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MEMORANDUM

DATE: April 2, 1985

TO: Rep. Mike Navarre, Chair  
House Labor and Commerce Committee

FKOM: Rep. John Sund

RE: Sectional Analysis of HB 305 (Board of Barbers and Hairdressers)

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Sections 1, 3, 4, 12, 23, and 24 change only the terminology for hairdressers and cosmetologists. The bill changes the name for hairdressers to cosmetologists, and the name for those currently practicing as cosmetologists to estheticians. The Board's name is therefore changed from "Board of Barbers and Hairdressers" to "Board of Barbers and Cosmetologists."

Section 2 extends the termination date for the board to June 30, 1989. The board authorization expired June 30, 1984.

Section 5 requires the board to offer examinations four times a year in Anchorage instead of the current requirement of twice a year. It also requires the board to offer examinations in cities other than Anchorage if there are at least five applicants in the city.

Section 6 assigns to the Department of Commerce and Economic Development the responsibility for keeping the records of the board's proceedings. The board is currently responsible by statute for this task.

Section 7 makes several changes to the licensing requirements. A person may no longer practice outside a shop or school, except in communities with fewer than 1,000 people. An instructor must be licensed as an instructor to teach in a school, and a practitioner who wishes to supervise an apprentice must also obtain an instructor's license. Currently, the shop in which an apprentice serves must be approved by the board but the supervisor need only be a licensed practitioner.

Section 8 requires license applicants to apply on a form and provide a photograph to the board. Paragraph (5) outlines the qualifications for an instructor's permit.

Section 9 increases the hours required for an apprenticeship in barbering and changes the period in which the apprenticeship must be completed. The section deletes the requirement that apprenticeships be served in a shop approved by the board. Section (c) changes the period within which an esthetician apprenticeship must be served. Subsection (d) requires that the first 1000 hours of an apprenticeship in barbering or cosmetology be served in a school and that the second 1000 hours be served under the supervision of a licensed instructor.

Section 10 permits the board to delegate examination power to a proctor.

Section 11 permits the board to regulate the practice of manicure and pedicure. Subsection (d) clarifies that an out-of-state applicant who has passed an examination in another licensing jurisdiction is not required to take the state test.

Section 13 clarifies the requirements for display of licenses.

Section 14 deletes reference to a shampoo person since the bill repeals the definition of shampoo person. It also specifies that the chapter does not apply to a licensed health care professional. This amendment may be unnecessary since the definitions of barber, cosmetologist and esthetician apply only to those performing services for cosmetic purposes.

Section 15 requires a temporary instructor (for example, a person from out-of-state who is giving a workshop) to obtain a temporary instructor's permit.

Section 16 amends the section on student permits to reflect changes to the apprenticeship system. Apprentices are required to be supervised by licensed instructors, but the shop in which they practice does not have to be approved by the board.

Section 17 requires that applicants for student permits must be at least 16 years old and have graduated from high school or hold a G.E.D. equivalency.

Section 18 amends the fee section to conform to the system in HB 78. The department sets fees with the concurrence of the board in amounts that reflect the cost of the regulated activity.

Section 19 contains an amendment for style that unnecessarily adds and deletes the same subsection.

Section 20 adds a provision for civil penalties for violation of the chapter.

Section 22, (1) amends the definition of apprentice to permit apprentices to receive wages or commissions. Paragraph (2) amends the definition of barbering to include many (if not all) of the activities that cosmetologists are permitted to perform. If barbers and cosmetologists are intended to be able to perform the same services, then the language should be the same. If there are differences, perhaps they should be more clearly identified. (Note that the one clear difference is that only cosmetologists are permitted to give manicures or pedicures.) It might be more appropriate to provide that a person could choose whether to use the title "barber" or "cosmetologist", but would be otherwise subject to the same restrictions. Paragraph (6) defines instructor.

Section 25 provides for an immediate effective date.

HB 305 File Contents  
(Board of Barbers and Hairdressers)

April 3, 1985 Thursday

- 1) Bill Summary -- Legislative Reporting Service
- 2) Bill Overview -- Memo, Rep. Sund's Office
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- 4) Fiscal Note -- Dept. of Commerce
- 5) Position Statement -- Dept. of Commerce
- 6) Alaska Statutes and Regulations Relating to Barbers & Hairdressers
- 7) Letter from Marse Kueber to Senator Rodey,  
(with attached 1984 Annual Report)
- 8) 1983 Legislative Budget and Audit Report

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April 18, 1985 Thursday Meeting

- 9) Overview -- Roger Poppe, Committee Staff
- 10) Senate Letter of Intent on SB 435
- 11) Governor's veto letter to Kerttula -- May 25, 1984
- 12) Proposed Amendments -- Division of Occupational Licensing
- 13) Letter from Victoria Perdon, with proposed amendments --April  
16,85
- 14) Personal Letters and POMs sent to the Committee on this issue  
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April 19, 1985 Friday Meeting

- 15) Detailed response of Marse Kueber to amendments proposed  
by the Department and by Ward-Pedron (at top, it says page  
1 of 3, April 18, 1985)
- 16) Working Document from Poppe to Committee dated April 19 "  
Combining Marse Kueber's response with the Dept. and with  
Ward-Pedron Amendments
- 17) Supplemental memo -- Poppe to Committee

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May 1, 1985 Wednesday Meeting

- 18) Proposed CS HB 305 (L & C) --- Drafted by Terry Cramer April 30, 85

Original sponsors: Sund, Taylor  
and Jenkins

1  
2 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

3 CS FOR HOUSE BILL NO. 305 (L&C)  
4 IN THE LEGISLATURE OF THE STATE OF ALASKA  
5 FOURTEENTH LEGISLATURE - FIRST SESSION

6 A BILL

7 For an Act entitled: "An Act relating to barbers, cosmetologists, and  
8 estheticians; and providing for an effective date."

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

10 \* Section 1. AS 08.01.010(24) is amended to read:

11 (24) Board of Barbers and Cosmetologists [HAIRDRESSERS]  
12 (AS 08.13.010).

13 \* Sec. 2. AS 08.03.010(c)(16) is amended to read:

14 (16) Board of Barbers and Cosmetologists [HAIRDRESSERS]  
15 (AS 08.13.010) -- June 30, 1989 [1984].

16 \* Sec. 3. AS 08.13.010 is amended to read:

17 Sec. 08.13.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is  
18 created the Board of Barbers and Cosmetologists [HAIRDRESSERS] con-  
19 sisting of five members appointed by the governor.

20 (b) The board consists of

21 (1) two persons licensed as barbers under this chapter;

22 (2) two persons licensed as cosmetologists [HAIRDRESSERS]  
23 under this chapter; and

24 (3) one public member.

25 \* Sec. 4. AS 08.13.030 is amended to read:

26 Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board  
27 shall exercise general control over the vocations of barbering, cosme-  
28 tology, esthetics, and manicure and pedicure [HAIRDRESSING, AND COSME-  
29 TOLOGY].

(b) The board shall

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

3 (2) authorize the issuance of licenses for schools of  
4 barbering, cosmetology, and esthetics [HAIRDRESSING, AND COSMETOLOGY].

5 (c) The board may

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

7 (2) on its own motion or upon receipt of a written com-  
8 plaint, conduct hearings and request the Department of Commerce and  
9 Economic Development to investigate the practices of a person, shop,  
10 or school involved in the practice or teaching of barbering, cosme-  
11 tology, esthetics, or manicure and pedicure [HAIRDRESSING, OR COSME-  
12 TOLOGY];

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

15 \* Sec. 5. AS 08.13.040 is amended to read:

16 Sec. 08.13.040. MEETINGS AND EXAMINATIONS. The board shall meet  
17 as often as necessary to conduct its business. It shall conduct  
18 separate examinations covering each field of practice: barbering,  
19 cosmetology, esthetics, and manicure and pedicure [HAIRDRESSING, AND  
20 COSMETOLOGY]. Examinations shall be given at least once each calendar  
21 quarter [TWICE IN EVERY YEAR] for each field of practice for which  
22 applications for licensure are pending. An applicant may take an  
23 examination in more than one field during the same testing session.

24 \* Sec. 6. AS 08.13.050 is amended to read:

25 Sec. 08.13.050. RECORDS OF THE BOARD. The Department of Com-  
26 merce and Economic Development [BOARD] shall keep a record of the  
27 board's [ITS] proceedings related to the issuance, refusal, suspen-  
28 sion, and revocation of each license and permit. The record shall  
29 contain the name of the person to whom a license or permit is issued,

1 the person's place of business, the date of issuance for each license  
2 and permit, and whether it is currently valid. The record shall be  
3 open to inspection by the public at all reasonable times. The board  
4 shall submit an annual report on its operations to the governor.

5 \* Sec. 7. AS 08.13.070 is amended to read:

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

7 (1) practice barbering, cosmetology, esthetics, or mani-  
8 curing and pedicuring [HAIRDRESSING, OR COSMETOLOGY] without a li-  
9 cense, [TEMPORARY PERMIT,] or student permit unless exempted under  
10 AS 08.13.160(d);

11 (2) practice barbering, cosmetology, esthetics, or manicure  
12 and pedicure except in a shop or school licensed under this chapter  
13 unless exempted under AS 08.13.160(d);

14 (3) open or conduct a school of barbering, cosmetology, or  
15 esthetics [HAIRDRESSING, OR COSMETOLOGY] without a license;

16 (4) teach in a school of barbering, cosmetology, or esthet-  
17 ics or supervise an apprentice without an instructor's license;

18 (5) [(2)] operate a shop in violation of AS 08.13.120;

19 (6) [(4)] permit an employee or other person being super-  
20 vised who is not exempted under AS 08.13.160(d) to practice barbering,  
21 cosmetology, esthetics, or manicure and pedicure [HAIRDRESSING, OR  
22 COSMETOLCGY] without a license [,TEMPORARY PERMIT,] or student permit;

23 (7) [(5)] permit the use of the person's license [,TEMPO-  
24 RARY PERMIT,] or student permit by another person;

25 (8) [(6)] obtain or attempt to obtain a license [,TEMPO-  
26 RARY PERMIT,] or student permit by fraudulent means.

27 \* Sec. 8. AS 08.13.080 is amended to read:

28 Sec. 08.13.080. QUALIFICATIONS OF APPLICANTS. An applicant for  
29 examination must apply on a form provided by the board, submit a

1 recent unmounted, autographed photograph of the applicant, and must

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

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

10 (3) have successfully completed all courses that a school  
11 with a curriculum [PROGRAM] in esthetics approved by the board [COSME-  
12 TOLOGY] is required to teach in order to be licensed under AS 08.13.-  
13 110 if applying for a license to practice esthetics [COSMETOLOGY];  
14 [OR]

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

16 (5) have successfully completed all the courses that a  
17 school with a curriculum in manicure and pedicure approved by the  
18 board is required to teach in order to be licensed under AS 08.13.110  
19 if applying for a license to practice manicure and pedicure; or

20 (6) specify the field of practice in which the applicant  
21 intends to teach and have held a license to practice in the field for  
22 three years or have held a license in the field for one year and have  
23 completed 600 hours of student training as an instructor in the field  
24 of practice from a licensed school with a curriculum approved by the  
25 board.

26 \* Sec. 9. AS 08.13.082 is amended to read:

27 Sec. 08.13.082. APPRENTICESHIP. (a) The period of apprentice-  
28 ship required to qualify an applicant for a license to practice bar-  
29 bering is 2,000 [1,500] hours. [THE APPRENTICESHIP MUST BE SERVED IN

1 A SHOP APPROVED BY THE BOARD.] The apprenticeship may not be com-  
2 pleted in less than 12 [NINE] months from the date of its commencement  
3 and must be completed in not more than two years from the date of its  
4 commencement.

5 (b) The period of apprenticeship required to qualify an appli-  
6 cant for a license to practice cosmetology [HAIRDRESSING] is 2,000  
7 hours. [THE APPRENTICESHIP MUST BE SERVED IN A SHOP APPROVED BY THE  
8 BOARD.] The apprenticeship may not be completed in less than one year  
9 from the date of its commencement and must be completed in not more  
10 than two years from the date of its commencement.

11 (c) The period of apprenticeship required to qualify an appli-  
12 cant for a license to practice esthetics [COSMETOLOGY] is 350 hours.  
13 The apprenticeship must be served in a shop approved by the board.  
14 The apprenticeship may not be completed in less than three [SIX]  
15 months from the date of its commencement and must be completed in not  
16 more than nine months [ONE YEAR] from the date of its commencement.

17 (d) The board shall adopt regulations to establish the require-  
18 ments for an apprenticeship to qualify an applicant for a license to  
19 practice manicure and pedicure.

20  
21 \* Sec. 10. AS 08.13.100 is amended to read:

22 Sec. 08.13.100. LICENSE. (a) The board shall authorize the  
23 issuance of a license to each qualified applicant who has passed each  
24 part of the [AN] examination under AS 08.13.090. The license is valid  
25 for two years and subject to renewal.

26 (b) A license must [SHALL] state the areas of practice (barber-  
27 ing, cosmetology, esthetics, or manicure and pedicure [HAIRDRESSING,  
28 COSMETOLOGY], or any combination) that [WHICH] the practitioner is  
29 qualified to perform.

(c) The board may by regulation create areas of limited

1 professional licensing in the field of esthetics, including regulating  
2 [COSMETOLOGY, EXCEPT THAT THE BOARD MAY NOT RESTRICT OR OTHERWISE  
3 REGULATE] the practice of manicure and [OR] pedicure. Any limitation  
4 must be stated on the license.

5 (d) A person holding a current valid license from a board of  
6 barbering, cosmetology, or esthetics [HAIRDRESSING, OR COSMETOLOGY] in  
7 another state [OR COUNTRY] is entitled to a license under this chapter  
8 without examination in this state. An application must [SHALL] in-  
9 clude:

10 (1) proof of a valid license issued by another licensing  
11 jurisdiction;

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

15 (3) payment of a credential investigation fee.

16 \* Sec. 11. AS 08.13.110 is amended to read:

17 Sec. 08.13.110. SCHOOL LICENSE. The board shall adopt regula-  
18 tions for the licensing of schools of barbering, cosmetology, and  
19 esthetics [HAIRDRESSING, AND COSMETOLOGY]. The regulations shall  
20 include details of the curriculum, minimum hours of instruction,  
21 physical condition of the facilities, and financial responsibility of  
22 the owner.

23 \* Sec. 12. AS 08.13.130 is amended to read:

24 Sec. 08.13.130. DISPLAY OF LICENSE OR PERMIT. A practitioner  
25 [PRACTITIONERS] shall display the practitioner's [THEIR] license in a  
26 conspicuous location in the practitioner's [THEIR] place of business.  
27 Each shop owner is responsible for the display of the licenses of  
28 employees. [PRACTITIONERS WHO PRACTICE OUTSIDE OF A PLACE OF BUSINESS  
29 SHALL CARRY THEIR LICENSE WITH THEM TO BE SHOWN TO PERSONS UPON WHOM

(remark)

A person holding a temporary instructor's permit shall

1 WORK IS PERFORMED.] A person holding a student permit [OR TEMPORARY  
2 PERMIT] shall display the permit in a conspicuous location in the  
3 school in which the person is enrolled or the shop in which the ap-  
4 prentice works. The school or shop owner is responsible for the  
5 display of a permit for each enrolled student or apprentice [HAVE THAT  
6 PERMIT AVAILABLE FOR INSPECTION WHEN ENGAGED IN PRACTICE].

7 \* Sec. 13. AS 08.13.150 is amended to read:

8 Sec. 08.13.150. ~~REASONS~~ REASONS FOR REFUSAL, SUSPENSION OR REVOCATION OF  
9 A LICENSE OR PERMIT. The board may refuse, suspend, or revoke a  
10 license or [,] student permit [, OR TEMPORARY PERMIT] for a failure to  
11 comply with this chapter, with a regulation adopted under this chap-  
12 ter, or with an order of the board.

13 \* Sec. 14. AS 08.13.160(d) is amended to read:

14 (d) The licensing and permit provisions of this chapter do not  
15 apply to:

16 (1) a person practicing barbering, cosmetology, esthetics,  
17 or manicure and pedicure [HAIRDRESSING, OR COSMETOLOGY] in a community  
18 having a population of less than 1,000 people that [WHICH] is not  
19 within 25 miles of a community of more than 1,000 people [AND WHO USES  
20 ONLY CHEMICALS AVAILABLE TO THE GENERAL PUBLIC];

21 (2) a shampoo person;

22 (3) a licensed health care professional;

23 (4) a person licensed by another licensing jurisdiction in  
24 a field of practice licensed by this chapter while demonstrating  
25 techniques or products to persons holding licenses or permits under  
26 this chapter.

27 \* Sec. 15. AS 08.13.180 is amended to read:

28 Sec. 08.13.180. STUDENT PERMITS. A person attending a licensed  
29 school of barbering, cosmetology, or esthetics [HAIRDRESSING, OR

1 COSMETOLOGY], and a person apprenticed by [TO] a licensed instructor  
2 [PRACTITIONER] in a shop [APPROVED BY THE BOARD] shall obtain a stu-  
3 dent permit. A student permit to practice barbering or cosmetology  
4 [HAIRDRESSING] is valid for two years. A student permit to practice  
5 esthetics [COSMETOLOGY] is valid for nine months [ONE YEAR]. The  
6 board shall establish by regulation the term of a student permit to  
7 practice manicure and pedicure. A student permit may not be renewed,  
8 but, upon application, the board may issue a new permit to the same  
9 person, or extend an expired permit to the date of the next scheduled  
10 examination. Credit earned under an expired student permit may be  
11 transferred to a new permit as determined by the board.

- 12 \* Sec. 16. AS 08.13.180 is amended by adding a new subsection to read:  
13 (b) A person is eligible for a student permit if the person  
14 (1) is at least 16 years of age; and  
15 (2) has graduated from high school or holds a G.E.D. equiv-  
16 alency.

