

Received in the Senate: 1/15/24; Introduced: 1/16/24

Referred: Labor & Commerce

Received in the House: 1/15/24; Introduced: 1/16/24

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EXECUTIVE ORDER NO. 129

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance
2 with AS 24.08.210, I order the following:

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient
6 administration to transfer the functions relating to the licensure, professional standards, and
7 administration of barbers and hairdressers from the Board of Barbers and Hairdressers to the
8 Department of Commerce, Community, and Economic Development. Additionally, with the
9 transfer of these functions, I find there is no longer a need for the Board of Barbers and
10 Hairdressers and its elimination is in the best interests of efficient administration.

11 * **Sec. 2.** AS 08.01.010(7) is amended to read:

12 (7) regulation of barbers and hairdressers under AS 08.13
13 [BOARD OF BARBERS AND HAIRDRESSERS (AS 08.13.010)];

14 * **Sec. 3.** AS 08.01.065(h) is amended to read:

15 (h) Notwithstanding (c) of this section, the department shall establish fee
16 levels under (a) of this section so that the total amount of fees collected by the
17 department [BOARD OF BARBERS AND HAIRDRESSERS] approximately equals
18 the total regulatory costs of the department [, THE BOARD,] and the Department of
19 Environmental Conservation for all occupations regulated by the department under
20 AS 08.13 [BOARD]. For purposes of this subsection, the regulatory costs of the
21 Department of Environmental Conservation for the occupations regulated by the
22 department under AS 08.13 [BOARD] include the cost of inspections under
23 AS 08.13.210(b), the cost of developing and adopting regulations under AS 44.46.020
24 for barbershop, hairdressing, hair braiding, manicuring, esthetics, body piercing, ear
25 piercing, tattooing, and permanent cosmetic coloring establishments, and the cost to
26 the Department of Environmental Conservation of enforcing the regulations for body

1 piercing, tattooing, and permanent cosmetic coloring establishments. The department
 2 shall set the fee levels for the issuance and renewal of a practitioner's license issued
 3 under AS 08.13.100 so that the license and license renewal fees are the same for all
 4 occupations regulated by the **department under AS 08.13** [BOARD OF BARBERS
 5 AND HAIRDRESSERS].

6 * **Sec. 4.** AS 08.13.030 is amended to read:

7 **Sec. 08.13.030. Powers and duties of the department [BOARD].** (a) The
 8 **department** [BOARD] shall exercise general control over the vocations of barbering,
 9 hairdressing, hair braiding, manicuring, esthetics, body piercing, tattooing, and
 10 permanent cosmetic coloring.

11 (b) The **department** [BOARD] shall

12 (1) examine applicants and approve the issuance of licenses and
 13 permits to practice;

14 (2) authorize the issuance of licenses for schools of barbering,
 15 hairdressing, manicuring, and esthetics;

16 (3) develop written instructions and notices that tattooing, permanent
 17 cosmetic coloring, and body piercing shop owners and practitioners are required to
 18 give or display under AS 08.13.215;

19 (4) enforce the provisions of this chapter, regulations adopted under
 20 this chapter, and regulations relating to barbering, hairdressing, hair braiding,
 21 manicuring, and esthetics adopted under AS 44.46.020(a)(5)(C).

22 (c) The **department** [BOARD] may

23 (1) suspend or revoke a license or permit;

24 (2) on its own motion or upon receipt of a written complaint, conduct
 25 hearings and [REQUEST THE]

26 (A) [DEPARTMENT OF COMMERCE, COMMUNITY,
 27 AND ECONOMIC DEVELOPMENT TO] investigate the practices of a
 28 person, shop, or school involved in the practice or teaching of barbering,
 29 hairdressing, hair braiding, manicuring, or esthetics; or

30 (B) [DEPARTMENT OF COMMERCE, COMMUNITY,
 31 AND ECONOMIC DEVELOPMENT OR THE DEPARTMENT OF

1 ENVIRONMENTAL CONSERVATION TO] investigate or request the
 2 Department of Environmental Conservation investigate the practices of a
 3 person, shop, or school involved in the practice or teaching of body piercing,
 4 tattooing, or permanent cosmetic coloring;

5 (3) adopt regulations or do any act necessary to carry out the
 6 provisions of this chapter.

