Staff, Representative Matt Claman, Alaska State Legislature, explained the changes proposed under Version T. She said Version T would amend HCS CSSSSB 4(L&C), which requires barbershop/hairdressing establishment owners to conspicuously display shop licenses; allows a Department of Environmental Conservation (DEC) standard self-certification process regulated by the Board of Barbers and Hairdressers; creates new license types for braiding and non-chemical barbering; and separates tattooing and permanent cosmetic coloring into two separate licensing, to include HB 86, which repeals current statutes that allow the Alaska Commission on Postsecondary Education to threaten nonrenewal of occupational licenses for individuals who default on their student loans.

MS. GODINEZ listed the following changes: Section 1 of HB 86, now Section 32 of SB 4, would delete language that is no longer necessary after the repeals mentioned in Section 2; and Section 2 of HB 86, now Section 34 of SB 4, would repeal AS 14.43.145(a)(4), which gives authority to the commissioner to provide notice of default to the licensing entity for nonrenewal of a license. She mentioned AS 14.43.148, which indicates that a licensing entity may not renew a license if it has received notice from the commission that a licensee has defaulted on a loan issued by the commission; and AS 21.27.390(d), which references temporary licenses.

[1:07:18 PM](#)

REPRESENTATIVE CHENAULT asked what the repercussions are for removing the ability of the administration or state to "go back against folks that have defaulted on their loans."

MS. GODINEZ answered this authority has not been used by the commission since 2010, generally because the commission has not found it to be an effective way of collecting outstanding debt. She explained, "In the cases where licenses have been revoked, those people have mostly moved out of state and set up practice elsewhere, and ... [the commission has] found wage garnishment to be a much more effective way for collecting outstanding loans."

[1:08:27 PM](#)

CHAIR LEDOUX asked if [Version T] would remove the power from the administration to collect from people in all licensed categories.

MS. GODINEZ answered that is her understanding.

1:09:07 PM

REPRESENTATIVE CHENAULT asked for clarification as to which licenses are being addressed.

1:09:25 PM

REPRESENTATIVE CLAMAN recollected that HB 86 had passed through the House last year. He added, "It's only occupational licenses."

REPRESENTATIVE LEDOUX asked, "Are there any other non-occupational licenses where they grab the license for nonpayment of a student loan?"

REPRESENTATIVE CLAMAN answered he was not aware of any.

MS. GODINEZ noted there are other states that will revoke driver's licenses but offered her understanding that Alaska is not one of them.

1:10:08 PM

REPRESENTATIVE EASTMAN asked, "What is it ... that's so special about this situation where we would need to go and take that extra step?"

MS. GODINEZ answered, "I think the idea behind this bill is to make it so that this situation doesn't occur, because it's been found to be very punitive and has made it, in fact, harder for the commission to achieve its goal, which is collecting outstanding debt." In response to a follow-up question from Representative Eastman and a comment made by Chair LeDoux, she confirmed that the proposed legislation covers all [licenses].

1:11:27 PM

REPRESENTATIVE EASTMAN moved to adopt Amendment 1, labeled 30-LS0078\T.1, Radford, 4/17/18, which read as follows:

Page 1, lines 2 - 3:

Delete "relating to a license to practice hair braiding"

Page 2, line 3:

Delete "hair braiding,"

Page 2, line 25:

Delete "hair braiding,"

Page 3, lines 7 - 8:

Delete "hair braiding,"

Page 3, line 16:

Delete "hair braiding,"

Page 4, line 1:

Delete "hair braiding,"

Page 4, line 5:

Delete "hair braiding,"

Page 4, line 16:

Delete "hair braiding,"

Page 5, line 28, through page 6, line 7:

Delete all material.

Renumber the following bill sections accordingly.

Page 7, lines 17 - 19:

Delete "The board shall authorize the issuance of a license for the practice of hair braiding to each applicant who has satisfied the requirements of AS 08.13.080(g)."

Page 7, line 22:

Delete "hair braiding,"

Page 7, line 28:

Delete "hair braiding,"

Page 8, line 18:

Delete "hair braiding,"

Page 9, line 21:

Delete "hair braiding,"

Page 10, line 4:
Delete "hair braiding,"

Page 10, lines 11 - 14:
Delete all material.

Renumber the following bill sections accordingly.

Page 10, line 18:
Delete "hair braiding,"

Page 11, line 21:
Delete all material.

Renumber the following paragraphs accordingly.

Page 11, line 25:
Delete "hair braiding,"

Page 12, line 3:
Delete "hair braiding,"

Page 13, line 13:
Delete "hair braiding,"

Page 13, line 17:
Delete "hair braiding,"

Page 13, lines 27 - 31:
Delete all material.

Renumber the following paragraphs accordingly.

Page 14, lines 29 - 30:
Delete "hair braiding,"

Page 17, line 15:
Delete "Section 33"
Insert "Section 31"

Page 17, line 16:
Delete "sec. 35"
Insert "sec. 33"

REPRESENTATIVES STUTES and CLAMAN objected.