- 17 \* Sec. 17. AS 08.13.185 is repealed and reenacted to read:  
18 Sec. 08.13.185. FEES. (a) The department shall adopt regula-  
19 tions under AS 08.01.080 that establish the amount and manner of  
20 payment of fees for examination and investigation, and for initial  
21 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 cosmetology;  
28 (7) practitioner of esthetics;  
29 (8) practitioner of manicure and pedicure;

(8) temporary permit removed

1 (9) student permit.

2 (b) The department may not adopt a regulation under (a) of this  
3 section unless the board concurs.

4 (c) A fee established under this section shall, to the extent  
5 possible, be based on the actual costs to the department of the activ-  
6 ity for which the fee is charged.

7 \* Sec. 18. AS 08.13.190 is amended to read:

8 Sec. 08.13.190. FAILURE TO POSSESS A LICENSE OR PERMIT. A  
9 person who practices barbering, cosmetology, esthetics, or manicure  
10 and pedicure [HAIRDRESSING, OR COSMETOLOGY], or operates a shop, or  
11 operates a school of barbering, cosmetology, or esthetics [HAIR-  
12 DRESSING, OR COSMETOLOGY], or teaches in a school of barbering, cosme-  
13 tology, or esthetics [HAIRDRESSING, OR COSMETOLOGY], without a license  
14 [, TEMPORARY PERMIT,] or student permit and who is not exempt under  
15 AS 08.13.120 or 08.13.160(d) [UNDER AS 08.13.160(d)] is guilty of a  
16 class B misdemeanor.

17 \* Sec. 19. AS 08.13.210 is amended to read:

18 Sec. 08.13.210. HEALTH AND SANITARY CONDITIONS. Health and  
19 sanitary conditions in shops and schools of barbering, cosmetology,  
20 and esthetics [HAIRDRESSING, AND COSMETOLOGY] shall be supervised by  
21 the Department of Environmental Conservation [HEALTH AND SOCIAL SER-  
22 VICES].

23 \* Sec. 20. AS 08.13.220 is amended to read:

24 Sec. 08.13.220. DEFINITIONS. As used in this chapter,

25 (1) "apprentice" means a person who receives on-the-job  
26 training under [THE] direct supervision [OF A PRACTITIONER, WHO DOES  
27 NOT RECEIVE A WAGE OR COMMISSION BEFORE COMPLETING 350 HOURS OF TRAIN-  
28 ING, AND FOR WHOSE WORK NO CHARGE IS MADE BEFORE COMPLETING 350 HOURS  
29 OF TRAINING];

1 (2) "barbering" means shaving, ~~TRIMMING~~, OR] cutting,  
2 styling, curling, permanent waving, bleaching, coloring, cleansing, or  
3 chemically straightening the beard or hair of a living person for a  
4 fee and for cosmetic purposes;

5 (3) "board" means the Board of Barbers and Cosmeto s  
6 [HAIRDRESSERS];

7 (4) "esthetics" ["COSMETOLOGY"] means the use of the hands,  
8 [MECHANICAL OR ELECTRIC APPARATUS OR] appliances, cosmetic prepara-  
9 tions, antiseptics, or lotions in massaging, cleansing, stimulating,  
10 or similar work on the scalp, face or neck, including skin care,  
11 make-up, and temporary removal of superfluous hair, [HUMAN BODY] for  
12 cosmetic purposes for a fee;

13 (5) "cosmetology" ["HAIRDRESSING"] means performing, for a  
14 fee, the following services for cosmetic purposes:

15 (A) shaving, trimming, or cutting the beard of a  
16 living person; [AND]

17 (B) arranging, styling, dressing, curling, temporary  
18 waving, permanent waving, cutting, singeing, bleaching, coloring,  
19 cleansing, conditioning, or similar work on the hair of a living  
20 person;

21 (C) esthetics; and

22 (D) manicure or pedicure;

23 (6) "instructor" means a person who teaches barbering,  
24 cosmetology, or esthetics in a school or who supervises an apprentice;

25 (7) "practitioner" means a person licensed to practice  
26 barbering, cosmetology, esthetics, or manicure and pedicure [HAIR-  
27 DRESSING, OR COSMETOLOGY] under this chapter;

28 (8) [(7)] "shampoo person" means a person who, for a fee  
29 and under the supervision of a practitioner of barbering or

1  
2 cosmetology [HAIRDRESSING], cleanses or conditions the hair of the  
3 human head with products that [WHICH] have no effect other than clean-  
4 ing or conditioning the hair;

5 (9) [(8)] "shop" means [IS] an establishment operated for  
6 the purpose of engaging in barbering, cosmetology, or esthetics [HAIR-  
7 DRESSING, OR COSMETOLOGY].

8 \* Sec. 21. AS 44.46.020 is amended to read:

9 Sec. 44.46.020. DUTIES OF DEPARTMENT. The Department of En-  
10 vironmental Conservation shall

11 (1) have primary responsibility for coordination and devel-  
12 opment of policies, programs and planning related to the environment  
13 of the state and of the various regions of the state;

14 (2) have primary responsibility for the adoption and en-  
15 forcement of regulations setting standards for the prevention and  
16 abatement of all water, land, subsurface land and air pollution, and  
17 other sources or potential sources of pollution of the environment,  
18 including by way of example only, petroleum and natural gas pipelines;

19 (3) promote and develop programs for the protection and  
20 control of the environment of the state;

21 (4) take actions that are necessary and proper to further  
22 the policy declared in AS 46.03.010;

23 (5) adopt regulations for

24 (A) the prevention and control of public health nui-  
25 sances;

26 (B) the regulation of sanitation and sanitary prac-  
27 tices in the interest of public health;

28 (C) standards of cleanliness and sanitation in con-  
29 nection with the construction, operation, and maintenance of a  
camp, cannery, food handling establishment, food manufacturing

1 plant, mattress manufacturing establishment, industrial plant,  
2 school, barbershop, cosmetology or esthetics [HAIRDRESSING OR  
3 COSMETOLOGY] establishment, soft drink establishment, beer and  
4 wine dispensaries, and for other similar establishments in which  
5 lack of sanitation may create a condition that [WHICH] causes  
6 disease;

7 (D) the regulation of quality and purity of commer-  
8 cially compressed air sold for human respiration.

9 \* Sec. 22. AS 44.62.330(a)(51) is amended to read:

10 (51) Board of Barbers and Cosmetologists [HAIRDRESSERS]  
11 (AS 08.13.010)

12 \* Sec. 23. (a) A person who, on the effective date of this Act, holds  
13 a valid license issued by the Board of Barbers and Hairdressers may con-  
14 tinue to practice as permitted by the license until the license expires and  
15 may renew the license in the appropriate field of practice without meeting  
16 the new requirements for licensure.

17 (b) Notwithstanding AS 08.13.090, the Board of Barbers and  
18 Cosmetologists shall issue a license to practice manicure and pedicure  
19 to a person who is a practitioner of manicure and pedicure in the  
20 state on the effective date of this Act without examination.

21 \* Sec. 24. AS 08.13.170 is repealed.

22 \* Sec. 25. This Act takes effect immediately in accordance with AS 01.-  
23 10.070(c).

To: Mike  
From: Roger

April 24 Meeting

HB 305 Here is the latest update on this mess. I have fairly firm word from Senator Rodey's aide that they are going to amend the SB 218 version of this to simply extend the Board for one year or possibly two and then they can go with HB 305 as the vehicle next year to get into the details that they should have worked out this year. For this reason, I think we ought to just give this bill one quick run-through today, spend 15 minutes on it, and move it out. That way, House Finance can just sit on it, or move it over to the Senate either one, but that way it is out of our Committee, otherwise, if we keep it and hold it over, we will have to go thru more of this bullshit next year.

Thus, it could probably move out any old way, since it will go thru further changes next year, but if we want to move it out so it is at least relatively clean, we might as well finish up what work we did. Some of Terry Cramers changes are substantive, but they also flow out of the logic and decisions made at our Friday night meeting. The two major changes that are involved are changing the rest of the bill are 1) to include manicurists and pedicurists in all the other appropriate sections so that they also have apprentice programs and licensing and regulation procedures to follow as well, and 2) to remove the temporary permit concept from the rest of the bill. As it currently stands, we have a bill right now that has created a half of a beast as far as these two issues are concerned, so we should either go the whole way with them or drop them out all together. After talking with Terry about 6 times yesterday, I had her put everything in, so that the Committee could see what those additional changes are. The new changes Terry proposed will be in your Committee file underlined in yellow.

Marse Keuber has a copy of it in hand and in preliminary discussion with him this morning he seemed agreeable at least in principle to the changes made, and in fact said he was trying to point out some of them to the Committee the other night. He is also interested in getting back into the misdemeanor stuff again, and trying to put some of his other objections from the other night back in again. I suggest you cut this short to save time, accept Terry's changes, and move the bill out with the understanding that Marse and Julie Ward and the rest of the universe should get another shot at it in the following committees either this year or next year.

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Procedurally, I checked with Rules and we are in a grey area here after checking with Billy Berrier. Since we have not yet passed the Committee vote on to the Chief Clerk, we can rescind our previous action as a committee, thus bringing this bill back on the table--especially since you indicated that you wanted Marse to see the amended product of the other night. You would then have the Committee vote again and sign up on a whole new sign up sheet, since the old vote would be cancelled. Or, if things bog down, you can say to hell with it, and simply pass out the version Terry has changed, and not mess with it at all, and really save time. It looks like a lot of changes, but it isn't as bad as it first appeared.

STATE OF ALASKA



BOARD OF BARBERS AND HAIRDRESSERS

Barber and Hairdresser Statutes 08.01.010 - 08.13.220

Barber and Hairdresser Regulations 12 AAC 02.010 - 12 AAC 02.030 and  
12 AAC 09.005 - 12 AAC 09.915

PRINTED: March 1983

CENTRALIZED LICENSING ACT, AS 08 01

MISCELLANEOUS PROVISIONS, AS 08 02

TERMINATION, CONTINUATION AND REESTABLISHMENT  
OF REGULATORY BOARDS, AS 08 03

**CHAPTER 01  
CENTRALIZED LICENSING**

**Section**

- 10. Applicability of chapter
- 20. Board organization
- 25. Public members
- 30. Quorum
- 40. Transportation and per diem
- 50. Administrative duties of department
- 60. Application for license
- 70. Administrative duties of boards
- 80. Department regulations
- 87. Powers and duties of department
- 90. Applicability of the Administrative Procedure Act
- 100. License renewal, lapse and reinstatement
- 105. Penalty for improper payment
- 110. Definitions

**Sec. 08.01.010.** Applicability of chapter. This chapter applies to the

- (1) Board of Public Accountancy;
- (2) Board of Barbers and Hairdressers;
- (3) Repealed by Sec. 6 ch 32 SLA 1971.
- (4) Board of Chiropractic Examiners;
- (5) Board of Dental Examiners;
- (6) Board of Electrical Examiners;
- (7) State Board of Registration for Architects, Engineers and Land Surveyors;
- (8) State Medical Board;
- (9) Board of Nursing;
- (10) Board of Examiners in Optometry;
- (11) Board of Pharmacy;
- (12) Real Estate Commission;
- (13) Board of Veterinary Examiners;
- (14) Board of Psychologist and Psychological Associate Examiners;
- (15) Collection Agency Board;
- (16) Board of Welding Examiners;
- (17) Board of Marine Pilots;
- (18) Board of Dispensing Opticians;
- (19) Guide Licensing and Control Board;
- (20) State Physical Therapy Board. (Sec. 1 ch 69 SLA 1966; am Sec. 2 ch 136 SLA 1967; am Sec 2 ch 101 SLA 1968; am Sec 6 ch 143 SLA 1968; am Sec 2 ch 151 SLA 1968; am Sec 1 ch 106 SLA 1970; am Sec 6 ch 32 SLA 1971; am Sec 4 ch 179 SLA 1972; am Sec 2 ch 46 SLA 1973; am Sec 14 ch 85 SLA 1973; am Sec 1 ch 43 SLA 1975; am Sec 1 ch 43 SLA 1977; am ch 159 SLA 1980)

Effect of amendments.-- The first 1973 amendment added paragraph (18).

The second 1973 amendment inserted "and Psychological Associate" in paragraph (14).

The 1975 amendment added paragraph (19).

The 1977 amendment added paragraph (20).

The 1980 amendment created the Board of Barbers and Hairdressers.

**Sec. 08.01.020.** Board organization. Unless otherwise provided, all board members are appointed by the governor and serve at his pleasure. Unless otherwise provided, the governor shall designate the chairman of the board, and all other officers shall be elected by the board members. (Sec 1 ch 59 SLA 1966)

**Sec. 08.01.025.** Public members. No public member of a board may:

- (1) be engaged in the occupation which the board regulates;
- (2) be associated by legal contract with a member of the occupation which the board regulates except as a contractor of the services provided by a practitioner of the occupation; or
- (3) have a direct financial interest in the occupation which the board regulates. (Sec 1 ch 268 SLA 1976)

**Sec. 08.01.030.** Quorum. A majority of the membership of a board constitutes a quorum unless otherwise provided. (Sec 1 ch 59 SLA 1966)

**Sec. 08.01.040.** Transportation and per diem. A board member is entitled to transportation expenses and per diem as set out in AS 39.20.100. (Sec 1 ch 69 SLA 1966)

**Sec. 08.01.050.** Administrative duties of department. (a) The department shall provide the following administrative and budgetary services when appropriate:

- (1) collect fees and issue receipts;
- (2) maintain records and files;
- (3) issue and receive application forms;
- (4) notify applicants of acceptance or rejection of applicants as determined by the board;
- (5) designate dates examinations are to be held and notify applicants;
- (6) public notice of examination;
- (7) arrange space for holding examinations;
- (8) notify applicants of results of examinations;
- (9) issue licenses and certificates or temporary licenses or certificates as authorized by the board;
- (10) except as otherwise provided in this title, issue duplicate licenses or certificates upon proof by the licensee of loss of the original and payment by the licensee of a fee of \$2;
- (11) notify licensees of renewal dates at least 30 days before the expiration date of their licenses;
- (12) compile and maintain current a register of licenses;
- (13) answer routine inquiries;

- (14) maintain files relating to individual licensees;
- (15) arrange for printing and advertising;
- (16) purchase supplies;
- (17) employ secretarial help when needed;
- (18) perform other services which may be requested by the board;
- (19) provide investigative services to the boards established under (AS 08.13) AS 08.70, AS 08.36, AS 08.64, AS 08.68, AS 08.71, AS 08.72, AS 08.80, AS 08.84, and AS 08.86, for the purpose of assisting those boards in matters of professional discipline.

(i) The form and content of a license, authorized by a board listed in Sec. 10 of this chapter, including any document evidencing renewal of a license, shall be determined by the department after consultation with and consideration of the views of the board concerned. (Sec 1 ch 59 SLA 1966; am Sec 1 ch 102 SLA 1976; am Sec 39 ch 218 SLA 1976; am Sec 2 ch 258 SLA 1976; am ch 49 SLA 1980)

Sec. 08.01.060. Application for license. All applications for examination or licensing to engage in the business or profession covered by this chapter shall be made in writing to the department. (Sec 1 ch 59 SLA 1966)

Sec. 08.01.070. Administrative duties of boards. Each board shall perform the following duties in addition to those provided in its respective law.

- (1) keep minutes and records of all proceedings;
- (2) hold a minimum of one meeting each year;
- (3) hold at least one examination each year;
- (4) request, through the department, investigation of violations of its laws and regulations;
- (5) prepare and grade examinations;
- (6) pass on qualifications of applicants for examination and license;
- (7) forward minutes of meetings to the department within 20 days;
- (8) forward results of examinations to the department;
- (9) notify the department of meeting dates at least 15 days before meeting. (Sec 1 ch 59 SLA 1966)

Sec. 08.01.080. Department regulations. The department shall adopt regulations to carry out the purposes of this chapter including but not limited to describing

- (1) how an examination is to be conducted;
- (2) what is contained in application forms;

- (3) how a person applies for an examination or license. (Sec 1 ch 59 SLA 1966)

Sec. 08.01.087. Powers and duties of department. (a) The department may, upon its own motion, conduct investigations to determine whether any person has violated a provision of this chapter or a regulation adopted under it or a provision of a charter in this title dealing with one of the boards listed in Sec. 10 of this chapter or a regulation adopted by one of those boards, or to secure information useful in the administration of this chapter.

(b) If it appears to the commissioner that a person has engaged in or is about to engage in an act or practice in violation of a provision of this chapter or a regulation adopted under it, or any of the laws pertaining to or regulations adopted by the boards listed in Sec. 10 of this chapter, he may, if he considers it in the public interest, and after notification to all board members by telephone or telegraph of a proposed order or action unless a majority of the members of the board object within 10 days,

(1) issue an order directing the person to stop the act or practice; however, reasonable notice of and an opportunity for a hearing must first be given to the person, except that the commissioner may issue a temporary order before a hearing is held; a temporary order remains in effect until a final order affirming, modifying, or reversing the temporary order is issued or until 15 days after the person receives the notice and has not requested a hearing by that time; a temporary order becomes final if the person to whom the notice is addressed does not request a hearing within 15 days after receiving the notice; the commissioner or his designee shall be the hearing officer at the hearing and shall issue a final order within 10 days after the hearing;

(2) bring an action in the superior court to enjoin the acts or practices and to enforce compliance with this chapter, a regulation adopted under it, or an order issued under it, or any of the laws pertaining to or regulations adopted by the boards listed in Sec. 10 of this chapter;

(3) examine or have examined the books and records of any person whose business activities require licensure by a board listed in Sec. 10 of this chapter and he may require that person to pay the reasonable costs of the examination; and

(4) issue subpoenas for the attendance of witnesses, and the production of books, records and other documents. (Sec 3 ch 258 SLA 1976)

Sec. 08.01.090. Applicability of the Administrative Procedure Act. The Administrative Procedure Act (AS 14.62) applies to regulations adopted and proceedings held under this chapter, except those under AS 08.01.087(b). (Sec 1 ch 59 SLA 1966; am Sec 4 ch 258 SLA 1976)

Sec. 08.01.100. License renewal, lapse and reinstatement. (a) Except as otherwise provided in this title, licenses shall be renewed biennially on the dates set by the department with the approval of the respective board.