7 * **Sec. 5.** AS 08.13.040 is amended to read:

8 **Sec. 08.13.040. Examinations [MEETINGS AND EXAMINATIONS].** (a)
 9 The department [BOARD SHALL MEET AS OFTEN AS NECESSARY TO
 10 CONDUCT ITS BUSINESS. IT] shall conduct separate examinations covering the
 11 following fields of practice: barbering, hairdressing, advanced manicuring, and
 12 esthetics. Examinations shall be given at least twice in every year for each of these
 13 fields of practice for which applications for licensure or endorsements are pending. An
 14 applicant may take an examination in more than one field during the same testing
 15 session. The department [BOARD] may not require an applicant for licensure as a
 16 manicurist to take or pass an examination conducted by the department [BOARD] for
 17 the field of manicuring; however, nothing in this sentence prohibits the department
 18 [BOARD] from requiring a licensed manicurist to pass an examination to obtain an
 19 optional endorsement as an advanced manicurist under AS 08.13.080(f).

20 (b) The department [BOARD] may not require a person applying for a
 21 limited license to practice non-chemical barbering under AS 08.13.100(f) to take an
 22 examination that tests the person's knowledge of chemical processes, including
 23 permanent waving, bleaching, coloring, or chemical straightening.

24 * **Sec. 6.** AS 08.13 is amended by adding a new section to article 1 to read:

25 **Sec. 08.13.055. Records of the department.** The department shall maintain
 26 records relating to the issuance, refusal, suspension, and revocation of each license and
 27 permit under this chapter. The records must contain the name of the person to whom a
 28 license or permit is issued, the person's place of business, the date of issuance for each
 29 license and permit, and whether it is currently valid. The records shall be open to
 30 inspection by the public at all reasonable times.

31 * **Sec. 7.** AS 08.13.080(a) is amended to read:

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

2 (1) have successfully completed all courses that a school with a
3 curriculum in barbering approved by the department [BOARD] is required to teach in
4 order to be licensed under AS 08.13.110 if applying for a license to practice barbering;
5 the curriculum may be limited for non-chemical barbering under AS 08.13.100(f);

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

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

12 (4) have served an apprenticeship under AS 08.13.082;

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

23 (6) have completed course work and, if applicable, an apprenticeship
24 acceptable to the department [BOARD].

25 * **Sec. 8.** AS 08.13.080(d) is amended to read:

26 (d) An applicant for a license to practice body piercing, tattooing, or permanent
27 cosmetic coloring shall

28 (1) satisfy the training requirement of AS 08.13.082(d);

29 (2) by passing a written examination approved by the department
30 [BOARD], demonstrate to the department [BOARD] or the department's
31 [BOARD'S] designee safety, sanitation, sterilization, aseptic, and practice techniques

1 that indicate that the applicant has adequate knowledge of infection control practices
2 and requirements relating to tattooing, permanent cosmetic coloring, or body piercing,
3 as applicable; this demonstration may, at the option of the **department** [BOARD],
4 also include a practical examination in addition to the written examination; and

5 (3) pay the appropriate fee.

6 * **Sec. 9.** AS 08.13.080(e) is amended to read:

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

8 (1) submit documentation that the applicant has completed a course of
9 12 hours of instruction or training approved by the **department** [BOARD] that
10 addresses health, safety, and hygiene concerns of manicuring customers and
11 practitioners that are relevant to the practice of manicuring from a school licensed
12 under AS 08.13.110 as a school of manicuring; documentation of completion of the
13 course must include certification from the school that the applicant has passed a test
14 given by the school covering the health, safety, and hygiene concerns of manicuring
15 customers and practitioners that are relevant to the practice of manicuring; and

16 (2) pay the appropriate fee.

