

Offered: 5/4/86
Referred: Rules

Original sponsors: Sund, Taylor,
Jenkins and Collins

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 305 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to barbers, hairdressers, and cos-
7 metologists; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.03.010(c)(16) is amended to read:

10 (16) Board of Barbers and Hairdressers (AS 08.13.010) --
11 June 30, 1989 [1986].

12 * Sec. 2. AS 08.13.050 is amended to read:

13 Sec. 08.13.050. RECORDS OF THE BOARD. The Department of Com-
14 merce and Economic Development [BOARD] shall keep a record of the
15 board's [ITS] proceedings related to the issuance, refusal, suspen-
16 sion, and revocation of each license and permit. The record shall
17 contain the name of the person to whom a license or permit is issued,
18 the person's place of business, the date of issuance for each license
19 and permit, and whether it is currently valid. The record shall be
20 open to inspection by the public at all reasonable times. The board
21 shall submit an annual report on its operations to the governor.

22 * Sec. 3. AS 08.13.070 is amended to read:

23 Sec. 08.13.070. LICENSE REQUIRED. A person may not

24 (1) practice barbering, hairdressing, or cosmetology with-
25 out a license, temporary permit, or student permit unless exempted
26 under AS 08.13.160(d);

27 (2) practice barbering, hairdressing, or cosmetology except
28 in a shop or school licensed under this chapter unless exempted under
29 AS 08.13.160(d) or permitted under AS 08.13.160(e);

1 (3) open or conduct a school of barbering, hairdressing, or
2 cosmetology without a license;

3 (4) teach in a school of barbering, hairdressing, or cos-
4 metology, or supervise an apprentice without an instructor's license;

5 (5) [(3)] operate a shop in violation of AS 08.13.120;

6 (6) [(4)] permit an employee or other person being super-
7 vised who is not exempted under AS 08.13.160(d) to practice barbering,
8 hairdressing, or cosmetology without a license, temporary permit, or
9 student permit;

10 (7) [(5)] permit the use of the person's license, tempo-
11 rary permit, or student permit by another person;

12 (8) [(6)] obtain or attempt to obtain a license, temporary
13 permit, or student permit by fraudulent means.

14 * Sec. 4. AS 08.13.080 is amended to read:

15 Sec. 08.13.080. QUALIFICATIONS OF APPLICANTS. An applicant for
16 examination must

17 (1) have successfully completed all courses that a school
18 with a curriculum [PROGRAM] in barbering approved by the board is
19 required to teach in order to be licensed under AS 08.13.110 if apply-
20 ing for a license to practice barbering;

21 (2) have successfully completed all courses that a school
22 with a curriculum [PROGRAM] in hairdressing approved by the board is
23 required to teach to be licensed under AS 08.13.110 if applying for a
24 license to practice hairdressing;

25 (3) have successfully completed all courses that a school
26 with a curriculum [PROGRAM] in cosmetology approved by the board is
27 required to teach in order to be licensed under AS 08.13.110 if apply-
28 ing for a license to practice cosmetology; [OR]

29 (4) have served an apprenticeship under AS 08.13.082; or

1 (5) specify the field of practice in which the applicant
2 intends to teach and have held a license to practice in the field for
3 three years or have held a license in the field for one year and have
4 completed 600 hours of student training as an instructor in the field
5 of practice from a licensed school with a curriculum approved by the
6 board if applying for a license as an instructor.

7 * Sec. 5. AS 08.13.082(a) is amended to read:

8 (a) The period of apprenticeship required to qualify an appli-
9 cant for a license to practice barbering is 2,000 [1,500] hours. The
10 apprenticeship must be served in a shop approved by the board. The
11 apprenticeship may not be completed in less than 12 [NINE] months from
12 the date of its commencement and must be completed in not more than
13 two years from the date of its commencement.

14 * Sec. 6. AS 08.13.100(d) is amended to read:

15 (d) A person holding a current valid license from a board of
16 barbering, hairdressing, or cosmetology in another state [OR COUNTRY]
17 is entitled to a license under this chapter without examination in
18 this state. An application must [SHALL] include:

19 (1) proof of a valid license issued by another licensing
20 jurisdiction;

21 (2) proof of completed training, testing and working exper-
22 ience that [WHICH] the board finds to meet the minimum requirements of
23 the state; and

24 (3) payment of a credential investigation fee.