(b) A registration, license, permit or certificate requiring renewal to continue effective must be renewed on or before the date set by the department or it will lapse. A penalty of \$10 shall be charged in addition to all delinquent renewal fees for reinstatement for a registration, license, permit or certificate which remains lapsed for more than 70 days. (Sec 1 ch SLA 1966; am Sec 2 ch 94 SLA 1988)

Sec. 08.01.105. Penalty for improper payment. An applicant shall pay a penalty of \$10 each time a negotiable instrument is presented to the department in payment of an amount due and payment is subsequently refused by the named payor. (Sec 3 ch 268 SLA 1976)

## Sec. 08.01.110. Definitions. In this chapter

- (1) "board" includes the boards and commissions listed in Sec. 10 of this chapter;
- (2) "department" means the Department of Commerce and Economic Development;
- (3) "commissioner" means the commissioner of commerce and economic development;
- (4) "license" means any license, certificate, permit, or registration or similar evidence of authority issued by one of the boards listed in Sec. 10 of this chapter;
- (5) "licensee" means any person who holds a license;
- (6) "occupation" means any of the trades or professions for which licensure is required by one of the boards listed in Sec. 10 of this chapter. (Sec 1 ch 59 SLA 1966; am Sec 40 ch 218 SLA 1976; am Sec 6 ch 258 SLA 1976)

**CHAPTER 02  
MISCELLANEOUS PROVISIONS**

## Section

10. Professional designation requirements
20. Limitation of liability for members of licensing boards

Sec. 08.02.010. Professional designation requirements. (a) A person licensed in the state as a chiropractor as defined in AS 08.20.220, a dentist as defined in AS 08.36.360, a medical practitioner or osteopath as defined in AS 08.64.380, a professional nurse as defined in AS 08.68.410, an optometrist as defined in AS 08.72.300(3), a registered pharmacist under AS 08.80, a registered physical therapist under AS 08.84, or a psychologist under AS 08.06, shall professionally identify himself by the use of appropriate letters or a title after his name which represents his specific field of practice. The letters or title shall appear on all signs, stationery or other advertising in which the person offers or displays his professional services to the public. In addition, a person engaged in the practice of medicine or osteopathy under AS 08.64.380(2), or a person engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels other persons in relation to human health or disease and identifies himself by using the letters "M.D." or the title "doctor" or "physician" or any other title which tends to show that the person is wholly or qualified to diagnose, treat, test or counsel another person, shall clarify the letters or title by adding the appropriate specialist designation, if any, such as "dermatologist," "radiologist," "audiologist," "naturopath," or the like.

(b) A person subject to (a) of this section who fails to comply with the requirements of (a) of this section shall be given notice of his noncompliance by his appropriate licensing board. If, after a reasonable time, with opportunity for a hearing, his noncompliance continues, the board may suspend or revoke his license or registration, or administer other disciplinary action which in its determination is appropriate. (Sec 1 ch 8 SLA 1973)

Sec. 08.02.020. Limitation of liability for members of licensing boards. No person is liable for damages or other relief in an action by reason of his performance of a duty, function, or activity as a member of a licensing board or by reason of a recommendation or action of the board when the person acts in the reasonable belief that his action or recommendation is warranted by facts known to him or to the board after reasonable efforts to ascertain the facts upon which the action or recommendation is made. (Sec 45 ch 102 SLA 1976)

**CHAPTER 03  
TERMINATION, CONTINUATION AND REESTABLISHMENT  
OF REGULATORY BOARDS**

Under Sec. 08.03.010, the following boards have the following termination dates:

Guide Licensing and Control Board	June 30, 1980
Collection Agencies	June 30, 1980
Board of Welding Examiners	June 30, 1981
Board of Psychologist and Psychological Associate Examiners	June 30, 1982
Board of Electrical Examiners	June 30, 1982
Board of Dental Examiners	June 30, 1982
Real Estate Commission	June 30, 1982
Board of Marine Pilots	June 30, 1983
State Medical Board	June 30, 1983
Board of Nursing	June 30, 1983
Architects, Engineers and Land Surveyors	June 30, 1984
Board of Pharmacy	June 30, 1984
Board of Optometry	June 30, 1984
Board of Public Accountancy	June 30, 1984
Board of Barbers and Hairdressers	June 30, 1984
Board of Chiropractic Examiners	June 30, 1984
Board of Dispensing Opticians	June 30, 1985
Board of Veterinary Examiners	June 30, 1985
Board of Nursing Home Administrators	June 30, 1986
Physical Therapy Board	June 30, 1986

Section 08.03.020. Procedures governing termination, transition and continuation. (a) Upon termination, each board listed in AS 08.03.010 shall continue in existence until June 30 of the next succeeding year for the purpose of concluding its affairs. During this period, termination does not reduce or otherwise limit the powers or authority of each board. One year after the date of termination, a board not continued shall cease all activities.

(b) The termination, dissolution, continuation or reestablishment of a regulatory board shall be governed by the legislative oversight procedures of AS 44.66.050.

(c) A board scheduled for termination under this chapter may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period under AS 08.03.010. (Sec 2 ch 74 SLA 1979; am ch 42 SLA 1980)

BARBER AND HAI, DRESSER STATUTES, AS 08 13

CHAPTER 13  
BARBERS AND HAIRDRESSERS

## Article

1. Board of Barbers and Hairdressers
2. Examination and Licensing
3. General Provisions

ARTICLE 1  
BOARD OF BARBERS AND HAIRDRESSERS

## Section

10. Creation and membership of board
20. Term of office and removal of members
30. Powers and duties of the board
40. Meetings and examinations
50. Records of the board

Sec. 08.13.010. Creation and membership of board. (a) There is created the Board of Barbers and Hairdressers consisting of five members appointed by the governor.

(b) The board consists of

- (1) two persons licensed as barbers under this chapter;
- (2) two persons licensed as hairdressers under this chapter; and
- (3) one public member.

Sec. 08.13.020. Term of office and removal of members. Members serve staggered terms of three years at the pleasure of the governor. Members of the board may be appointed to serve no more than two consecutive full terms.

Sec. 08.13.030. Powers and duties of the board. (a) The board shall exercise general control over the vocations of barbering, hairdressing, and cosmetology.

(b) The board shall

- (1) examine applicants and approve the issuance of licenses and permits to practice;
- (2) authorize the issuance of licenses for schools of barbering, hairdressing and cosmetology.

(c) The board may

- (1) suspend or revoke a license or permit;
- (2) on its own motion or upon receipt of a written complaint, conduct hearings and request the Department of Commerce and Economic Development to investigate the practices of a person, shop, or school involved in the practice or teaching of barbering, hairdressing, or cosmetology;

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

Sec. 08.13.040. Meetings and examinations. The board shall meet as often as necessary to conduct its business. It shall conduct separate examinations covering each field of practice: barbering, hairdressing, and cosmetology. Examinations shall be given at least twice in every year for each field of practice for which applications for licensure are pending. An applicant may take an examination in more than one field during the same testing session.

Sec. 08.13.050. Records of the board. The board shall keep a record of its proceedings related to the issuance, refusal, suspension, and revocation of each license and permit. The record shall contain the name of the person to whom a license or permit is issued, his place of business, the date of issuance for each license and permit, and whether it is currently valid. The record shall be open to inspection by the public at all reasonable times. The board shall submit an annual report on its operations to the governor.

ARTICLE 2  
EXAMINATION AND LICENSING

## Section

70. License required
80. Qualifications of applicants
82. Apprenticeship
90. Examinations and other requirements
100. License
110. School license
120. Shop license
130. Display of license or permit
140. Lapsed license
150. Grounds for refusal, suspension or revocation of a license or permit
160. Application of license requirements
170. Temporary permits
180. Student permits
185. Fees
190. Failure to possess a license or permit

Sec. 08.13.070. License required. A person may not

- (1) practice barbering, hairdressing, or cosmetology without a license, temporary permit, or student permit unless exempted under AS 08.13.160(d);
- (2) open or conduct a school of barbering, hairdressing, or cosmetology without a license;
- (3) operate a shop in violation of AS 08.13.120;
- (4) permit a person in his employ or under his supervision who is not exempted under AS 08.13.160(d) to practice barbering, hairdressing, or cosmetology without a license, temporary permit, or student permit;
- (5) permit the use of his license, temporary permit, or student permit by another person;
- (6) obtain or attempt to obtain a license, temporary permit, or student permit by fraudulent means.

Sec. 08.13.080. Qualifications of applicants. An applicant for examination must

- (1) have successfully completed all courses that a school with a program in barbering is required to teach in order to be licensed under AS 08.13.110 if applying for a license to practice barbering;
- (2) have successfully completed all courses that a school with a program in hairdressing is required to teach in order to be licensed under AS 08.13.110 if applying for a license to practice hairdressing;
- (3) have successfully completed all courses that a school with a program in cosmetology is required to teach in order to be licensed under AS 08.13.110 if applying for a license to practice cosmetology; or
- (4) have served an apprenticeship under AS 08.13.082.

Sec. 08.13.082. Apprenticeship. (a) The period of apprenticeship required to qualify an applicant for a license to practice barbering is 1,500 hours. The apprenticeship must be served in a shop approved by the board. The apprenticeship may not be completed in less than nine months from the date of its commencement and must be completed in not more than two years from the date of its commencement.

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

(c) The period of apprenticeship required to qualify an applicant for a license to practice cosmetology is 350 hours. The apprenticeship must be served in a shop approved by the board. The apprenticeship may not be completed in less than six months from the date of its commencement and must be completed in not more than one year from the date of its commencement.

Sec. 08.13.090. Examinations and other requirements. (a) A written examination shall be given to each applicant for examination at a time and place determined by the board. The board may delegate the power of examination to a committee of the board or a board member.

(b) The written examination shall cover subjects designated by the board and shall test the applicant's knowledge of sanitary practices, safety of all procedures, and use of instruments, equipment and chemicals permitted within the field of practice for which the applicant is seeking a license.

(c) The board may by regulation establish requirements for a practical examination for licensure.

Sec. 08.13.100. License. (a) The board shall authorize the issuance of a license to each qualified applicant who has passed an examination under AS 08.13.090. The license is valid for two years and subject to renewal.

(b) A license shall state the areas of practice (barbering, hairdressing, cosmetology, or any combination) which the practitioner is qualified to perform.

(c) The board may by regulation create areas of limited professional licensing in the field of cosmetology, except that the board may not restrict or otherwise regulate the practice of manicure or pedicure. Any limitations must be stated on the license.

(d) A person holding a current valid license from a board of barbering, hairdressing, or cosmetology in another state or country is entitled to a license under this chapter without examination. An application shall include:

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

(2) proof of completed training and working experience which the board finds to meet the minimum requirements of the state;

(3) payment of a credential investigation fee.

Sec. 08.13.110. School license. The board shall adopt regulations for the licensing of schools of barbering, hairdressing, and cosmetology. The regulations shall include details of the curriculum, minimum hours of instruction, physical condition of the facilities, and financial responsibility of the owner.

Sec. 08.13.120. Shop license. The board shall adopt regulations for the licensing of shops. A shop owner will be licensed to operate a shop without examination, but unless he is a practitioner he may not conduct business without employing a manager who is a practitioner. This section does not apply to a shop located in a community having a population of less than 1,000 people which is not within 25 miles of a community of more than 1,000 people.

Sec. 08.13.130. Display of license or permit. A practitioner shall display his license in a conspicuous location in his place of business. Each shop owner is responsible for the display of the licenses of employees. A practitioner who practices outside of a place of business shall carry his license with him to be shown to persons upon whom work is performed. A person holding a student permit or temporary permit shall have his permit available for inspection when engaged in practice.

Sec. 08.13.140. Lapsed license. A lapsed license may be reinstated if the license has not been lapsed for a period of more than three years, and all renewal and delinquent fees for the period during which the license has been lapsed are paid.

Sec. 08.13.150. Grounds for refusal, suspension or revocation of a license or permit. The board may refuse, suspend, or revoke a license, student permit, or temporary permit for failure to comply with this chapter, with a regulation adopted under this chapter, or with an order of the board.

Sec. 08.13.160. Application of license requirements. (a) A person holding a valid license to practice barbering under AS 08.12 is licensed under this chapter, and may continue to practice barbering under the conditions imposed by AS 08.12 and the regulations issued under AS 08.12 until the license expires.

(b) A person holding a valid license under AS 08.28 may continue to practice under the conditions imposed under AS 08.28 and the regulations issued under AS 08.28 until the license expires.

(c) A person holding a valid license issued under AS 08.12 or AS 08.26 shall be entitled upon its expiration to a license to practice under this chapter in the field of practice for which he was originally licensed, without meeting requirements for new licensure.

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

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

(2) a shampoo person.

Sec. 08.13.170. Temporary permits. (a) A person not licensed under this chapter who wishes to practice and teach barbering, hairdressing or cosmetology temporarily and primarily for educational purposes who is otherwise qualified to practice barbering, hairdressing, or cosmetology as determined by the board shall first obtain a temporary permit.

(b) The temporary permit shall specify

- (1) the purpose for which it is granted;
- (2) the period during which the holder of the temporary permit may practice;
- (3) the place or places the holder of the temporary permit may practice.

Sec. 08.13.180. Student permits. A person attending a licensed school of barbering, hairdressing, or cosmetology, and a person apprenticed to a practitioner in a shop approved by the board shall obtain a student permit. A student permit to practice barbering or hairdressing is valid for two years. A student permit to practice cosmetology is valid for one year. A student permit may not be renewed, but, upon application, the board may issue a new permit to the same person, or extend an expired permit to the date of the next scheduled examination. Credit earned under an expired student permit may be transferred to a new permit as determined by the board.

Sec. 08.13.185. Fees. The following fees are imposed under this chapter:

(1) schools:	
initial two year license fee.....	\$700
biennial renewal .....	400
(2) school owner:	
initial two year license fee.....	\$ 70
biennial renewal .....	60
(3) instructor:	
initial two year license fee.....	\$ 70
biennial renewal .....	60
(4) shop owner:	
initial two year license fee.....	45
biennial renewal .....	40
(5) practitioner of barbering:	
initial two year license fee.....	\$ 65
biennial renewal .....	40
(6) practitioner of hairdressing:	
initial two year license fee.....	\$ 65
biennial renewal .....	40
(7) practitioner of cosmetology:	
initial two year license fee.....	\$ 45
biennial renewal .....	30
(8) temporary permit .....	\$ 30
(9) student permit.....	\$ 20
(10) examination fee .....	\$ 25
(11) investigation fee .....	\$ 25
(12) delinquent fee for late renewal .....	\$ 20

Sec. 08.13.190. Failure to possess a license or permit. A person who practices barbering, hairdressing, or cosmetology, or operates a shop, or operates a school of barbering, hairdressing, or cosmetology, or teaches in a school of barbering, hairdressing, or cosmetology, without a license, temporary permit, or student permit and who is not exempt under AS 08.13.120 or under 08.13.160(d) is guilty of a class B misdemeanor.

### ARTICLE 3 GENERAL PROVISIONS

#### Section

200. Deposit of receipts  
210. Health and sanitary conditions  
220. Definitions

Sec. 08.13.200. Deposit of receipts. Money received by the board from the payment of fees shall be paid into the general fund of the state.

Sec. 08.13.210. Health and sanitary conditions. Health and sanitary conditions in shops and schools of barbering, hairdressing, and cosmetology shall be supervised by the Department of Health and Social Services.

Sec. 08.13.220. Definitions. As used in this chapter,

- (1) "apprentice" means a person who receives on the job training under the direct supervision of a practitioner, who does not receive a wage or commission before he has completed 350 hours of training, and for whose work no charge is made before he has completed 350 hours of training;
- (2) "barbering" means shaving, trimming, or cutting the beard or hair of a living person for a fee and for cosmetic purposes;
- (3) "board" means the Board of Barbers and Hairdressers;
- (4) "cosmetology" means the use of the hands, mechanical or electric apparatus or appliances, cosmetic preparations, antiseptics, or lotions in massaging, cleansing, stimulating, or similar work on the human body for cosmetic purposes for a fee;
- (5) "hairdressing" means performing, for a fee, the following services for cosmetic purposes:
  - (A) shaving, trimming, or cutting the beard of a living person; and
  - (B) arranging, styling, dressing, curling, temporary waving, permanent waving, cutting, singeing, bleaching, coloring, cleansing, conditioning, or similar work on the hair of a living person.
- (6) "practitioner" means a person licensed to practice barbering, hairdressing, or cosmetology under this chapter;
- (7) "shampoo person" means a person who, for a fee and under the supervision of a practitioner of barbering or hairdressing, cleanses or conditions the hair of the human head with products which have no effect other than cleansing or conditioning the hair;
- (8) "shop" is an establishment operated for the purpose of engaging in barbering, hairdressing, or cosmetology.

VOCATIONAL REGULATIONS 12 AAC 09.  
BOARD OF BARBERS AND HAIRDRESSERS

CHAPTER 2  
DEPARTMENT OF COMMERCE AND  
ECONOMIC DEVELOPMENT  
DIVISION OF OCCUPATIONAL LICENSING

## Article

## 1. Collection of Fees

ARTICLE 1  
COLLECTION OF FEES

## Section

10. Licensing and renewal fees  
20. Prorating renewal fees  
30. Prorating licensing fees

12 AAC 02.010. LICENSING AND RENEWAL FEES. (a) The department will collect fees and issue receipts for licensing and for license renewal for the boards listed in AS 08.01.010.