17 * **Sec. 10.** AS 08.13.080(f) is amended to read:

18 (f) An applicant for an endorsement to a license to practice manicuring or
19 hairdressing indicating that the person is an advanced manicurist shall

20 (1) hold, or be approved for, a current license issued under this chapter
21 for manicuring or hairdressing;

22 (2) request the endorsement;

23 (3) submit documentation from a licensed school of manicuring or
24 hairdressing certifying completion of 250 hours of instruction in manicuring that
25 meets the requirements of AS 08.13.110(e);

26 (4) pass an examination given by the **department** [BOARD] for
27 advanced manicurists; and

28 (5) pay the appropriate fee.

29 * **Sec. 11.** AS 08.13.080(g) is amended to read:

30 (g) An applicant for a license to practice hair braiding shall

31 (1) apply in writing on a form prescribed by the **department**

1 [BOARD];

2 (2) complete, to the satisfaction of the **department** [BOARD], 35
3 hours of instruction in hair braiding, health, safety, and sanitation

4 (A) at an accredited school of hairdressing;

5 (B) at a professional association of hairdressing or hair
6 braiding; or

7 (C) from an individual or school licensed under this chapter
8 and approved by the **department** [BOARD]; and

9 (3) pay the appropriate fee.

10 * **Sec. 12.** AS 08.13.082(a) is amended to read:

11 (a) The period of apprenticeship required to qualify an applicant for a license
12 to practice barbering is 2,000 hours. The apprenticeship must be served in a shop
13 approved by the **department** [BOARD]. The apprenticeship may not be completed in
14 less than 12 months from the date of its commencement and must be completed in not
15 more than two years from the date of its commencement. The **department** [BOARD]
16 may set by regulation a period of apprenticeship of less than 2,000 hours for an
17 applicant for a license to practice non-chemical barbering. The **department** [BOARD]
18 may not require an applicant for a license to practice non-chemical barbering under
19 AS 08.13.100(f) to perform apprenticeship hours or practical operations relating to
20 chemical processes, including permanent waving, bleaching, coloring, or chemical
21 straightening.

22 * **Sec. 13.** AS 08.13.082(b) is amended to read:

23 (b) The period of apprenticeship required to qualify an applicant for a license
24 to practice hairdressing is 2,000 hours. The apprenticeship must be served in a shop
25 approved by the **department** [BOARD]. The apprenticeship may not be completed in
26 less than one year from the date of its commencement and must be completed in not
27 more than two years from the date of its commencement.

28 * **Sec. 14.** AS 08.13.082(c) is amended to read:

29 (c) The period of apprenticeship required to qualify an applicant for a license
30 to practice esthetics is 350 hours. The apprenticeship must be served in a shop
31 approved by the **department** [BOARD]. The apprenticeship may not be completed in

1 less than six months from the date of its commencement and must be completed in not
2 more than one year from the date of its commencement.

3 * **Sec. 15.** AS 08.13.082(d) is amended to read:

4 (d) The number of hours of training required to qualify an applicant for a
5 license to practice tattooing, permanent cosmetic coloring, or body piercing shall be
6 set by the **department** [BOARD] in regulations. The trainee must be at least 18 years
7 of age when the training commences. The training required under this subsection

8 (1) may only be received

9 (A) in a licensed shop in this state under a person who has a
10 practitioner's license under this chapter in the field in which the trainee seeks
11 training; or

12 (B) outside the state from a person approved by the
13 **department** [BOARD] at a site approved by the **department** [BOARD];

14 (2) must include at least 12 hours of training in safety, sanitation,
15 sterilization, aseptic, and other practices necessary to prevent transmission of diseases
16 and infection;

17 (3) shall be completed in not more than 12 months from the date of its
18 commencement; and

19 (4) shall be documented by certification from the trainer that the
20 training was successfully completed by the trainee.