25 * Sec. 7. AS 08.13.130 is amended to read:

26 Sec. 08.13.130. DISPLAY OF LICENSE OR PERMIT. A practitioner
27 [PRACTITIONERS] shall display the practitioner's [THEIR] license in a
28 conspicuous location in the practitioner's [THEIR] place of business.
29 Each shop owner is responsible for the display of the licenses of

1 employees. [PRACTITIONERS WHO PRACTICE OUTSIDE OF A PLACE OF BUSINESS
2 SHALL CARRY THEIR LICENSE WITH THEM TO BE SHOWN TO PERSONS UPON WHOM
3 WORK IS PERFORMED.] A person holding a student permit or temporary
4 permit shall display the permit in a conspicuous location in the
5 school in which the person is enrolled or the shop in which the ap-
6 prentice works. The school or shop owner is responsible for the
7 display of a permit for each enrolled student or apprentice [HAVE THAT
8 PERMIT AVAILABLE FOR INSPECTION WHEN ENGAGED IN PRACTICE].

9 * Sec. 8. AS 08.13.160(d) is amended to read:

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

12 (1) a person practicing barbering, hairdressing, or cosmet-
13 ology in a community having a population of less than 1,000 people
14 that [WHICH] is not within 25 miles of a community of more than 1,000
15 people and who uses only chemicals available to the general public;

16 (2) a shampoo person;

17 (3) a licensed health care professional;

18 (4) a person licensed by another licensing jurisdiction in
19 a field of practice licensed by this chapter while demonstrating
20 techniques or products to persons holding licenses or permits under
21 this chapter.

22 * Sec. 9. AS 08.13.160 is amended by adding a new subsection to read:

23 (e) The board shall adopt regulations to permit a person li-
24 censed under this chapter to practice outside a licensed shop or
25 school for limited purposes including

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

28 (2) care of clients with limited mobility;

29 (3) participation in charitable events; and

1 (4) participation in workshops or demonstrations of tech-
2 niques or products.

3 * Sec. 10. AS 08.13.170 is repealed and reenacted to read:

4 Sec. 08.13.170. TEMPORARY PERMITS. The department shall issue a
5 temporary permit to an applicant for licensing who holds a license to
6 practice as a barber, hairdresser, or cosmetologist in another state.
7 The permit is valid until the board either issues a permanent license
8 or rejects the application. The board shall act on an application
9 within six months.

10 * Sec. 11. AS 08.13.180 is amended to read:

11 Sec. 08.13.180. STUDENT PERMITS. A person attending a licensed
12 school of barbering, hairdressing, or cosmetology, and a person ap-
13 prenticed to a licensed instructor [PRACTITIONER] in a shop approved
14 by the board shall obtain a student permit. A student permit to
15 practice barbering or hairdressing is valid for two years. A student
16 permit to practice cosmetology is valid for one year. A student
17 permit may not be renewed, but, upon application, the board may issue
18 a new permit to the same person, or extend an expired permit to the
19 date of the next scheduled examination. Credit earned under an ex-
20 pired student permit may be transferred to a new permit as determined
21 by the board.

22 * Sec. 12. AS 08.13.210 is amended to read:

23 Sec. 08.13.210. HEALTH AND SANITARY CONDITIONS. Health and
24 sanitary conditions in shops and schools of barbering, hairdressing,
25 and cosmetology shall be supervised by the Department of Environmental
26 Conservation [HEALTH AND SOCIAL SERVICES].

27 * Sec. 13. AS 08.13.220(1) is amended to read:

28 (1) "apprentice" means a person who receives on-the-job
29 training under [THE] direct supervision [OF A PRACTITIONER, WHO DOES

1 NOT RECEIVE A WAGE OR COMMISSION BEFORE COMPLETING 350 HOURS OF TRAIN-
2 ING, AND FOR WHOSE WORK NO CHARGE IS MADE BEFORE COMPLETING 350 HOURS
3 OF TRAINING];

4 * Sec. 14. AS 08.13.220(2) is amended to read:

5 (2) "barbering" means shaving, trimming, or cutting, styl-
6 ing, curling, permanent waving, bleaching, coloring, cleansing, or
7 chemically straightening the beard or hair of a living person for a
8 fee and for cosmetic purposes;

9 * Sec. 15. AS 08.13.220(4) is amended to read:

10 (4) "cosmetology" means the use of the hands, [MECHANICAL
11 OR ELECTRIC APPARATUS OR] appliances, cosmetic preparations, antisep-
12 tics, or lotions in massaging, cleansing, stimulating, or similar work
13 on the scalp, face or neck, including skin care, make-up, and tempo-
14 rary removal of superfluous hair, [HUMAN BODY] for cosmetic purposes
15 for a fee;

16 * Sec. 16. AS 08.13.220 is amended by adding a new paragraph to read:

17 (9) "instructor" means a person who teaches barbering,
18 hairdressing, or cosmetology in a school or who supervises an appren-
19 tice.

20 * Sec. 17. A person who, on the effective date of this Act, holds a
21 valid license issued by the Board of Barbers and Hairdressers may continue
22 to practice as permitted by the license until the license expires and may
23 renew the license in the appropriate field of practice without meeting the
24 new requirements for licensure.

25 * Sec. 18. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).