(b) The department will not issue a license or re-issue a license unless the applicable fees established in AS 08 dealing with one of the boards listed in AS 08.01.010 have been collected and a receipt has been prepared. (Eff. 10/2/81, Reg. 80)

Authority: AS 08.01.080  
AS 08.01.050

12 AAC 02.020. PRORATING RENEWAL FEES. (a) The department will prorate initial licensing renewal fees for boards listed in AS 08.01.010 which require payment of the renewal fee at the time a license is issued, in the following manner; if the department issues an initial license

(1) within 30 days before the date by which the license must be renewed, the licensee is not required to pay a renewal fee until the next and subsequent renewal dates;

(2) within six months before but more than 30 days before the date by which the license must be renewed, the licensee shall pay one fourth of the prescribed renewal fee;

(3) within 12 months before but more than six months before the date by which the license must be renewed, the licensee shall pay one half of the prescribed renewal fee;

(4) within 18 months before but more than 12 months before the date by which the license must be renewed, the licensee shall pay three fourths of the prescribed renewal fee; or

(5) more than 18 months before the date by which the license must be renewed, the licensee shall pay the entire prescribed renewal fee.

(b) The department shall prorate quadrennial licensing renewal fees for boards listed in AS 08.01.010 which require payment of the renewal fee at the time a license is issued in the following manner; if the department issues an initial license

(1) within 60 days before the date by which the license must be renewed, the licensee is not required to pay a renewal fee until the next and subsequent renewal dates;

(2) within 12 months before but more than 60 days before the date by which the license must be renewed, the licensee shall pay one fourth of the prescribed renewal fee;

(3) within 24 months before but more than 12 months before the date by which the license must be renewed, the licensee shall pay one half of the prescribed renewal fee;

(4) within 36 months before but more than 24 months before the date by which the license must be renewed, the licensee shall pay three fourths of the prescribed renewal fee; or

(5) more than 36 months before the date by which the license must be renewed, the licensee shall pay the entire prescribed renewal fee. (Eff. 10/2/81, Reg. 80)

Authority: AS 08.01.050  
AS 08.01.080  
AS 08.01.100

12 AAC 02.030. PRORATING LICENSING FEES. (a) The department will prorate initial license fees which specifically state that the initial license fee is for two years, in the following manner; if the department issues an initial license

(1) within 30 days before the date by which it must be renewed, the licensee shall pay the entire license fee and is not required to pay the renewal fee until the second and subsequent renewal dates;

(2) within six months before but more than 30 days before the date by which the license must be renewed, the licensee shall pay one fourth of the prescribed license fee at the time of issuance;

(3) within 12 months before but more than six months before the date by which the license must be renewed, the licensee shall pay one half of the prescribed license fee at the time of issuance; or

(4) more than 12 months before the date by which the license must be renewed, the licensee shall pay the entire prescribed license fee at the time of issuance.

(b) A licensee whose initial license fee was prorated in accordance with (a)(2), (3) or (4) of this section, shall pay the entire prescribed renewal fee at the time of the first and subsequent renewal dates.

(c) A fee paid for an initial license issued 30 days or less before the date of the first renewal will be applied to the first renewal.

(d) Licensing and renewal fees in the amount of \$60.00 or less will not be prorated by the department, but must be paid in full at the time an initial license is issued and renewed. (Eff. 10/2/81, Reg. 80; am 3/20/82, Reg. 81)

Authority: AS 08.01.080  
AS 08.01.100

CHAPTER 9  
BOARD OF BARBER AND HAIRDRESSERS

## Article

1. Examination Applications and Standards
2. Barber Examinations
3. Hairdressing and Cosmetology Examinations
4. Licensing Applications and Standards
5. Barber, Hairdressing and Cosmetology Schools
6. Student Permits
7. General Provisions

ARTICLE 1  
EXAMINATION APPLICATIONS AND  
STANDARDS

## Section

05. Time and place for filing applications
10. Examinations
15. Reexamination
20. Conduct for examinations
30. Station assigned and equipment
35. Models
38. Computation of grades

**12 AAC 09.005. TIME AND PLACE FOR FILING APPLICATIONS.** (a) An application for examination as a barber, hairdresser, cosmetologist, hairdresser or cosmetician must be submitted on a form provided by the department with certified or notarized documents in support of the application.

(b) The application with the required fee must be received in the department not less than 15 days before the date of the examination. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(b)(1)  
and (c)(3)

**12 AAC 09.010. EXAMINATIONS.** (a) Examinations of applicants for licensure will be given quarterly each year by the board.

(b) The board will give public notice of the date and place of an examination at least 30 days before the examination.

(c) Additional examinations may be held at the discretion of the board if there are five or more applicants. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(b)(1)  
and (c)(3)  
AS 08.13.040

**12 AAC 09.015. REEXAMINATION.** Applicants failing to pass an examination or failing to appear for an examination may take another examination by submitting the required fee of \$25.

(b) An applicant scheduled to take an examination who is unable to appear, will have his examination fee transferred to the next scheduled examination if he notifies the department of his inability to appear at least five days before the examination date. (Eff. 11/2/81, Reg. 80; am 4/10/82, Reg. 82)

Authority: AS 08.13.030(b)(1)  
and (c)(3)

**12 AAC 09.020. IDENTIFICATION OF APPLICANT.** (a) The department will assign each applicant for examination a number by which he or she is identified during the examination.

(b) No applicant may reveal his or her identity to an examiner until grading has been completed by the examiners.

(c) No applicant may make any reference orally or in writing to an examiner about any school of barbering, hairdressing or cosmetology, instructor, or present licenses held until grading has been completed by the examiners.

(d) No equipment, supplies, apparel or items which are to be turned into the board may identify the applicant except by the number assigned by the department. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)  
and (c)(3)  
AS 08.13.090

**12 AAC 09.025. CONDUCT FOR EXAMINATIONS.** (a) No applicant may leave the practical examination site or the written examination site while the examination is being conducted without permission of an examiner.

(b) Any attempt by a school owner, instructor, or any person to communicate with or help an applicant in any way while taking the examination, or any attempt by an applicant to secure information from another applicant will disqualify the applicant from completing the examination. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)  
and (c)(3)

**12 AAC 09.030. STATION ASSIGNED AND EQUIPMENT.** (a) Each applicant will be assigned a station equipped with a chair in which he or she will perform the required practical operations. Any change in station assignment must be approved by an examiner.

(b) An applicant must furnish his or her own tools and supplies for the practical examination as designated by the board. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)  
and (c)(3)  
AS 08.13.090(c)

**12 AAC 09.035. MODELS.** (a) An applicant shall secure his or her own model for the practical examination.

(b) An applicant shall provide the board with a statement of release of liability of the State and the applicant as executed by the model on a form provided by the department.

(c) An applicant shall provide the board with his or her model's name, age (if under 18 years of age), address and telephone number.

(d) A model for the practical examination must be at least 15 years of age.

(e) A model for the practical examination may not be a licensed barber, hairdresser or cosmetologist, a student or shop apprentice. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)  
AS 08.13.020(c)

**12 AAC 09.038. COMPUTATION OF GRADES.** An applicant's final grade for each subject of the practical section of the examination is computed by totaling the number of points given to him or her by each examiner and dividing that total by the number of examiners grading the applicant. (Eff. 4/18/82, Reg. 82)

Authority: AS 08.13.030  
AS 08.13.090

ARTICLE 2  
BARBER EXAMINATIONS

## Section

40. Content and grading criteria of barber examination
45. Content and grading criteria of barber instructor examination
50. Basis of questions
55. Reexamination

**12 AAC 09.040. CONTENT AND GRADING CRITERIA OF BARBER EXAMINATION.** (a) The examination for a barber consists of the following sections:

(1) a 2 hour written examination covering sanitation, barber science, sterilization of equipment, and common contagious and infectious diseases of the face, head and neck;

(2) a practical examination with a maximum grade of 100 points as may be given by an examiner in each of the following subjects when completed in the specified time period:

- (A) haircut, 45 minutes;
- (B) shave, 45 minutes;
- (C) scalp massage, 15 minutes;
- (D) shampoo, 15 minutes;
- (E) hairstyling and drying, 15 minutes, and

(F) facial (rolling cream or scientific rest), 45 minutes.

(b) The condition and use of tools, sanitation, and protection and comfort of model will be included in the grading of each subject of the practical examination.

(c) A grade of at least 75 percent on the written examination section and a grade of at least 75 points on each subject of the practical examination section is a passing grade. (Eff. 11/2/81, Reg. 80, am 4/18/82, Reg. 82; am 1/2/82, Reg. 84)

Authority: AS 08 13 030(c)(3)  
AS 08 13 090

**12 AAC 09.045. CONTENT AND GRADING CRITERIA FOR BARBER INSTRUCTOR EXAMINATION.** (a) The examination for a barber instructor will consist of the following sections:

(1) a 2-hour written examination prepared by the board based on questions designated in 12 AAC 09 050; and

(2) a 30 minute or longer demonstration of a practical and theoretical barbering lesson plan to be determined by the board at the examination consisting of one or more of the following subjects:

- (A) haircut;
- (B) shaving;
- (C) scalp massaging; and
- (D) shampooing;
- (E) facial; and
- (F) hairstyling and drying.

(b) A grade of at least 75 percent on the written examination section is a passing grade for that section of the examination. The demonstration section of the examination will be graded by the board on a pass/fail basis. (Eff. 11/2/81, Reg. 80, am 10/21/82, Reg. 84)

Authority: AS 08 13 030(c)(3)  
AS 08 13 090  
AS 08 13 100

**12 AAC 09.050. BASIS OF QUESTIONS.** The authorized textbooks for basis of examination questions are:

(1) Practice and Science of Standard Barbering, published by Milady Publishing Company, Bronx, New York, 1969, and subsequent editions; and

(2) Standard Textbook of Professional Barbering, published by Milady Publishing Company, Bronx, New York, 1977, and subsequent editions. (Eff. 11/2/81, Reg. 80)

Authority: AS 08 13 030(c)(3)  
AS 08 13 090

**12 AAC 09.055. REEXAMINATION.** (a) An applicant who fails the entire examination, or one section of the examination, may be reexamined at the next scheduled examination

(b) An applicant who fails one or more subjects of the practical section of the examination may be reexamined in only the subject or subjects failed.

(c) An applicant who fails one section of the examination, but passes the other section, may be reexamined only in the section failed.

(d) An applicant who fails the demonstration section of the instructor examination may be reexamined in the entire section. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08 13 030(c)(3)  
AS 08 13 090

### ARTICLE 3 HAIRDRESSING AND COSMETOLOGY EXAMINATIONS

#### Section

- 60. Content and grading criteria for hairdressing-cosmetology examination
- 62. Content and grading criteria for hairdressing examination
- 65. Content and grading criteria for cosmetician examination
- 70. Content and grading criteria for hairdresser-cosmetologist instructor examination
- 76. Reexamination

**12 AAC 09.060. CONTENT AND GRADING CRITERIA FOR HAIRDRESSING COSMETOLOGY EXAMINATION.** (a) The examination for a hairdresser cosmetologist consists of the following sections:

(1) a 2 hour written examination entitled the National Cosmetology Test, sponsored by the National Interstate Council of State Boards of Cosmetology and developed and scored by the Psychological Association, and

(2) a practical examination with a maximum grade of 100 points as may be given by an examiner in each of the following subjects graded when completed in the specified time periods allowed per subject:

- (A) permanent waving, 30 minutes;
- (B) virgin bleach and tint, 30 minutes;
- (C) haircutting, 45 minutes;
- (D) hair styling, 45 minutes.

(3) a practical examination with a maximum grade of 100 points as may be given by an examiner in the subjects of facial massage, skin care, make up and eye care, when completed within 90 minutes.

(b) sanitation, comfort and protection of model will be included in the grading of each subject of the practical examination.

(c) a grade of at least 75 percent on the written examination section and a grade of at least 75 points on each subject of the practical examination section is a passing grade.

(d) An applicant who passes the written examination and passes the subjects specified in (a)(2) and (b) of this section, but fails (a)(3) of this section, is entitled to a license as a hairdresser. A candidate who passes the written examination and the subjects specified in (a)(3) and (b) of this section, but fails one or more subjects in (a)(2) of this section, is entitled to a license as a cosmetician. (Eff. 11/2/81, Reg. 80, am 4/18/82, Reg. 82; am 10/21/82, Reg. 84)

Authority: AS 08 13 030(c)(3)  
AS 08 13 090

**12 AAC 09.062. CONTENT AND GRADING CRITERIA FOR HAIRDRESSING EXAMINATION.** (a) The examination for a hairdresser will consist of the examination sections and subjects specified in 12 AAC 09 060(a)(1), (2) and (b).

(b) A grade of at least 75 percent on the written examination section and a grade of at least 75 points on each subject of the practical examination section is a passing grade. (Eff. 4/18/82, Reg. 82)

Authority: AS 08 13 030  
AS 08 13 090

**12 AAC 09.065. CONTENT AND GRADING CRITERIA FOR COSMETICIAN EXAMINATION.** (a) The examination for a cosmetician consists of the following sections:

(1) a 2 hour written examination entitled the National Esthetician Test, sponsored by the National Interstate Council of State Board of Cosmetology and developed and scored by the Psychological Corporation; and

(2) a practical examination with a maximum grade of 100 points as may be given by an examiner in the subjects of facial massage, skin care, make up and eye care, when completed within 90 minutes.

(b) Sanitation, comfort and protection of model will be included in the grading of each subject of the practical examination.

(c) A grade of at least 75 percent on the written examination section and a grade of at least 75 percent on each subject of the practical examination section is a passing grade. (Eff. 11/2/81, Reg. 80, am 4/18/82, Reg. 82)

Authority: AS 08 13 030(c)(3)  
AS 08 13 090

**12 AAC 09.070. CONTENT AND GRADING CRITERIA FOR HAIRDRESSER COSMETOLOGIST INSTRUCTOR EXAMINATION.** (a) The examination for a hairdresser cosmetologist instructor

consists of the following sections:

(1) a 2 hour written examination entitled the Cosmetology Teacher Test, sponsored by the National Interstate Council of State Boards of Cosmetology and developed and scored by the Psychological Corporation; and

(2) a 30 minute or longer demonstration of a practical and theoretical lesson plan to be determined by the board at the examination, consisting of one or more of the following subjects:

- (A) facial massage, skin care, make up and eye care;
- (B) haircutting;
- (C) hair styling;
- (D) permanent waving;
- (E) virgin bleach and tint;
- (F) chemical hair relaxing; and
- (G) scalp treatment.

(b) a grade of at least 75 percent on the written examination section is a passing grade for that section of the examination. The demonstration section of the examination will be graded on a pass/fail basis. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(c)(3)  
AS 08.13.030(c)  
AS 08.13.100

12 AAC 09.075. REEXAMINATION. (a) An applicant who fails the entire examination, or one section of the examination may be reexamined at the next scheduled examination.

(b) An applicant who fails one or more subjects of the practical section of the examination may be reexamined in only the subject failed.

(c) An applicant who fails the written section of the examination, but passes the practical examination section, may be reexamined in only the section failed.

(d) An applicant who fails the demonstration section of the instructor examination may be reexamined in the entire section. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)  
AS 08.13.090

#### ARTICLE 4 LICENSING APPLICATIONS AND STANDARDS

##### Section

- 80. Barber license by examination
- 85. Barber license by waiver
- 90. Hairdressing cosmetologist or hairdressing licenses by examination
- 95. Hairdressing cosmetology or hairdressing licenses by waiver
- 100. Cosmetician license by examination
- 105. Cosmetician license by waiver
- 107. Temporary permits
- 110. Shop owner and shop license
- 115. Verifications

12 AAC 09.080. BARBER LICENSE BY EXAMINATION. (a) An application for a barber license by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of 1,500 hours of training in a barber school approved by the board or approved by another licensing jurisdiction;

(2) verification of 1,500 hours of training in an apprenticeship program approved by the board or approved by another licensing jurisdiction; or

(3) verification of 1,500 hours combined training in a barber school and an apprenticeship program approved by the board or approved by another licensing jurisdiction.

(b) An application for a barber instructor license by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of a current Alaska barber license; and

(2) verification of at least three years of practice as a licensed barber in Alaska or in another licensing jurisdiction; or

(3) one year of practice as a licensed barber in Alaska or in another licensing jurisdiction and 600 hours of student instructor training in a barber school approved by the board or by another licensing jurisdiction. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)  
AS 08.13.080(a)  
AS 08.13.110  
AS 08.13.100

12 AAC 09.085. BARBER LICENSE BY WAIVER. (a) An application for a barber license by waiver of examination must be submitted on a form provided by the department with:

(1) a check or money order in the amounts specified in AS 08.13.185(5) and (11);

(2) verification of a current barber license issued by another licensing jurisdiction; and

(3) verification of completed training or work experience equivalent to:

(A) 1,500 hours of training in a barber school or apprentice program approved by the board or approved by another licensing jurisdiction; or

(B) at least one year of full time work experience as a licensed barber, averaging no less than 32 hours per week, and a minimum 1,000 hours of training in a barber school or apprenticeship program approved by the board or by another licensing jurisdiction.

(b) An application for a barber instructor license by waiver of examination must be made on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(3) and (11);

(2) verification of a current barber instructor license issued by another licensing jurisdiction; and

(3) verification of training and experience equivalent to 12 AAC 09.080(b)(2) or (b)(3). (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)  
AS 08.13.080  
AS 08.13.110  
AS 08.13.100

12 AAC 09.090. HAIRDRESSING COSMETOLOGIST OR HAIRDRESSING LICENSES BY EXAMINATION. (a) An application for a hairdressing cosmetology or a hairdressing license by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of 2,000 hours of training in a hairdressing, cosmetology or beauty culture school approved by the board or approved by another licensing jurisdiction;

(2) verification of 2,000 hours of training in an apprenticeship program approved by the board or approved by another licensing jurisdiction; or

(3) verification of 2,000 hours of combined training in a hairdressing, cosmetology, or beauty culture school and apprenticeship program approved by the board or approved by another licensing jurisdiction.