21 * **Sec. 16.** AS 08.13.090 is amended to read:

22 **Sec. 08.13.090. Examinations and other requirements.** (a) A written
23 examination shall be given to each applicant for examination at a time and place
24 determined by the **department** [BOARD. THE BOARD MAY DELEGATE THE
25 POWER OF EXAMINATION TO A COMMITTEE OF THE BOARD OR A
26 BOARD MEMBER].

27 (b) The written examination must cover subjects designated by the
28 **department** [BOARD] and must test the applicant's knowledge of sanitary practices,
29 safety of all procedures, and use of instruments, equipment, and chemicals permitted
30 within the field of practice for which the applicant is seeking a license.

31 (c) The **department** [BOARD] may by regulation establish requirements for a

1 practical examination for licensure.

2 * **Sec. 17.** AS 08.13.100(a) is amended to read:

3 (a) The **department** [BOARD] shall authorize the issuance of a license for the
4 practice of barbering, hairdressing, or esthetics to each qualified applicant who has
5 passed an examination under AS 08.13.090 and meets other applicable requirements
6 under this chapter. The **department** [BOARD] shall authorize the issuance of a
7 license for the practice of tattooing, permanent cosmetic coloring, or body piercing to
8 each applicant who has satisfied the requirements of AS 08.13.080(d). The
9 **department** [BOARD] shall authorize the issuance of a license to practice manicuring
10 to each applicant who has satisfied the requirements of AS 08.13.080(e). The
11 **department** [BOARD] shall authorize the issuance of an endorsement to a license to
12 practice manicuring or hairdressing indicating that the person is an advanced
13 manicurist to each applicant who has satisfied the requirements of AS 08.13.080(f).
14 The **department** [BOARD] shall authorize the issuance of a license for the practice of
15 hair braiding to each applicant who has satisfied the requirements of AS 08.13.080(g).

16 * **Sec. 18.** AS 08.13.100(c) is amended to read:

17 (c) The **department** [BOARD] may by regulation create areas of limited
18 professional licensing in the field of esthetics. Any limitation must be stated on the
19 license.

20 * **Sec. 19.** AS 08.13.100(d) is amended to read:

21 (d) A person who holds a current valid license from a board of barbering,
22 hairdressing, manicuring, or esthetics in another state or who is licensed by another
23 state to practice hair braiding, tattooing, permanent cosmetic coloring, or body
24 piercing is entitled to a license or endorsement under this chapter without examination
25 or a new period of training in this state. An application must include

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

27 (2) proof of completed training, testing, and working experience that

28 the **department** [BOARD] finds to meet the minimum requirements of this state.

29 * **Sec. 20.** AS 08.13.100(f) is amended to read:

30 (f) The **department** [BOARD] shall by regulation create an area of limited
31 professional licensing in the field of barbering for non-chemical barbering that allows

1 a person to practice barbering without the use of chemicals and chemical processes.

2 The limitation must be stated on the license.

3 * **Sec. 21.** AS 08.13.110(a) is amended to read:

4 (a) The **department** [BOARD] shall adopt regulations for the licensing of
5 schools of barbering, hairdressing, manicuring, and esthetics. The regulations must
6 include details of the curriculum, minimum hours of instruction, physical condition of
7 the facilities, and financial responsibility of the owner. The curriculum required for a
8 school of hairdressing must include the curriculum required for a school of
9 manicuring.