REPRESENTATIVE EASTMAN spoke to Amendment 1. He mentioned a handout he had given committee members regarding [hair braiding]. He said he spoke with a number of organizations that have encountered other states that have "gone a little excessive in regulating hair braiding," and he expressed concern that Alaska might be tempted to do the same. He said he knows any occupation could be subject to licensing, but he said he doesn't think that would help people get jobs. He said he thinks the occupation of hair braiding is not the same as being a doctor or emergency medical technician (EMT), and he proposed there may be people who "have low income and little in the way of marketable skills" for whom hair braiding may be a means for getting a job, and he said he would not want to hinder that unnecessarily.

[1:13:06 PM](#)

REPRESENTATIVE EASTMAN, in response to Representative Claman, said the handout he provided states it is about hairdressing, but it is really about hair braiding.

[1:13:30 PM](#)

REPRESENTATIVE REINBOLD offered her understanding that the occupation of hair braiding used to require 1,600-2,000 hours [for licensing] but is now down to 35 hours, and she said she would like the 35-hour requirement maintained, because that gives hair braiders credibility; therefore, she said she would not support Amendment 1.

[1:14:00 PM](#)

SENATOR PETER MICCICHE, Alaska State Legislature, as prime sponsor of SB 4, spoke to the proposed Amendment 1. He said the impression has been made today that "we are suddenly regulating hair braiders," but the requirement has been reduced from 1,650 hours "down to spending a week in a shop." He said he wants people to be able to open a shop of their own, employ 40 people, and become "remarkably successful" in this entrance-level job, and he emphasized the importance of learning customer service and public health safety. He stated he does not support Amendment 1. He said, "We have a long-standing tradition to be minimally qualified in this state, and I think following someone around a shop for a week is adequate balance."

[1:15:23 PM](#)

CHAIR LEDOUX asked if that means someone does not have to go to school [to be a hair braider]; he/she can work as an apprentice.

SENATOR MICCICHE answered that is correct.

[1:15:41 PM](#)

REPRESENTATIVE EASTMAN opined that the sponsor is accurate in saying that "we are moving in the right direction with ... the bill, in terms of reducing the hurdles to get this license"; however, Amendment 1 would take this further by removing "the 30 hours and other requirements, as well." He relayed that he had hoped to address this issue in a separate bill; however, that did not happen.

REPRESENTATIVE STUTES maintained her objection to the motion to adopt Amendment 1.

[1:16:22 PM](#)

A roll call vote was taken. Representative Eastman voted in favor of the motion to adopt Amendment 1. Representatives Reinbold, Claman, Stutes, Kito, Chenault, and LeDoux voted against it. Therefore, Amendment 1 failed by a vote of 1-6.

[1:16:55 PM](#)

REPRESENTATIVE CLAMAN moved that the chair rule Amendments 2-6, [in the committee packet, but not offered], out of order, as they are a subject of HB 373, which is currently being heard by the House Special Committee on Military and Veterans' Affairs.

REPRESENTATIVE EASTMAN objected.

[1:17:23 PM](#)

REPRESENTATIVE REINBOLD asked for clarification as to whether the committee is allowed to "bundle" the amendments or must rule them out of order individually.

[1:17:33 PM](#)

CHAIR LEDOUX replied that she thinks [the unoffered Amendments 2-6] relate to the same bill in the House Special Committee on Military and Veterans' Affairs; therefore, she stated, "I'm going to rule that they are out of order."

[1:17:51 PM](#)

REPRESENTATIVE EASTMAN asked, "Is there something in Uniform Rules that would prohibit us from taking up this amendment at this time, or is that more a question of ... tradition that you personally follow?"

[1:18:02 PM](#)

CHAIR LEDOUX answered, "It's the custom and the tradition of the House."

[1:18:24 PM](#)

REPRESENTATIVE CHENAULT expressed curiosity as to what HB 373 addresses. He said he could understand if it applies to "occupational licensing and dealing with military spouses" but questioned whether it addresses the prohibition of municipalities from hiring lobbyists, as in [the unoffered] Amendment 6.

[1:19:05 PM](#)

REPRESENTATIVE CLAMAN said that after communicating with Legislative Legal and Research Services, he came to understand that all the provisions in [Amendments 2-6] are being addressed under HB 373.

CHAIR LEDOUX asked Representative Eastman if he disagrees.

[1:19:18 PM](#)

REPRESENTATIVE EASTMAN answered no. He said HB 373 also deals with other things. He said, "These are portions of policy, and I think they deserve to be treated on their own merits."

[1:19:32 PM](#)

REPRESENTATIVE KITO said he believes that "this rule has been overused in this legislature" and he has grave concerns. He stated his belief that in committee, members have the opportunity to offer amendments, and it is irrelevant whether that amendment is "a specific section that might happen to be in another bill." He said he thinks the committee has the responsibility to hear any amendment that is relevant to the bill before the committee.

[1:20:10 PM](#)

A roll call vote was taken. Representatives Claman, Stutes, Chenault, and LeDoux voted in favor of the motion for the chair to rule Amendments 2-6 out of order. Representatives Eastman, Reinbold, and Kito voted against it. Therefore, the ruling of the chair was upheld by a vote of 4-3.

[1:20:56 PM](#)

REPRESENTATIVE CLAMAN moved to report HCS CSSSSB 4, Version 30-LS0078\T, Radford, 4/14/18, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCS CSSSSB 4(RLS) was reported out of the House Rules Standing Committee.

[1:21:13 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Rules Standing Committee meeting was adjourned at 1:21 p.m.