(b) An application for a hairdresser cosmetologist instructor by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of a current license to practice as a hairdresser cosmetologist in Alaska; and

(2) verification of at least three years of practice as a licensed hairdresser cosmetologist in Alaska or in another licensing jurisdiction; or

(3) verification of one year of practice as a licensed hairdresser cosmetologist in Alaska or as a licensed hairdresser cosmetologist in another licensing jurisdiction and six hundred hours of student instructor training in a hairdressing, cosmetology or beauty culture school approved by the board or approved by another licensing jurisdiction. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)  
AS 08.13.080(b)  
AS 08.13.110  
AS 08.13.190

**12 AAC 09.095 HAIRDRESSING COSMETOLOGY OR HAIRDRESSING LICENSES BY WAIVER.** (a) An application for a hairdresser cosmetologist or hairdresser license by waiver of examination must be made on a form provided by the department with

(1) a check or money order in the amount specified in AS 08.13.185;

(2) verification of a current license to practice hairdressing cosmetology or hairdressing issued by another licensing jurisdiction; and

(3) verification of completed training and work experience equivalent to:

(A) 2,000 hours of training in a hairdressing, cosmetology or beauty culture school or an apprenticeship program approved by the board or approved by another licensing jurisdiction;

(B) at least one year of full time work experience as a licensed hairdresser cosmetologist or hairdresser, averaging no less than 32 hours per week, and a minimum 1,500 hours of training in a hairdressing, cosmetology, or beauty culture school or an apprenticeship program approved by the board or by another licensing jurisdiction; or

(C) at least two years of full-time work experience as a licensed hairdresser cosmetologist or hairdresser, averaging no less than 32 hours per week, and a minimum of 1,000 hours of training in a hairdressing, cosmetology or beauty culture school or an apprenticeship program approved by the board or approved by another licensing jurisdiction.

(b) An applicant unable to satisfy the requirements of (a)(3) of this section due to lack of equivalency, may obtain the needed hours of training and/or experience through attendance at an approved hairdressing, cosmetology, or beauty culture school or participation in an apprenticeship program approved by the board.

(c) An application for a hairdresser cosmetologist instructor license by waiver of examination must be made on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(3) and (11);

(2) verification of a current hairdresser cosmetologist instructor license issued by another licensing jurisdiction; and

(3) verification of training and experience equivalent to 12 AAC 09.090(b)(2) or (b)(3). (Eff. 11/2/81, Reg. 80; am. 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)  
AS 08.13.100(d)  
AS 08.13.110  
AS 08.13.190

**12 AAC 09.100. COSMETICIAN LICENSE BY EXAMINATION.** An application for a cosmetician license by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of 350 hours of cosmetician training in a hairdressing, cosmetology or beauty culture school approved by the board or approved by another licensing jurisdiction;

(2) verification of 350 hours of cosmetician training in an apprenticeship program approved by the board or approved by another licensing jurisdiction; or

(3) verification of 350 hours of combined cosmetician training in a hairdressing, cosmetology or beauty culture school and an apprenticeship program approved by the board or approved by another licensing jurisdiction. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)  
and (c)(3)  
AS 08.13.080(c)

**12 AAC 09.105. COSMETICIAN LICENSE BY WAIVER.** An application for a cosmetician license by waiver of examination must be submitted on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(7) and (11);

(2) verification of a current license to practice as a cosmetician issued by another licensing jurisdiction, and

(3) verification of training equivalent to 12 AAC 09.100. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)  
and (c)(3)  
AS 08.13.100(d)

**12 AAC 09.107. TEMPORARY PERMITS.** (a) An application for a temporary permit must be submitted on a form provided by the department with:

(1) verification of a current license to practice barbering, hairdressing cosmetology, or cosmetology issued by another licensing jurisdiction;

(2) a check or money order in the amount specified in AS 08.13.185;

(3) a statement of the purpose for which the temporary permit is being applied;

(4) the specific locations and exact dates the temporary permit holder would practice, demonstrate or teach; and

(5) the name or names of sponsors in Alaska, if applicable.

(b) A temporary permit is valid only for the locations and dates submitted with the application not exceeding a continuous period of 30 days.

(c) A temporary permit will not be renewed, but may be reissued upon receipt of a complete application submitted according to (a) of this section. (Eff. 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)  
AS 08.13.170

**12 AAC 09.110. SHOP OWNER AND SHOP LICENSES.** (a) An application for a shopowner license must be submitted on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(4); and

(2) the business name, physical location and addresses of all shops owned.

(b) An applicant for a shop license must be submitted on a form provided by the department with:

(1) the original or a notarized copy of a satisfactory report of a sanitary health inspection by the Alaska Department of Environmental Conservation, or its designee, which was conducted within 90 days of the date application is submitted to the department; and

(2) a notarized statement to include the:

(A) name of the owner or lessee;

(B) business name of the shop;

(C) physical location and address of the shop; and

(D) Alaska license number of the barber, hairdresser, cosmetologist or cosmetician employed as manager of the shop if the owner is not a licensed practitioner in the state.

(b) In the event of sale, lease, or transfer of ownership of a shop the seller, lessor or transferor shall notify the board in writing of the transaction within 30 days of sale, lease or transfer. The notice must include the name and address of buyer, lessee, or transferee.

(c) A violation of the rules and regulations of the Alaska Department of Environmental Conservation governing health and sanitary conditions in shops of barbering, hairdressing and cosmetology constitutes a violation of this chapter and is subject to the provisions of AS 08.13.030(c)(2).

(d) A shop owner or manager of a shop shall permit any member of the board of inspect the shop at any time during working hours. (Eff. 11/2/81, Reg. 80; am. 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)  
AS 08.13.120  
AS 08.13.210

12 AAC 09.115. VERIFICATIONS. Verification of licensed work experience or training of an applicant as required in 12 AAC 09.080-12 AAC 09.105, shall be certified or notarized documentation supplied to the board by:

(1) another jurisdiction's licensing board;

(2) a licensed school or shop;

(3) a licensed instructor; or

(4) a licensed hairdresser/cosmetologist or barber who sponsored an apprentice and maintained the required records. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)

ARTICLE 6  
BARBER, HAIRDRESSING AND  
COSMETOLOGY SCHOOL

Section

- 120. School Owner License
- 125. Requirements for school license
- 130. School records
- 135. Transfer of hours and reenrollment
- 140. Instructor student ratio
- 145. Equipment for barber schools
- 150. Barber school curriculum
- 155. Equipment for hairdressing and cosmetology schools
- 160. Curriculums for hairdressing and cosmetology schools
- 165. Student instructor curriculums
- 170. Theory syllabus and criteria for grading of examination.
- 175. Sanitation

12 AAC 08.120. SCHOOL OWNER LICENSE. (a) Any person, association, firm or corporation proposing to open a school of barbering, hairdressing or cosmetology, shall make application to the board for a school owner license on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(2);

(2) names of all parties having a financial interest in the school; and

(3) a certified or notarized copy of a valid bond, for the school, filed with the Alaska Department of Education.

(b) In the event of a sale, lease or transfer of ownership of any school, the seller, lessor or transferor shall notify the board in writing of the transaction within 30 days of the sale, lease or transfer. The notice must contain the name and address of the buyer, lessee or transferee. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(2)  
and (c)(3)  
AS 08.13.110

12 AAC 09.125. REQUIREMENTS FOR SCHOOL LICENSE. (a) Any person, association, firm or corporation proposing to open a school of barbering, hairdressing or cosmetology shall make application to the board for inspection and approval of the school premises by at least one board member. Application must be made on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(1);

(2) a current and valid certificate of registration for the school issued by the Alaska Department of Education;

(3) name of school owner; and

(4) an exact description of the floor plan and location of the school.

(b) In order to be approved by the board, a school shall provide at least 15 square feet of instructional area per student. Minimum required instructional areas are:

(1) one classroom for theoretical instruction;

(2) one practical operation instructional area with student stations arranged to facilitate work to be performed; and

(3) one dispensary with at least one sink with hot and cold water.

(c) For the purpose of determining minimum instructional areas, noninstructional areas of a school are lavatories, closets, hallways, reception areas, offices, stock room and other similar rooms or structures. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(2)  
and (c)(3)  
AS 08.13.110

12 AAC 09.130. SCHOOL RECORDS. (a) A school owner must register each student with the board and include the student's name, address and date of commencement of instruction within 30 days after the date of a student's enrollment in the school.

(b) A school owner must notify the board in writing of the date of a student's termination of instruction within 30 days after the date of termination.

(c) A school owner must provide at least one time clock for the recording of student attendance and maintain daily records of student attendance, number of hours of instructional coursework, and number of practical operations of each student enrolled in the school.

(d) A school shall submit a report to the board on a form provided by the board, verifying hours of training received by each student enrolled in the school within 30 days after the date of

(1) each student's successful completion of a course of instruction; or

(2) each student's termination of a course of instruction.

(e) A school may not credit a student for more than 8 hours of training in any one day.

(f) A school owner shall provide a certificate, diploma, or other affidavit of completion of a course to each student successfully completing a course of instruction.

(g) All records required to be maintained by a school under this must be maintained in an orderly, alphabetical or numerical filing system, and must be made available for inspection by any member of the board during hours the school is open for instruction. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)  
AS 08.13.110

12 AAC 08.135. TRANSFER OF HOURS AND REENROLLMENT. (a) A school shall accept credit hours of instruction and training of a student transferring from another licensed school in Alaska, or in another licensing jurisdiction, upon presentation of a certified or notarized copy of the records maintained by the board or by the other licensing jurisdiction, unless the student has interrupted his schooling for a continuous period of two years or more before the request for transfer of credit hours.

(b) A student requesting reenrollment to a school who has interrupted his schooling for a continuous period of two years or more, will not be allowed credit for hours of instruction received prior to the date of interruption. (Eff. 11/2/81, Reg. 80, am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)  
AS 08.13.110

12 AAC 09.140. INSTRUCTOR STUDENT RATIO. (a) A school of barbering, hairdressing or cosmetology must employ licensed instructors and maintain at least the ratio of

(1) one full-time licensed instructor for 25 or fewer students; and

(2) after enrollment of the first 25 students, one additional full time licensed instructor for each additional 25 or fewer students.

(b) A licensed instructor must be on the school premises during all hours the school is open for instruction. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)  
AS 08.13.110  
AS 08.13.190

PROFESSIONAL AND  
VOCATIONAL REGULATIONS12 AAC 09.145  
12 AAC 09.150

12 AAC 09.145. EQUIPMENT FOR BARBER SCHOOLS. (a) In addition to the requirements of 12 AAC 09.125(b), the classroom for theoretical instruction of the practice of barbering must be equipped with seating capacity for all students attending the classroom with equipment including, but not limited to:

- (1) one blackboard;
- (2) chart or charts of the skin, hair, muscles, nerves, bones, and circulatory system of the head, neck and face; and
- (3) book or books on anatomy, physiology and hygiene.

(b) The school shall provide each student with at least one board approved textbook as specified in 12 AAC 09.050, or a substantially similar textbook.

(c) The practical instructional area shall have available the following equipment for each student station including, but not limited to:

- (1) cabinet for instruments and linens;
- (2) towel container for soiled towels;
- (3) one portable hair dryer;
- (4) straight razor and strop;
- (5) cape with linens;
- (6) scissors;
- (7) combs;
- (8) brushes;
- (9) clips
- (10) razor with blades
- (11) shampoos, tonics, shaving lather, creams, conditioners, and antiseptics;
- (12) towels;

(13) dressing table, dresserette, or styling bar with mirror; and

(14) styling chair.

(d) For up to and including every 10 students, the practical instructional area shall have available at least:

- (1) one high frequency unit; and
- (2) one infrared generator.

(e) For up to and including every 6 students, the practical instructional area shall have at least one shampoo bowl. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)  
AS 08.13.110

12 AAC 09.150. BARBER SCHOOL CURRICULUM. (a) The curriculum for a student enrolled in a course of barbering must consist of 1,500 hours of theoretical and practical training. A school shall teach a minimum of 180 hours of theoretical instruction and the following minimum number of practical operations during the 1,500 hours of training:

PROFESSIONAL AND  
VOCATIONAL REGULATIONS12 AAC 09.150  
12 AAC 09.155

## Subject

(1) Haircutting, including hair analysis and the use of the razor, scissors, electric clippers, and thinning shears, for wet and dry cutting.

350

(2) Beard Trim

100

(3) Shave

50

(4) Scalp Massage, including hair and scalp analysis, brushing, electrical and manual scalp manipulation, and other hair treatments.

75

(5) Shampoo

100

(6) Hair styling and drying

100

(7) Facial

75

(b) No credit shall be given for time spent laundering towels, washing floors, walls, windows, lavatories, or similar work performed by a student.

(c) A licensed barber school has 6 months from the effective date of this section to comply with the curriculum requirements of (a) of this section. (Eff. 11/2/81, Reg. 80, am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)  
AS 08.13.110

12 AAC 09.155. EQUIPMENT FOR HAIRDRESSING AND COSMETOLOGY SCHOOLS. (a) In addition to the requirements of 12 AAC 09.125(b), the classroom for theoretical instruction of the practice of hairdressing and cosmetology must be equipped with seating capacity for all students attending the classroom with equipment including, but not limited to:

- (1) one blackboard;

Minimum  
Number of  
Practical  
Operations

(2) chart or charts of the skin, hair, muscles, nerves, bones and circulatory system of the head, neck and face, and

(3) book or books on general anatomy, physiology and hygiene.

(b) The school shall provide each student with at least one board approved textbook covering all curriculum subjects as specified in 12 AAC 09.160.

(c) The practical instructional area shall have available the following equipment for each student station including, but not limited to:

- (1) cabinet for instruments and linens;
- (2) towel container for soiled towels;
- (3) cape with linens;
- (4) towels;
- (5) shampoos, tonics, creams, conditioners and setting lotions;
- (6) rollers;
- (7) clips, bobby and hair pins;
- (8) combs;
- (9) brushes;
- (10) dressing table, dresserette, or styling bar with mirror;
- (11) styling chair;
- (12) portable hair dryer or blow dryer;
- (13) pressing comb;
- (14) cutting iron;
- (15) razor with blades;
- (16) scissors;
- (17) manicuring materials;

PROFESSIONAL AND  
VOCATIONAL REGULATIONS12 AAC 09.155  
12 AAC 09.160

(18) permanent waving solutions, rods and applicators;	(2) Thermal hair styling, including hair analysis, straightening, waving, curling with hot combs and hot curling irons, and blow-dry styling.	60
(19) chemical straightening solutions;		
(20) bleaches, tints and rinses; and		
(21) disposable rubber gloves;	(3) Permanent waving, including hair analysis and chemical waving.	100
(22) thinning shears;		
(23) wax materials;	(4) Chemical straightening, including hair analysis and the use of sodium hydroxide and other base solutions.	5
(24) tweezers;		
(25) facial masks; and	(5) Haircutting, including hair analysis and the use of the razor, scissors, and thinning shears, for wet and dry cutting	250
(26) astringents.		
(d) For every 20 or fewer students working at one time, the practical instructional area shall have available	(6) Haircoloring and bleaching, including hair analysis, predisposition tests, safety precautions, formula mixing, tinting, bleaching, use of dye removers, but not including color rinses.	70
(1) four shampoo bowls; and		
(2) five standard chair style hair dryer units with hoods. (Eff. 11/2/81, Reg. 80, am 10/21/82, Reg. 84)	(7) Scalp and hair treatments, including hair and scalp analysis, brushing, electric and manual scalp manipulation, and other hair treatments.	60
Authority: AS 08.13.030(c) AS 08.13.110	(8) Facials	
12 AAC 09.160. CURRICULUM FOR HAIRDRESSERS AND COSMETOLOGISTS. (a) The curriculum for a student enrolled in a course of hairdressing cosmetology must consist of 2,000 hours of theoretical and practical training. A school shall teach a minimum of 250 hours of theoretical instruction and the following minimum number of practical operations during the 2,000 hours of training:	(A) Manual, including skin analysis, cleansing, manipulations, packs, and masks.	25
	(B) Eyebrow arching and hair removal, including the use of wax, tweezers.	20
Subject		
(1) Wet hair styling, including hair analysis, shampooing, fingerwaving, pin curling and comb outs		300

PROFESSIONAL AND  
VOCATIONAL REGULATIONS

12 AAC 09.160

(C) Makeup, including skin analysis, complete and corrective makeup, and the application of false eye lashes	25	safety precautions used when operating electrical equipment	5
(D) Water and oil manicure, including nail analysis, and hand and arm massage.	60	(4) Bacteriology, sterilization and sanitation, safety precautions, anatomy, physiology, skin analysis and conditions.	15
(b) The curriculum for a student enrolled in a course of hairdressing must consist of 2,000 hours of theoretical and practical training. A school shall teach the minimum 250 hours of theoretical instruction and the minimum number of practical operations specified in (a)(1)-(a)(7) of this section during the 2,000 hours of training.		(5) Facials	
(c) The curriculum for a student enrolled in a cosmetician course shall consist of 350 hours of theoretical and practical training. A school shall teach the following minimum hours of instruction and minimum number of practical operations during the 350 hours of training:		(A) Manual, including skin analysis, cleansing, manipulations, packs and masks.	30
		(B) Electrical, including the use of all electrical modalities and electrical apparatus, including dermal lights for facials and skin care purposes.	40
		(C) Eyebrow arching and hair removal including the use of wax, tweezers manual or electrical and depilatories for the removal of superfluous hair.	15
Subject	Minimum Hours of Theoretical Instruction	Minimum Practical Operations	
(1) The Rules and Regulations of the Alaska Board of Barbers and Hairdressers	5	(D) Make up, including skin analysis, complete and corrective make up, and the application of false eyelashes.	15
(2) Chemistry pertaining to the practices of a cosmetician, including the chemical composition and purpose of cosmetic and skin care preparation. Shall also include the elementary chemical makeup physical, and chemical changes of matter.	15	(d) No credit shall be given for time spent laundering towels, washing floors, walls, windows, lavatories or similar work.	
(3) Electricity, including the nature of electrical current, principles of generating electrical devices, and the various		(e) A licensed hairdressing cosmetology school has six months from the effective date of this section to comply with the curriculum requirements of (a) and (b) of this section. (Eff. 11/2/81, Reg. 80, am 10/21/82, Reg. 84)	
		Authority: AS 08.13.030(c)(3) AS 08.13.110	

**12 AAC 09.165 STUDENT-INSTRUCTOR CURRICULUM.** (a) The curriculum for a student enrolled in a course or instructor training must consist of 600 hours of training in teaching barbering, hairdressing or cosmetology. A school shall teach the following minimum hours of instruction.