10 * **Sec. 22.** AS 08.13.110(d) is amended to read:

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

21 * **Sec. 23.** AS 08.13.110(e) is amended to read:

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

26 * **Sec. 24.** AS 08.13.120 is amended to read:

27 **Sec. 08.13.120. Shop license.** (a) The **department** [BOARD] shall adopt
28 regulations for the licensing of shops. The regulations must require that a shop for
29 tattooing, permanent cosmetic coloring, or body piercing be inspected and certified by
30 the Department of Environmental Conservation as being in compliance with the
31 regulations adopted under AS 44.46.020 before a shop license may be issued under

1 this subsection. A shop owner shall be licensed to operate a shop without examination,
2 but, unless the shop owner is a practitioner, the shop owner may not conduct business
3 without employing a manager who is a practitioner. This subsection does not apply to
4 a shop for the practice of barbering, hairdressing, hair braiding, or esthetics located in
5 a community having a population of less than 1,000 people that is not within 25 miles
6 of a community of more than 1,000 people.

7 (b) The regulations adopted under (a) of this section must include provisions
8 under which the **department** [BOARD] may issue a temporary shop license to a
9 person who has a license or temporary permit under this chapter to practice tattooing,
10 permanent cosmetic coloring, or body piercing. The temporary shop license authorized
11 under this subsection may only be issued to cover a site where the practitioner intends
12 to hold a workshop or to demonstrate techniques as part of a convention or other
13 special event, as defined by the **department** [BOARD], that includes other
14 practitioners of tattooing, permanent cosmetic coloring, or body piercing. Each
15 practitioner of tattooing, permanent cosmetic coloring, or body piercing who holds a
16 workshop or demonstrates techniques at a convention or special event shall have a
17 separate temporary shop license and a license or temporary permit under this chapter
18 to practice tattooing, permanent cosmetic coloring, or body piercing. The **department**
19 [BOARD] shall issue a temporary shop license upon receipt of an application from a
20 practitioner demonstrating compliance with the regulations adopted under this section
21 and payment of the appropriate fee; however, the temporary shop license may be
22 summarily revoked, without refunding of the fee, if the Department of Environmental
23 Conservation determines after an inspection that the cleanliness or sanitation
24 conditions at the site covered by the temporary license pose a clear and immediate
25 danger to the public health or safety. A licensee may appeal a summary revocation
26 under this subsection to the superior court.

27 * **Sec. 25.** AS 08.13.140 is amended to read:

28 **Sec. 08.13.140. Lapsed license.** A lapsed license may be reinstated if the
29 license has not been lapsed for a period of more than three years, or otherwise at the
30 discretion of the **department** [BOARD], and all renewal and delinquent fees for the
31 period during which the license has been lapsed are paid.

1 * **Sec. 26.** AS 08.13.150 is amended to read:

2 **Sec. 08.13.150. Disciplinary sanctions and grounds for refusal of a license**
3 **or permit.** The department [BOARD] may, in addition to the actions authorized
4 under AS 08.01.075, refuse, suspend, or revoke a license, student permit, temporary
5 license, or temporary permit for failure to comply with this chapter, with a regulation
6 adopted under this chapter, with a regulation adopted by the Department of
7 Environmental Conservation under AS 44.46.020, or with an order of the department
8 [BOARD].

9 * **Sec. 27.** AS 08.13.160(e) is amended to read:

10 (e) The department [BOARD] shall adopt regulations to permit a person
11 licensed under this chapter to practice barbering, hairdressing, hair braiding,
12 manicuring, or esthetics outside a licensed shop or school for limited purposes
13 including

14 (1) care of clients confined to an institution or health care facility;

15 (2) care of clients with limited mobility;

16 (3) participation in charitable events; and

17 (4) participation in workshops or demonstrations of techniques or
18 products.

19 * **Sec. 28.** AS 08.13.170 is amended to read:

20 **Sec. 08.13.170. Temporary permits.** The department shall issue a temporary
21 permit to an applicant for licensing who holds a license to practice barbering,
22 hairdressing, hair braiding, manicuring, esthetics, tattooing, permanent cosmetic
23 coloring, or body piercing in another state. The permit is valid until the department
24 [BOARD] either issues a permanent license or rejects the application. The
25 department [BOARD] shall act on an application within six months.