Subject	Minimum Hours of Instruction
(1) Rules and Regulations of the board	25
(2) Preparatory theoretical instruction, including teaching techniques, lesson planning, methods of instruction, evaluation of instruction, student record keeping, state record keeping and school operation.	76
(3) Supervision of desk, booking appointments, and assigning students for clinic services.	25
141 Clinic floor supervision under direct supervision of licensed instructor.	60
(b) The remaining 425 hours shall be completed as scheduled by the school but must include:	
(A) presentation of theoretical subjects in a classroom situation;	60
(B) presentation of theoretical subjects in a classroom situation; and	50
(C) supervision of clinic floor.	325
(b) A school shall employ text and reference books in a student instructor teaching program.	
(c) No credit shall be given for time spent laundering towels, washing floors, walls, windows or similar work. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)	

Authority: AS 08.13.030(c)  
AS 08.13.110  
AS 08.13.190

**12 AAC 09.170. THEORY SYLLABUS AND CRITERIA FOR GRADING OF EXAMINATIONS.** (a) The board may provide a theory syllabus to licensed schools of barbering, hairdressing and cosmetology, outlining topics to be taught by the school and listing suggested textbooks to be used for instruction in the practice of barbering, hairdressing and cosmetology.

(b) The board will provide its criteria for grading of examinations to each school of barbering, hairdressing and cosmetology and to each candidate permitted to take the examination prior to the date of an examination. (Eff. 11/2/81, Reg. 80, am 4/18/82, Reg. 82)

Authority: AS 08.13.030(c)(3)  
AS 08.13.110

**12 AAC 90.175. SANITATION.** A violation of the rules and regulations of the Alaska Department of Environmental Conservation governing health and sanitary conditions of the schools of barbering, hairdressing and cosmetology constitutes a violation of this chapter and is subject to the provisions of AS 08.13.030(c)(2). (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)  
AS 08.13.210

#### ARTICLE 6 STUDENT PERMITS

Section  
160. Student permits  
100. Apprentices

**12 AAC 09.180. STUDENT PERMITS.** (a) The board will issue a student permit according to the provisions of AS 08.12.180 upon receipt of the applicant's:

(1) check or money order in the amount specified in AS 08.13.180(b); and

(2) proof of enrollment in a licensed school of barbering, hairdressing or cosmetology as specified in 12 AAC 09.130; or

(3) proof of acceptance to be apprenticed to a practitioner in a shop approved by the board.

(b) The board will issue a student instructor permit, valid for two years from date of issuance, upon receipt of the applicant's:

(1) proof of enrollment in a student instructor program in a licensed school of barbering, hairdressing or cosmetology as specified in 12 AAC 09.130; and

(2) proof of a current license to practice as a barber, hairdresser, cosmetologist or cosmetician in Alaska.

(c) The board may extend a student permit beyond the original expiration date of the permit, up to the date of the next scheduled examination, if a request for an extension is made by the permit holder explaining the need for the extension. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)  
AS 08.13.180  
AS 08.13.190

**12 AAC 09.190. APPRENTICES.** (a) The owner or manager of a currently licensed barber, hairdressing or cosmetology shop which is approved by the board may sponsor an apprentice in the instruction of barbering, hairdressing or cosmetology if

(1) the shop submits a curriculum to the board and provides for

(A) the use of a standard textbook as specified in 12 AAC 09.050;

(B) instruction of the minimum hours of theory and minimum number of practical operations specified in 12 AAC 09.160 or 12 AAC 09.160;

(C) a training period which meets the requirements of AS 08.13.082; and

(D) the issuance of an affidavit of completion to each apprentice successfully completing the apprenticeship;

(2) the sponsoring shop owner or manager has been licensed and actively engaged in the practice of barbering or hairdressing/cosmetology in Alaska for at least three years and holds a current instructor license; and

(3) the shop owner or manager informs the board, on a form provided by the department, at least 30 days before the start of training an apprentice and no more than 30 days after the end of training an apprentice.

(b) A shop owner or manager may sponsor one apprentice for every five or fewer licenses practicing in the shop.

(c) A shop owner or manager may not sponsor a student instructor.

(d) The sponsor of an apprentice must provide training and instruction to the same extent required of a school of barbering, hairdressing, or cosmetology.

(e) A shop owner or manager must maintain daily records of an apprentice's number of hours of instructional coursework and number of practical operations sponsored by the shop.

(f) A shop owner or manager may not credit an apprentice for more than eight hours of training in any one day, and must comply with AS 08.13.220(1), concerning wages and charges for apprentice services.

(g) All records required to be maintained by a shop owner or manager under this section must be maintained in an orderly alphabetical or numerical filing system and must be made available for inspection by any member of the board during hours the shop is open for business.

(h) A shop approved by the board to sponsor an apprentice under this section is liable for all services and work performed by the apprentice in the shop. An apprentice may not perform work in the

shop unless the licensed barber or hairdresser-cosmetologist instructor responsible for his or her training is on the premises.

(i) An apprentice must complete his or her apprenticeship in the shop which first sponsored him or her, unless the apprentice transfers to another shop which is approved by the board and which complies with (a) of this section.

(j) Upon completion of a course of instruction under this section, an apprentice is eligible to take the appropriate examination in the license categories of barbering, hairdressing or cosmetology.

(k) An apprentice who interrupts his or her training for a continuous period of two years will not be allowed credit for apprenticeship instruction and training received before the interruption.

(l) A licensed barber, hairdresser, or cosmetologist sponsoring an apprentice as of [THE EFFECTIVE DATE OF THIS SECTION.] is not required to comply with (a)(2) of this section until another apprentice applies to be sponsored after that date. (Eff. 10/21/82, Reg. 84)

Authority: AS 08.13.030  
AS 08.13.082  
AS 08.13.180

#### ARTICLE 7 GENERAL PROVISIONS

##### Section

900. Examiners  
905. Location of shops in private residence  
910. Duties of Instructors and Student-Instructors  
915. Definitions

12 AAC 09.900. EXAMINERS. (a) For the purpose of conducting practical sections of the examinations, the board may approve a person, who has been licensed in Alaska as a barber, hairdresser or cosmetologist for at least five years, to assist the board as an examiner.

(b) A person approved as an examiner under (a) of this section, may not be:

(1) a licensed practitioner of a shop sponsoring an apprentice taking the examination;

(2) the owner of a barber, hairdressing or cosmetology school located in the state; or

(3) a licensed instructor in a barber, hairdressing or cosmetology school located in the state. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)  
AS 08.13.090(c)

12 AAC 09.005. LOCATION OF SHOPS IN PRIVATE RESIDENCE. (a) No shop may be opened and maintained in a private residence unless the shop is located in a separate room apart from living quarters.

(b) Application for a shop license must be made according to the provisions of 12 AAC 09.110(a) and is subject to the provisions of 12 AAC 08.110(b) and (c). (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)  
AS 08.13.120  
AS 08.13.210

12 AAC 09.910. DUTIES OF INSTRUCTORS AND STUDENT INSTRUCTORS. (a) No instructor or student instructor may, in connection with his duties instructing at a licensed school, practice barbering, hairdressing or cosmetology upon members of the public, except when work pertains directly to the instruction of students.

(b) A student instructor shall not be permitted to instruct without a licensed instructor on the school premises. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)

12 AAC 09.015. DEFINITIONS. As used in this chapter:

(1) "board" means the Board of Barbers and Hairdressers;

(2) "cosmetician" means a person who is licensed to practice cosmetology;

(3) "department" means the Department of Commerce and Economic Development;

(4) "jurisdiction" means a licensing board or administrative agency of Alaska, another state, territory or country responsible for issuing licenses and maintaining licensing records for barbers, hairdressers or cosmetologists;

(5) "theoretical instruction" means instruction by lecture, classroom participation, or examination;

(6) "practical instruction, operation or training" means the demonstration of or the actual performance of barbering, hairdressing or cosmetology by a student, apprentice, or practitioner. (Eff. 11/2/81, Reg. 80; am 10/24/82, Reg. 84)

Authority: AS 08.13.030(c)

HB 305 File Contents  
(Board of Barbers and Hairdressers)

April 3, 1985 Thursday

- 1) Bill Summary -- Legislative Reporting Service
- 2) Bill Overview -- Memo, Rep. Sund's Office
- 3) Sectional Analysis -- Rep. Sund's Office
- 4) Fiscal Note -- Dept. of Commerce
- 5) Position Statement -- Dept. of Commerce
- 6) Alaska Statutes and Regulations Relating to Barbers & Hairdressers
- 7) Letter from Marse Kueber to Senator Rodey,  
(with attached 1984 Annual Report)
- 8) 1983 Legislative Budget and Audit Report

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April 18, 1985 Thursday Meeting

- 9) Overview -- Roger Poppe, Committee Staff
- 10) Senate Letter of Intent on SB 435
- 11) Governor's veto letter to Kerttula -- May 25, 1984
- 12) Proposed Amendments -- Division of Occupational Licensing
- 13) Letter from Victoria Perdon, with proposed amendments --April  
16,85
- 14) Personal Letters and POMs sent to the Committee on this issue  
(located in your folder in the center of the table)

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April 19, 1985 Friday Meeting

- 15) Detailed response of Marse Kueber to amendments proposed  
by the Department and by Ward-Pedron (at top, it says page  
1 of 3, April 18, 1985)
- 16) Working Document from Poppe to Committee dated April 19 "  
Combining Marse Kueber's response with the Dept. and with  
Ward-Pedron Amendments
- 17) Supplemental memo -- Poppe to Committee

DIVISION OF OCCUPATIONAL LICENSING  
Proposed amendemnts to HB 305

Section 5

- Page 2, line 18 - Omit "once each calendar quarter in Anchorage."  
line 19 - Keep "twice in every year."  
line 20 - Omit "If there are at least five applicants."  
line 21 - Omit entirely.  
line 22 - Omit "immediately after the examination in Anchorage."

Section 8

- Page 4, line 2 - Change "program" to "board approved curriculum."  
line 6 - Change "program" to "board approved curriculum."  
line 10 - Change "program" to "board approved curriculum."  
line 17 - Delete [teaching] and insert ". . . student instructor training from a board approved curriculum . . ."

Section 9

- Page 5, lines 10-13 - Omit. There are no schools in Southeast Alaska at the present time.

Section 10

- Page 5, line 18 - Omit "or a proctor." The 'committee of the board' mentioned in line 17 consists of proctors. Line 18 is redundant.

Section 11

- Page 5, line 21 - Change "an" to "the." There are two examinations under AS 08.13.090, a written and a practical.

Section 14

- Page 7, line 8 - Add colon ":" after "apply to."  
Page 7, line 12 - Language used here is too broad. Professional products sold from supply warehouse stores also carry "chemicals available to the general public."  
lines 14-15 - Delete. The amendment as proposed is limited to medical doctors only. AS 08.64 defines "practice of medicine."  
Keep "A shampoo person."

Section 16

- Page 7, line 27 - Change "to a" to "by a."

Section 18

- Page 8, line 15 - Change reference "AS 08.01.080" to "AS 08.01.065" to reflect the Occupational Licensing Fee Bill.

Section 20

- Page 9, lines 13-21 - Omit. The board should not be involved in setting civil penalties. Civil penalties are determined by the Supreme Court of the State and the Legislature.

Section 21

- Page 9, line 26 - Change "Health and Social Services" to "Environmental Conservation."

Section 22

- Page 10, line 12 - Delete "mechanical or electrical"  
line 14 - Change "on the human body" to "on the head and neck of a client . . ."  
line 15 - Add ". . . for a fee, donation or gratuities;".

\* DELIVER TO JPOH

\* ORIGINAL

\* SENT 04/18/85 TIME: 13:17

\* FROM JUNE GALLEY

\* SUBJECT FOM

\* PRINT DATE: 04/18/85 TIME: 13:18

\*\*\*\*\*

TO: HOUSE LABOR AND COMMERCE COMMITTEE MEMBERS: NAVARRE, DAVIS,  
BOUCHER, COLLINS, HANLEY, KOPONEN, PEARCE

SENATOR ZEIGLER  
REPRESENTATIVES SUND AND TAYLOR

FROM: SHIRLEY JOHNSTON  
RT. 1 BOX 750  
KETCHIKAN, ALASKA 99901

RE: HB 305 BARBERS AND HAIRDRESSERS

MESSAGE: I OBJECT TO HB 305 I THINK THAT WE SHOULD CONTINUE  
HAVING A BOARD TO EXAMINE STUDENTS GETTING OUT OF SCHOOL.

EOM/JG

\*\*\*\*\*

TO: HOUSE LABOR AND COMMERCE COMMITTEE MEMBERS NAVARRE, DAVIS,  
BOUCHER, COLLINS, HANLEY, KOPONEN, PEARCE

REPRESENTATIVES TAYLOR AND SUND

SENATOR ZIEGLER

RE: HB 305, BARBERS AND HAIRDRESSERS

I WOULD LIKE TO PROTEST THE ELIMINATION OF THE BOARD OF  
HAIRDRESSERS AND BARBERS AS A LICENSED COSMETOLOGIST. I WORKED  
HARD TO GET WHERE I AM NOW, AND I DON'T WANT TO FEEL LIKE I'VE  
DONE IT IN VAIN.

EOM/JR

\*\*\*\*\*

\*\*\*\*\*  
\*  
\* BELIVED TO: JPOA \*  
\*  
\* ORIGINAL \*  
\* SENT: 04/18/85 TIME: 13:09 \*  
\* FROM: JUNE ROBBINS \*  
\* SUBJECT: POM \*  
\* PRINT DATE: 04/18/85 TIME: 13:09 \*  
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TO: HOUSE LABOR AND COMMERCE COMMITTEE MEMBERS **NAVARRE**, DAVIS,  
BOUCHER, COLLINS, HANLEY, KOPONEN, PEARCE

REPRESENTATIVES SUND AND TAYLOR

SENATOR ZIEGLER

FR: LOIS SLANAKER  
P. O. BOX 744  
WARD COVE, ALASKA 99901  
PH: 225-2533

RE: HB 305 BARBERS AND HAIRDRESSERS

I WOULD LIKE TO PROTEST THE ELIMINATION OF THE BOARD OF  
HAIRDRESSERS AND BARBERS. AS A LICENSED COSMOTOLOGIST, I FEEL I  
HAVE WORKED HARD IN MY PROFESSION TO GIVE THE PUBLIC THE BEST I  
HAVE. IF LICENSES ARE NO LONGER REQUIRED, THE PUBLIC WOULD  
SUFFER AND MANY INJURIES COULD ABOUND. THIS IS VERY UNFAIR TO  
ALL CONCERNED.

EDM/JR

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\* DELIVER TO: JFOM \*  
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\* ORIGINAL \*  
\* SENT: 04/18/85 TIME: 13:10 \*  
\* FROM: JUNE GALLEY \*  
\* SUBJECT: POM \*  
\* PRINT DATE: 04/18/85 TIME: 13:10 \*  
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\*\*\*\*\*

TO: ALL MEMBERS OF THE HOUSE LABOR AND COMMERCE COMMITTEE: M.  
NAVARRE, M. DAVIS, H.A. BOUCHER, V. COLLINS, A. HANLEY, N.  
KOPONEN AND D. PEARCE.  
SENATOR ZEIGLER  
REPRESENTATIVES SUND AND TAYLOR:

FROM: ELMO KIENBAUM  
2206 TONGASS  
KETCHIKAN, ALASKA 99901

RE: HB 305--BARBERS AND HAIRDRESSERS

MESSAGE: IF THIS PROFESSION IS SUNSETED----ALL THE WORK WE HAVE  
DONE TO UPGRADE OUR PROFESSION SINCE STATEHOOD WILL HAVE BEEN  
COMPLETELY LOST.----PLEASE HELP US TO GET HB 305 PASSED. I HAVE  
BEEN IN THE PROFESSION FOR 30 YEARS. THIS HAS BEEN MY CHOSEN  
EOM/JG

Alaska State Legislature  
House of Representatives



Labor and Commerce Committee

Committee Schedule  
April 22 to April 26, 1985

House Labor and Commerce	Capitol 102 465-3892	1:15-2:45 pm M W Th Fri
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Monday, April 22, 1985

- \*SB 260 Relating to automobile service corporations, by Zharoff
- HB 317 An Act relating to the practice of Social Work and establishing the board of Social Worker Examiners, by Keponen
- HB 12 Municipally owned public utility regulations, by Davis

Wednesday, April 24, 1985

- \*HB 318 Rehire of Injured State Workers, by Szymanski
- \*HB 306 Relating to the Promotion of the marketing of Forest Products, by Taylor
- \*HB 373 Repealing the regulation of concert promoters, by Marrou

Thursday, April 26, 1985

- \*SB 268 An act relating to ice classics, by Sackett
- \*HB 313 Requiring certain mental health insurance policies to cover the treatment of a mental or nervous condition, by Davis
- \*HB 356 Relating to assignment of group life policies of insurance, by Gruenberg

Friday, April 27, 1985

Bills held over in Committee from Previous Hearings

A CERTAIN CHARM  
Institut de Beaute  
119 Seward Street, Suite 18  
Juneau, Alaska 99801  
586-1177

April 16, 1985

Dear Legislator:

On Thursday, April 18, a hearing for the Board of Barbers and Cosmetologists will be held and House Bill 305 with its accompanying amendments will be discussed.

As licensed professionals (2,595 current licensees) we are very concerned over the consequences if our board is sunseted.

We want to maintain our board as we feel that the alternative plan of registration and certification will be incapable of maintaining professional standards and consumer protection.

Our board's purpose insures that the practitioner has achieved a level of skill and responsibility by state examinations and inspections; it disciplines its' members when they perform a service in a manner that is incompetent or dangerous.

The attached are proposed amendments to House Bill 305, which will classify the bill. We would urge the licensing of Manicurists and Pedicurists with certification in false-nail procedures. This is seemingly innocuous, but the usage of toxic chemicals and problems with fungus infections, cross-infections and possibility of permanent nail damage warrant board approval training and licensing.

We would also urge the inclusion of a Grandfather Clause to protect those already practicing in Alaska before this bill.

Our concern is not only to maintain, but upgrade our profession. We agree that government regulations and boards are costly and a nuisance to operate; but when you are dealing with a vast public and a veritable "Pandora's Box" of treatments and products, that if misused, will render the client to a sorry, oftentimes painfully, unbeautiful state.

Firm guidelines and enforcement beginning at the school level and extending to the professional become mandatory. The best person to monitor is another professional in the same field.

Page -2-  
Pedron to Legislators  
April 16, 1985

An active, dynamic, conscientious board is our best policy for insuring competent and ethical professionals and ultimately safeguarding the public to whom our quality services are indispensable.

Respectfully  
  
Victoria Pedron

AMENDMENTS TO HOUSE BILL 305

\* Section 5. Occupational Licensing

Page 2, line 18 - Omit "once each calendar quarter in Anchorage."  
line 19 - Keep "twice in every year."  
line 20 - Omit "If there are at least five applicants."  
line 21 - Omit "entirely"  
line 22 - Omit "immediately after the examination in Anchorage."

\* Section 8. Occupational Licensing

Page 4, line 2 - Change "program" to "board approved curriculum."  
line 6 - Change "program" to "board approved curriculum."  
line 10- Change "program" to "board approved curriculum."

\*\* Section 8. (Ward & Pedron)

Between line 12 & 13 - Add "have successfully completed all courses that a school with a board approved curriculum is required to teach in order to be licensed under Sec. AS 08.13.082if applying for a license to practice Manicure and Pedicure."

\* Section 8. Occupational Licensing

Page 4, line 17 - Delete [teaching] and insert "...student instructor training from a board approved curriculum..."  
line 25 - Keep 2 years "provides a cushion in hardship cases."

\* Section 9. Occupational Licensing

Page 5, lines 10-13 - Omit "There are no schools in Southeast Alaska at the present time."

\* Section 10. Occupational Licensing

Page 5, line 18 - Omit "or a proctor." The 'committee of the board' mentioned in line 17 consists of proctors. Line 18 is redundant.

\* Section 11.      Occupational Licensing

Page 5, line 21 - Change "an" to "the." There are two examinations under AS 08.13.090, a written and a practical.

\* Section 14.      Occupational Licensing

Page 7, line 8 - Add colon ":" after "apply to."  
Page 7, line 12 - Language used here is too broad. Professional products sold from supply warehouse stores also carry "chemicals available to the general public."  
line 14-15 - Delete. The amendment as proposed is limited to medical doctors only. 'S 08.64 defines "practice of medicine."  
Keep "A shampoo perscn."

\*\* Section 15.      (Ward & Pedron)

Page 7, line 17-23 - Omit "Professionals invited to teach or demonstrate are known already for their expertise. A temporary permit and \$30 fee represents an obstacle that is easily overcome by passing over the Alaskan professionals altogether."

\*\* Section 16.      (Ward & Pedron)

Page 7, line 27 - Change "to a" to "by a."  
Page 8, line 1 - Keep Two Years.

\*\* Section 18.      (Ward & Pedron)

Page 8, After line 7 - Add "Practitioner of Manicure & Pedicure."

\* Section 18.      Occupational Licensing

Page 8, line 15 - Change reference "AS 08.01.080" to "AS.01. 065" to reflect the Occupational Licensing Fee Bill.

\* Section 20.      Occupational Licensing

Page 9, lines 13-21 - Omit. The board should not be involved in setting civil penalties. Civil penalties are determined by the Supreme Court of the State of the Legislature.

\* Section 21.      Occupational Licensing

Page 9, line 26.- Change "Health and Social Services" to "Environmental Conservation."

\*\* Section 22.      (Ward & Pedron)

Page 10, line 14 - Add "...after human body; temporary removal of superfluous hair; including skin and make-up for cosmetic purposes for a fee;."  
line 15 - Add an "exemption for those persons who demonstrate makeup (sales persons) at cosmetic counters."  
line 23 - Add (c) Esthetics "This is part of the cosmetologists training included in license."  
Change "(c)" to "(d)" Manicure & Pedicure  
Page 11, line 1-4 - Leave in "A shampoo person" provides invaluable service to shop.  
After line 5 - Add "Grandfather Clause for Barbers, Cosmetologists, Estheticians, and Manicurists/Pedicurists already practicing in Alaska. Subject to board approval."

\* Occupational Licensing Amendments

\*\* Ward & Pedron Amendments

Original sponsors: Sund, Taylor  
and Jenkins

BY THE LABOR AND  
COMMERCE COMMITTEE

1 IN THE HOUSE

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

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to barbers, cosmetologists, and  
7 estheticians; and providing for an effective date."

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

9 \* Section 1. AS 08.01.010(24) is amended to read:

10 (24) Board of Barbers and Cosmetologists [HAIRDRESSERS]

11 (AS 08.13.010).

12 \* Sec. 2. AS 08.03.010(c)(16) is amended to read:

13 (16) Board of Barbers and Cosmetologists [HAIRDRESSERS]

14 (AS 08.13.010) -- June 30, 1989 [1984].

15 \* Sec. 3. AS 08.13.010 is amended to read:

16 Sec. 08.13.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is  
17 created the Board of Barbers and Cosmetologists [HAIRDRESSERS] con-  
18 sisting of five members appointed by the governor.

19 (b) The board consists of

20 (1) two persons licensed as barbers under this chapter;

21 (2) two persons licensed as cosmetologists [HAIRDRESSERS]

22 under this chapter; and

23 (3) one public member.

24 \* Sec. 4. AS 08.13.030 is amended to read:

25 Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board  
26 shall exercise general control over the vocations of barbering, cosme-  
27 tology, esthetics, and manicure and pedicure [HAIRDRESSING, AND COSME-  
28 TOLOGY].

29 (b) The board shall

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

3 (2) authorize the issuance of licenses for schools of  
4 barbering, cosmetology, and esthetics [HAIRDRESSING, AND COSMETOLOGY].

5 (c) The board may

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

7 (2) on its own motion or upon receipt of a written com-  
8 plaint, conduct hearing and request the Department of Commerce and  
9 Economic Development to investigate the practices of a person, shop,  
10 or school involved in the practice or teaching of barbering, cosme-  
11 tology, esthetics, or manicure and pedicure [HAIRDRESSING, OR COSME-  
12 TOLOGY];

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

15 \* Sec. 5. AS 08.13.040 is amended to read:

16 Sec. 08.13.040. MEETINGS AND EXAMINATIONS. The board shall meet  
17 as often as necessary to conduct its business. It shall conduct  
18 separate examinations covering each field of practice: barbering,  
19 cosmetology, esthetics, and manicure and pedicure [HAIRDRESSING, AND  
20 COSMETOLOGY]. Examinations shall be given at least once each calendar  
21 quarter [TWICE IN EVERY YEAR] for each field of practice for which  
22 applications for licensure are pending. An applicant may take an  
23 examination in more than one field during the same testing session.

24 \* Sec. 6. AS 08.13.050 is amended to read:

25 Sec. 08.13.050. RECORDS OF THE BOARD. The Department of Com-  
26 merce and Economic Development [BOARD] shall keep a record of the  
27 board's [ITS] proceedings related to the issuance, refusal, suspen-  
28 sion, and revocation of each license and permit. The record shall  
29 contain the name of the person to whom a license or permit is issued,

1 the person's place of business, the date of issuance for each license  
2 and permit, and whether it is currently valid. The record shall be  
3 open to inspection by the public at all reasonable times. The board  
4 shall submit an annual report on its operations to the governor.

5 \* Sec. 7. AS 08.13.070 is amended to read:

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

7 (1) practice barbering, cosmetology, esthetics, or mani-  
8 curing and pedicuring [HAIRDRESSING, OR COSMETOLOGY] without a li-  
9 cense, [TEMPORARY PERMIT,] or student permit unless exempted under  
10 AS 08.13.160(d);

11 (2) practice barbering, cosmetology, esthetics, or manicure  
12 and pedicure except in a shop or school licensed under this chapter  
13 unless exempted under AS 08.13.160(d) or permitted under AS 08.13.-  
14 160(e);

15 (3) open or conduct a school of barbering, cosmetology, or  
16 esthetics [HAIRDRESSING, OR COSMETOLOGY] without a license;

17 (4) teach in a school of barbering, cosmetology, or esthet-  
18 ics or supervise an apprentice without an instructor's license;

19 (5) [(3)] operate a shop in violation of AS 08.13.120;

20 (6) [(4)] permit an employee or other person being super-  
21 vised who is not exempted under AS 08.13.160(d) to practice barbering,  
22 cosmetology, esthetics, or manicure and pedicure [HAIRDRESSING, OR  
23 COSMETOLOGY] without a license [,TEMPORARY PERMIT,] or student permit;

24 (7) [(5)] permit the use of the person's license [,TEMPO-  
25 RARY PERMIT,] or student permit by another person;

26 (8) [(6)] obtain or attempt to obtain a license [,TEMPO-  
27 RARY PERMIT,] or student permit by fraudulent means.

28 \* Sec. 8. AS 08.13.080 is amended to read:

29 Sec. 08.13.080. QUALIFICATIONS OF APPLICANTS. An applicant for

1 examination must apply on a form provided by the board, submit a  
2 recent unmounted, autographed photograph of the applicant, and must

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

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

11 (3) have successfully completed all courses that a school  
12 with a curriculum [PROGRAM] in esthetics approved by the board [COSME-  
13 TOLOGY] is required to teach in order to be licensed under AS 08.13.-  
14 110 if applying for a license to practice esthetics [COSMETOLOGY];  
15 [OR]

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

17 (5) have successfully completed all the courses that a  
18 school with a curriculum in manicure and pedicure approved by the  
19 board is required to teach in order to be licensed under AS 08.13.110  
20 if applying for a license to practice manicure and pedicure; or

21 (6) specify the field of practice in which the applicant  
22 intends to teach and have held a license to practice in the field for  
23 three years or have held a license in the field for one year and have  
24 completed 600 hours of student training as an instructor in the field  
25 of practice from a licensed school with a curriculum approved by the  
26 board.

27 \* Sec. 9. AS 08.13.082 is amended to read:

28 Sec. 08.13.082. APPRENTICESHIP. (a) The period of apprentice-  
29 ship required to qualify an applicant for a license to practice

1 barbering is 2,000 [1,500] hours. [THE APPRENTICESHIP MUST BE SERVED  
2 IN A SHOP APPROVED BY THE BOARD.] The apprenticeship may not be com-  
3 pleted in less than 12 [NINE] months from the date of its commencement  
4 and must be completed in not more than two years from the date of its  
5 commencement.

6 (b) The period of apprenticeship required to qualify an appli-  
7 cant for a license to practice cosmetology [HAIRDRESSING] is 2,000  
8 hours. [THE APPRENTICESHIP MUST BE SERVED IN A SHOP APPROVED BY THE  
9 BOARD.] The apprenticeship may not be completed in less than one year  
10 from the date of its commencement and must be completed in not more  
11 than two years from the date of its commencement.

12 (c) The period of apprenticeship required to qualify an appli-  
13 cant for a license to practice esthetics [COSMETOLOGY] is 350 hours.  
14 The apprenticeship must be served in a shop approved by the board.  
15 The apprenticeship may not be completed in less than three [SIX]  
16 months from the date of its commencement and must be completed in not  
17 more than nine months [ONE YEAR] from the date of its commencement.

18 (d) The board shall adopt regulations to establish the require-  
19 ments for an apprenticeship to qualify an applicant for a license to  
20 practice manicure and pedicure.

21 \* Sec. 10. AS 08.13.100 is amended to read:

22 Sec. 08.13.100. LICENSE. (a) The board shall authorize the  
23 issuance of a license to each qualified applicant who has passed each  
24 part of the [AN] examination under AS 08.13.090. The license is valid  
25 for two years and subject to renewal.

26 (b) A license must [SHALL] state the areas of practice (barber-  
27 ing, cosmetology, esthetics, or manicure and pedicure [HAIRDRESSING,  
28 COSMETOLOGY], or any combination) that [WHICH] the practitioner is  
29 qualified to perform.

1 (c) The board may by regulation create areas of limited profes-  
2 sional licensing in the field of esthetics, including regulating  
3 [COSMETOLOGY, EXCEPT THAT THE BOARD MAY NOT RESTRICT OR OTHERWISE  
4 REGULATE] the practice of manicure and [OR] pedicure. Any limitation  
5 must be stated on the license.

6 (d) A person holding a current valid license from a board of  
7 barbering, cosmetology, or esthetics [HAIRDRESSING, OR COSMETOLOGY] in  
8 another state [OR COUNTRY] is entitled to a license under this chapter  
9 without examination in this state. An application must [SHALL] in-  
10 clude:

11 (1) proof of a valid license issued by another licensing  
12 jurisdiction;

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

16 (3) payment of a credential investigation fee.

17 \* Sec. 11. AS 08.13.110 is amended to read:

18 Sec. 08.13.110. SCHOOL LICENSE. The board shall adopt regula-  
19 tions for the licensing of schools of barbering, cosmetology, and  
20 esthetics [HAIRDRESSING, AND COSMETOLOGY]. The regulations shall  
21 include details of the curriculum, minimum hours of instruction,  
22 physical condition of the facilities, and financial responsibility of  
23 the owner.

24 \* Sec. 12. AS 08.13.130 is amended to read:

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

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

8 \* Sec. 13. AS 08.13.150 is amended to read:

9 Sec. 08.13.150. GROUNDS FOR REFUSAL, SUSPENSION OR REVOCATION OF  
10 A LICENSE OR PERMIT. The board may refuse, suspend, or revoke a  
11 license or [,] student permit [, OR TEMPORARY PERMIT] for a failure to  
12 comply with this chapter, with a regulation adopted under this chap-  
13 ter, or with an order of the board.

14 \* Sec. 14. AS 08.13.160(d) is amended to read:

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

17 (1) a person practicing barbering, cosmetology, esthetics,  
18 or manicure and pedicure [HAIRDRESSING, OR COSMETOLOGY] in a community  
19 having a population of less than 1,000 people that [WHICH] is not  
20 within 25 miles of a community of more than 1,000 people [AND WHO USES  
21 ONLY CHEMICALS AVAILABLE TO THE GENERAL PUBLIC];

22 (2) a shampoo person;

23 (3) a licensed health care professional;

24 (4) a person licensed by another licensing jurisdiction in  
25 a field of practice licensed by this chapter while demonstrating  
26 techniques or products to persons holding licenses or permits under  
27 this chapter.

28 \* Sec. 15. AS 08.13.160 is amended by adding a new subsection to read:

29 (e) The board shall adopt regulations to permit a person

1 licensed under this chapter to practice outside a licensed shop or  
2 school for limited purposes including

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

5 (2) care of clients with limited mobility;

6 (3) participation in charitable events; and

7 (4) participation in workshops or demonstrations of tech-  
8 niques or products.

9 \* Sec. 16. AS 08.13.180 is amended to read:

10 Sec. 08.13.180. STUDENT PERMITS. A person attending a licensed  
11 school of barbering, cosmetology, or esthetics [HAIRDRESSING, OR  
12 COSMETOLOGY], and a person apprenticed by [TO] a licensed instructor  
13 [PRACTITIONER] in a shop [APPROVED BY THE BOARD] shall obtain a stu-  
14 dent permit. A student permit to practice barbering or cosmetology  
15 [HAIRDRESSING] is valid for two years. A student permit to practice  
16 esthetics [COSMETOLOGY] is valid for nine months [ONE YEAR]. The  
17 board shall establish by regulation the term of a student permit to  
18 practice manicure and pedicure. A student permit may not be renewed,  
19 but, upon application, the board may issue a new permit to the same  
20 person, or extend an expired permit to the date of the next scheduled  
21 examination. Credit earned under an expired student permit may be  
22 transferred to a new permit as determined by the board.

23 \* Sec. 17. AS 08.13.180 is amended by adding a new subsection to read:

24 (b) A person is eligible for a student permit if the person

25 (1) is at least 16 years of age; and

26 (2) has graduated from high school or holds a G.E.D. equiv-  
27 alency.

28 \* Sec. 18. AS 08.13.185 is repealed and reenacted to read:

29 Sec. 08.13.185. FEES. (a) The department shall adopt

1 regulations under AS 08.01.080 that establish the amount and manner of  
2 payment of fees for examination and investigation, and for initial  
3 licenses and renewals for the following:

- 4 (1) schools;
- 5 (2) school owners;
- 6 (3) instructor;
- 7 (4) shop owner;
- 8 (5) practitioner of barbering;
- 9 (6) practitioner of cosmetology;
- 10 (7) practitioner of esthetics;
- 11 (8) practitioner of manicure and pedicure;
- 12 (9) student permit.

13 (b) The department may not adopt a regulation under (a) of this  
14 section unless the board concurs.

15 (c) A fee established under this section shall, to the extent  
16 possible, be based on the actual costs to the department of the activ-  
17 ity for which the fee is charged.