26 * **Sec. 29.** AS 08.13.180 is amended to read:

27 **Sec. 08.13.180. Student permits.** A person attending a licensed school of
28 barbering, hairdressing, manicuring, or esthetics and a person apprenticed to a licensed
29 instructor in a shop approved by the department [BOARD] or receiving training from
30 a practitioner of tattooing, permanent cosmetic coloring, or body piercing shall obtain
31 a student permit. A student permit to practice barbering or hairdressing is valid for two

1 years. A student permit to practice esthetics, tattooing, permanent cosmetic coloring,
2 or body piercing is valid for one year. A student permit may not be renewed, but, upon
3 application, the department [BOARD] may issue a new permit to the same person or
4 extend an expired permit to the date of the next scheduled examination. Credit earned
5 under an expired student permit may be transferred to a new permit as determined by
6 the department [BOARD].

7 * **Sec. 30.** AS 08.13.195(a) is amended to read:

8 (a) In addition to any other provision of law, if a person violates AS 08.13.070
9 or 08.13.217, the department [BOARD] may enter an order levying a civil penalty.

10 * **Sec. 31.** AS 08.13.195(b) is amended to read:

11 (b) A civil penalty levied under this section may not exceed \$5,000 for each
12 offense. In levying a civil penalty, the department [BOARD] shall set the amount of
13 the penalty imposed under this section after taking into account appropriate factors,
14 including the seriousness of the violation, the economic benefit resulting from the
15 violation, the history of violations, and other matters the department [BOARD]
16 considers appropriate.

17 * **Sec. 32.** AS 08.13.195(c) is amended to read:

18 (c) Before issuing an order under this section, the department [BOARD] shall
19 provide the person written notice and the opportunity to request, within 30 days of
20 issuance of notice by the department [BOARD], a hearing on the record.

21 * **Sec. 33.** AS 08.13.195(d) is amended to read:

22 (d) In connection with proceedings under (a) and (b) of this section, the
23 department [BOARD] may issue subpoenas to compel the attendance and testimony
24 of witnesses and the disclosure of evidence, and may request the attorney general to
25 bring an action to enforce a subpoena.

26 * **Sec. 34.** AS 08.13.195(f) is amended to read:

27 (f) If a person fails to pay a civil penalty within 30 days after entry of an order
28 under (a) of this section, or if the order is stayed pending an appeal, within 10 days
29 after the court enters a final judgment in favor of the department [BOARD] of an
30 order appealed under (e) of this section, the department [BOARD] shall notify the
31 attorney general. The attorney general may commence a civil action to recover the

1 amount of the penalty.

2 * **Sec. 35.** AS 08.13.210 is amended to read:

3 **Sec. 08.13.210. Health and sanitary conditions.** (a) Health and sanitary
4 conditions in shops and schools of

5 (1) barbering, hairdressing, hair braiding, manicuring, and esthetics
6 shall be supervised by the **Department of Commerce, Community, and Economic**
7 **Development** [BOARD];

8 (2) tattooing, permanent cosmetic coloring, and body piercing shall be
9 supervised by the Department of Environmental Conservation.

10 (b) The Department of Environmental Conservation shall conduct an annual
11 inspection of each shop licensed for the practice of tattooing, permanent cosmetic
12 coloring, or body piercing to ensure that the shop meets the department's standards of
13 cleanliness and sanitation established under AS 44.46.020. If the Department of
14 Environmental Conservation determines that the shop is not in compliance with **its**
15 **regulations** [A REGULATION OF THE DEPARTMENT], the **Department of**
16 **Environmental Conservation** [DEPARTMENT] shall report the violation to the
17 **Department of Commerce, Community, and Economic Development** [BOARD]
18 and take appropriate action under its own regulations.

19 * **Sec. 36.** AS 08.13.215 is amended to read:

20 **Sec. 08.13.215. Notification requirements for tattooing, permanent**
21 **cosmetic coloring, and body piercing.** (a) Before performing a tattooing, permanent
22 cosmetic coloring, or body piercing procedure on a client, a practitioner shall give
23 written educational information, approved by the **department** [BOARD], to the client.

24 (b) After completing a tattooing, permanent cosmetic coloring, or body
25 piercing procedure on a client, the practitioner shall give written aftercare instructions,
26 approved by the **department** [BOARD], to the client. The written instructions

27 (1) must include advice to the client to consult a physician at the first
28 sign of infection;

29 (2) must contain the name, address, and telephone number of the shop
30 where the procedure was performed;

31 (3) shall be signed and dated by the client and the practitioner; the

1 practitioner shall keep the original and provide a copy to the client.

2 (c) The owner of a shop for tattooing, permanent cosmetic coloring, or body
3 piercing shall prominently display

4 (1) a copy of the statement provided by the **department** [BOARD]
5 under AS 08.13.030(b) that advises the public of the health risks and possible
6 consequences of tattooing, permanent cosmetic coloring, or body piercing, as
7 applicable;

8 (2) the names, addresses, and telephone numbers of the Department of
9 Commerce, Community, and Economic Development and the Department of
10 Environmental Conservation and a description of how a complaint about the shop or a
11 practitioner in the shop may be filed with either entity [OR WITH THE BOARD].

12 * **Sec. 37.** AS 08.13.220 is amended by adding a new paragraph to read:

13 (17) "department" means the Department of Commerce, Community,
14 and Economic Development.

15 * **Sec. 38.** AS 44.62.330(a)(30) is amended to read:

16 (30) **Department of Commerce, Community, and Economic**
17 **Development concerning the licensing and regulation of barbers and hairdressers**
18 **under AS 08.13** [BOARD OF BARBERS AND HAIRDRESSERS];

19 * **Sec. 39.** AS 08.03.010(c)(4); AS 08.13.010, 08.13.050, and 08.13.220(3) are repealed.

20 * **Sec. 40.** The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

22 TRANSITION. (a) The terms of the members of the Board of Barbers and
23 Hairdressers established under AS 08.13.010 terminate on the effective date of this Order.

24 (b) Employees of the Board of Barbers and Hairdressers whose duties have been
25 transferred by this Order to the Department of Commerce, Community, and Economic
26 Development shall be transferred to the Department of Commerce, Community, and
27 Economic Development on the effective date of this Order.

28 (c) Litigation, hearings, investigations, and other proceedings pending under a law
29 repealed or amended by this Order, or in connection with a function transferred by this Order,
30 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment
31 provided for in this Order.

1 (d) Contracts, rights, liabilities, and obligations created by or under a law repealed or
 2 affected by this Order, and in effect on the effective date of this Order, remain in effect
 3 notwithstanding this Order's taking effect.

4 (e) Certificates, licenses, orders, and regulations in effect on the effective date of this
 5 Order that were issued or adopted under the authority of a law amended or repealed by this
 6 Order, or in connection with a function transferred by this Order, remain in effect for the term
 7 issued and shall be enforced by the agency to which the function is transferred under this
 8 Order until revoked, vacated, or amended by the agency to which the function is transferred.

9 (f) Records, equipment, appropriations, and other property of an agency of the state
 10 whose functions are transferred under this Order shall be transferred to implement the
 11 provisions of this Order.

12 * **Sec. 41.** The uncodified law of the State of Alaska is amended by adding a new section to
 13 read:

14 REVISOR INSTRUCTION. The revisor of statutes is requested to change the heading
 15 of article 1 of AS 08.13 from "Board of Barbers and Hairdressers" to "Barbers and
 16 Hairdressers."

17 * **Sec. 42.** This Order takes effect July 1, 2024.

DATED: _____

 Mike Dunleavy
 Governor