18 \* Sec. 19. AS 08.13.190 is amended to read:

19 Sec. 08.13.190. FAILURE TO POSSESS A LICENSE OR PERMIT. A  
20 person who practices barbering, cosmetology, esthetics, or manicure  
21 and pedicure [HAIRDRESSING, OR COSMETOLOGY], or operates a shop, or  
22 operates a school of barbering, cosmetology, or esthetics [HAIRDRESS-  
23 ING, OR COSMETOLOGY], or teaches in a school of barbering, cosme-  
24 tology, or esthetics [HAIRDRESSING, OR COSMETOLOGY], without a license  
25 [, TEMPORARY PERMIT,] or student permit and who is not exempt under  
26 AS 08.13.120 or 08.13.160(d) [UNDER AS 08.13.160(d)] is guilty of a  
27 class B misdemeanor.

28 \* Sec. 20. AS 08.13.210 is amended to read:

29 Sec. 08.13.210. HEALTH AND SANITARY CONDITIONS. Health and

1 sanitary conditions in shops and schools of barbering, cosmetology,  
2 esthetics, and manicuring and pedicuring [HAIRDRESSING, AND COSMETOL-  
3 OGY] shall be supervised by the Department of Environmental Conserva-  
4 tion [HEALTH AND SOCIAL SERVICES].

5 \* Sec. 21. AS 08.13.220 is amended to read:

6 Sec. 08.13.220. DEFINITIONS. As used in this chapter,

7 (1) "apprentice" means a person who receives on-the-job  
8 training under [THE] direct supervision [OF A PRACTITIONER, WHO DOES  
9 NOT RECEIVE A WAGE OR COMMISSION BEFORE COMPLETING 350 HOURS OF TRAIN-  
10 ING, AND FOR WHOSE WORK NO CHARGE IS MADE BEFORE COMPLETING 350 HOURS  
11 OF TRAINING];

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

16 (3) "board" means the Board of Barbers and Cosmetologists  
17 [HAIRDRESSERS];

18 (4) "esthetics" ["COSMETOLOGY"] means the use of the hands,  
19 [MECHANICAL OR ELECTRIC APPARATUS OR] appliances, cosmetic prepara-  
20 tions, antiseptics, or lotions in massaging, cleansing, stimulating,  
21 or similar work on the scalp, face or neck, including skin care,  
22 make-up, and temporary removal of superfluous hair, [HUMAN BODY] for  
23 cosmetic purposes for a fee;

24 (5) "cosmetology" ["HAIRDRESSING"] means performing, for a  
25 fee, the following services for cosmetic purposes:

26 (A) shaving, trimming, or cutting the beard of a  
27 living person; [AND]

28 (B) arranging, styling, dressing, curling, temporary  
29 waving, permanent waving, cutting, singeing, bleaching, coloring,

1           cleansing, conditioning, or similar work on the hair of a living  
2           person;

3                   (C) esthetics; and

4                   (D) manicure or pedicure;

5           (6) "instructor" means a person who teaches barbering,  
6 cosmetology, or esthetics in a school or who supervises an apprentice;

7           (7) "practitioner" means a person licensed to practice  
8 barbering, cosmetology, esthetics, or manicure and pedicure [HAIR-  
9 DRESSING, OR COSMETOLOGY] under this chapter;

10           (8) [(7)] "shampoo person" means a person who, for a fee  
11 and under the supervision of a practitioner of barbering or cosme-  
12 tology [HAIRDRESSING], cleanses or conditions the hair of the human  
13 head with products that [WHICH] have no effect other than cleaning or  
14 conditioning the hair;

15           (9) [(8)] "shop" means [IS] an establishment operated for  
16 the purpose of engaging in barbering, cosmetology, esthetics, or  
17 manicure and pedicure [HAIRDRESSING, OR COSMETOLOGY].

18 \* Sec. 22. AS 44.46.020 is amended to read:

19           Sec. 44.46.020. DUTIES OF DEPARTMENT. The Department of En-  
20 vironmental Conservation shall

21           (1) have primary responsibility for coordination and devel-  
22 opment of policies, programs and planning related to the environment  
23 of the state and of the various regions of the state;

24           (2) have primary responsibility for the adoption and en-  
25 forcement of regulations setting standards for the prevention and  
26 abatement of all water, land, subsurface land and air pollution, and  
27 other sources or potential sources of pollution of the environment,  
28 including by way of example only, petroleum and natural gas pipelines;

29           (3) promote and develop programs for the protection and

1 control of the environment of the state;

2 (4) take actions that are necessary and proper to further  
3 the policy declared in AS 46.03.010;

4 (5) adopt regulations for

5 (A) the prevention and control of public health nui-  
6 sances;

7 (B) the regulation of sanitation and sanitary prac-  
8 tices in the interest of public health;

9 (C) standards of cleanliness and sanitation in con-  
10 nection with the construction, operation, and maintenance of a  
11 camp, cannery, food handling establishment, food manufacturing  
12 plant, mattress manufacturing establishment, industrial plant,  
13 school, barbershop, cosmetology, esthetics, or manicure and  
14 pedicure [HAIRDRESSING OR COSMETOLOGY] establishment, soft drink  
15 establishment, beer and wine dispensaries, and for other similar  
16 establishments in which lack of sanitation may create a condition  
17 that [WHICH] causes disease;

18 (D) the regulation of quality and purity of commer-  
19 cially compressed air sold for human respiration.

20 \* Sec. 23. AS 44.62.330(a)(51) is amended to read:

21 (51) Board of Barbers and Cosmetologists [HAIRDRESSERS]  
22 (AS 08.13.010)

23 \* Sec. 24. (a) A person who, on the effective date of this Act, holds  
24 a valid license issued by the Board of Barbers and Hairdressers may con-  
25 tinue to practice as permitted by the license until the license expires and  
26 may renew the license in the appropriate field of practice without meeting  
27 the new requirements for licensure.

28 (b) Notwithstanding AS 08.13.090, the Board of Barbers and Cosmetolo-  
29 gists shall issue a license to practice manicure and pedicure to a person

1 who is a practitioner of manicure and pedicure in the state on the effec-  
2 tive date of this Act without examination.

3 \* Sec. 25. AS 08.13.170 is repealed.

4 \* Sec. 26. This Act takes effect immediately in accordance with AS 01.-  
5 10.070(c).

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Introduced: 3/20/85  
Referred: Labor & Commerce  
and Finance

1 IN THE HOUSE

BY SUND, TAYLOR AND JENKINS

2

HOUSE BILL NO. 305

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to barbers, cosmetologists, and  
7 estheticians; and providing for an effective date."

8

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

9

\* Section 1. AS 08.01.010(24) is amended to read:

10

(24) Board of Barbers and Cosmetologists [HAIRDRESSERS]

11

(AS 08.13.010).

12

\* Sec. 2. AS 08.03.010(c)(16) is amended to read:

13

(16) Board of Barbers and Cosmetologists [HAIRDRESSERS]

14

(AS 08.13.010) -- June 30, 1989 [1984].

15

\* Sec. 3. AS 08.13.010 is amended to read:

16

Sec. 08.13.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is

17

created the Board of Barbers and Cosmetologists [HAIRDRESSERS] con-

18

sisting of five members appointed by the governor.

19

(b) The board consists of

20

(1) two persons licensed as barbers under this chapter;

21

(2) two persons licensed as cosmetologists [HAIRDRESSERS]

22

under this chapter; and

23

(3) one public member.

24

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

25

Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board

26

shall exercise general control over the vocations of barbering, cosme-

27

tology, and esthetics [HAIRDRESSING, AND COSMETOLOGY].

28

(b) The board shall

29

(1) examine applicants and approve the issuance of licenses

1 and permits to practice;

2 (2) authorize the issuance of licenses for schools of  
3 barbering, cosmetology, and esthetics [HAIRDRESSING, AND COSMETOLOGY].

4 (c) The board may

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

6 (2) on its own motion or upon receipt of a written com-  
7 plaint, conduct hearings and request the Department of Commerce and  
8 Economic Development to investigate the practices of a person, shop,  
9 or school involved in the practice or teaching of barbering, cosme-  
10 tology, or esthetics [HAIRDRESSING, OR COSMETOLOGY];

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

13 \* Sec. 5. AS 08.13.040 is amended to read:

14 Sec. 08.13.040. MEETINGS AND EXAMINATIONS. The board shall meet  
15 as often as necessary to conduct its business. It shall conduct  
16 separate examinations covering each field of practice: barbering,  
17 cosmetology, and esthetics [HAIRDRESSING, AND COSMETOLOGY]. Examina-  
18 tions shall be given at least once each calendar quarter ~~in Anchorage~~  
19 ~~[TWICE IN EVERY YEAR]~~ for each field of practice for which applica-  
20 tions for licensure are pending. ~~If there are at least five appli-~~  
21 ~~cants in another city, the board shall offer examinations in that city~~  
22 ~~immediately after the examination in Anchorage.~~ An applicant may take  
23 an examination in more than one field during the same testing session.

24 \* Sec. 6. AS 08.13.050 is amended to read:

25 Sec. 08.13.050. RECORDS OF THE BOARD. The Department of Com-  
26 merce and Economic Development [BOARD] shall keep a record of the  
27 board's [ITS] proceedings related to the issuance, refusal, suspen-  
28 sion, and revocation of each license and permit. The record shall  
29 contain the name of the person to whom a license or permit is issued,

1 the person's place of business, the date of issuance for each license  
2 and permit, and whether it is currently valid. The record shall be  
3 open to inspection by the public at all reasonable times. The board  
4 shall submit an annual report on its operations to the governor.

5 \* Sec. 7. AS 08.13.070 is amended to read:

6 Sec. 08.13.070. LIC VSE REQUIRED. A person may not

7 (1) practice barbering, cosmetology, or esthetics [HAIR-  
8 DRESSING, OR COSMETOLOGY] without a license, temporary permit, or  
9 student permit unless exempted under AS 08.13.160(d);

10 (2) practice barbering, cosmetology, or esthetics except in  
11 a shop or school licensed under this chapter unless exempted under  
12 AS 08.13.160(d);

13 (3) open or conduct a school of barbering, cosmetology, or  
14 esthetics [HAIRDRESSING, OR COSMETOLOGY] without a license;

15 (4) teach in a school of barbering, cosmetology, or esthet-  
16 ics or supervise an apprentice without an instructor's license;

17 (5) [(3)] operate a shop in violation of AS 08.13.120;

18 (6) [(4)] permit an employee or other person being super-  
19 vised who is not exempted under AS 08.13.160(d) to practice barbering,  
20 cosmetology, or esthetics [HAIRDRESSING, OR COSMETOLOGY] without a  
21 license, temporary permit, or student permit;

22 (7) [(5)] permit the use of the person's license, tempo-  
23 rary permit, or student permit by another person;

24 (8) [(6)] obtain or attempt to obtain a license, temporary  
25 permit, or student permit by fraudulent means.

26 \* Sec. 8. AS 08.13.080 is amended to read:

27 Sec. 08.13.080. QUALIFICATIONS OF APPLICANTS. An applicant for  
28 examination must apply on a form provided by the board, submit a  
29 recent unmounted, autographed photograph of the applicant, and must

1 (1) have successfully completed all courses that a school  
2 with a program in barbering is required to teach in order to be li-  
3 censed under AS 08.13.110 if applying for a license to practice bar-  
4 bering;

5 (2) have successfully completed all courses that a school  
6 with a program in cosmetology [HAIRDRESSING] is required to teach to  
7 be licensed under AS 08.13.110 if applying for a license to practice  
8 cosmetology [HAIRDRESSING];

9 (3) have successfully completed all courses that a school  
10 with a program in esthetics [COSMETOLOGY] is required to teach in  
11 order to be licensed under AS 08.13.110 if applying for a license to  
12 practice esthetics [COSMETOLOGY]; [OR]

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

14 (5) specify the field of practice in which the applicant  
15 intends to teach and have held a license to practice in the field for  
16 three years or have held a license in the field for one year and have  
17 completed 600 hours of teaching in the field of practice in a licensed  
18 school.

19 \* Sec. 9. AS 08.13.082 is amended to read:

20 Sec. 08.13.082. APPRENTICESHIP. (a) The period of apprentice-  
21 ship required to qualify an applicant for a license to practice bar-  
22 bering is 2,000 [1,500] hours. [THE APPRENTICESHIP MUST BE SERVED IN  
23 A SHOP APPROVED BY THE BOARD.] The apprenticeship may not be com-  
24 pleted in less than 12 [NINE] months from the date of its commencement  
25 and must be completed in not more than 18 months [TWO YEARS] from the  
26 date of its commencement.

27 (b) The period of apprenticeship required to qualify an appli-  
28 cant for a license to practice cosmetology [HAIRDRESSING] is 2,000  
29 hours. [THE APPRENTICESHIP MUST BE SERVED IN A SHOP APPROVED BY THE

1 BOARD.] The apprenticeship may not be completed in less than one year  
2 from the date of its commencement and must be completed in not more  
3 than two years from the date of its commencement.

4 (c) The period of apprenticeship required to qualify an appli-  
5 cant for a license to practice esthetics [COSMETOLOGY] is 350 hours.  
6 The apprenticeship must be served in a shop approved by the board.  
7 The apprenticeship may not be completed in less than three [SIX]  
8 months from the date of its commencement and must be completed in not  
9 more than nine months [ONE YEAR] from the date of its commencement.

10 (d) For an apprenticeship under (a) or (b) of this section, the  
11 apprentice must complete the first 1,000 hours in a school and must  
12 complete the second 1,000 hours in a shop under the supervision of a  
13 licensed instructor in the field of the apprenticeship.

14 \* Sec. 10. AS 08.13.090(a) is amended to read:

15 (a) A written examination shall be given to each applicant for  
16 examination at a time and place determined by the board. The board  
17 may delegate the power of examination to a committee of the board,  
18 <sup>OR</sup> ~~OR~~ a board member, or a proctor.

19 \* Sec. 11. AS 08.13.100 is amended to read:

20 Sec. 08.13.100. LICENSE. (a) The board shall authorize the  
21 issuance of a license to each qualified applicant who has passed ~~an~~ <sup>the</sup>  
22 examination under AS 08.13.090. The license is valid for two years  
23 and subject to renewal.

24 (b) A license must [SHALL] state the areas of practice (barber-  
25 ing, cosmetology, or esthetics [HAIRDRESSING, COSMETOLOGY], or any  
26 combination) that [WHICH] the practitioner is qualified to perform.

27 (c) The board may by regulation create areas of limited profes-  
28 sional licensing in the field of esthetics, including regulating  
29 [COSMETOLOGY, EXCEPT THAT THE BOARD MAY NOT RESTRICT OR OTHERWISE

1 REGULATE] the practice of manicure or pedicure. Any limitation must  
2 be stated on the license.

3 (d) A person holding a current valid license from a board of  
4 barbering, cosmetology, or esthetics [HAIRDRESSING, OR COSMETOLOGY] in  
5 another state [OR COUNTRY] is entitled to a license under this chapter  
6 without examination in this state. An application must [SHALL] in-  
7 clude:

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

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

13 (3) payment of a credential investigation fee.

14 \* Sec. 12. AS 08.13.110 is amended to read:

15 Sec. 08.13.110. SCHOOL LICENSE. The board shall adopt regula-  
16 tions for the licensing of schools of barbering, cosmetology, and  
17 esthetics [HAIRDRESSING, AND COSMETOLOGY]. The regulations shall  
18 include details of the curriculum, minimum hours of instruction,  
19 physical condition of the facilities, and financial responsibility of  
20 the owner.

21 \* Sec. 13. AS 08.13.130 is amended to read:

22 Sec. 08.13.130. DISPLAY OF LICENSE OR PERMIT. A practitioner  
23 [PRACTITIONERS] shall display the practitioner's [THEIR] license in a  
24 conspicuous location in the practitioner's [THEIR] place of business.  
25 Each shop owner is responsible for the display of the licenses of  
26 employees. [PRACTITIONERS WHO PRACTICE OUTSIDE OF A PLACE OF BUSINESS  
27 SHALL CARRY THEIR LICENSE WITH THEM TO BE SHOWN TO PERSONS UPON WHOM  
28 WORK IS PERFORMED.] A person holding a student permit [OR TEMPORARY  
29 PERMIT] shall display the permit in a conspicuous location in the

1 school in which the person is enrolled or the shop in which the  
2 apprentice works. The school or shop owner is responsible for the  
3 display of a permit for each enrolled student or apprentice. A person  
4 holding a temporary instructor's permit shall have that permit  
5 available for inspection when engaged in teaching [PRACTICE].

6 \* Sec. 14. AS 08.13.160(d) is amended to read:

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

9 (1) a person practicing barbering, cosmetology, or esthet-  
10 ics [HAIRDRESSING, OR COSMETOLOGY] in a community having a population  
11 of less than 1,000 people that [WHICH] is not within 25 miles of a  
12 community of more than 1,000 people and who uses only chemicals avail-  
13 able to the general public;

14 (2) a licensed health care professional when engaged in the  
15 practice of medicine PA SHAMPOO PERSON.

16 \* Sec. 15. AS 08.13.170(a) is amended to read:

17 (a) A person not licensed under this chapter who wishes to  
18 [PRACTICE AND] teach barbering, cosmetology, or esthetics [HAIRDRESS-  
19 ING, OR COSMETOLOGY] temporarily and to practice barbering, cosme-  
20 tology or esthetics temporarily and primarily for educational purposes  
21 who is otherwise qualified to practice barbering, cosmetology, or  
22 esthetics [HAIRDRESSING, OR COSMETOLOGY] as determined by the board  
23 shall first obtain a temporary instructor's permit.

24 \* Sec. 16. AS 08.13.180 is amended to read:

25 Sec. 08.13.180. STUDENT PERMITS. A person attending a licensed  
26 school of barbering, cosmetology, or esthetics [HAIRDRESSING, OR  
27 COSMETOLOGY], and a person apprenticed <sup>by</sup> to a licensed instructor  
28 [PRACTITIONER] in a shop [APPROVED BY THE BOARD] shall obtain a  
29 student permit. A student permit to practice barbering or cosmetology

1 [HAIRDRESSING] is valid for ~~18 months~~ TWO YEARS. A student permit  
2 to practice esthetics [COSMETOLOGY] is valid for six months [ONE  
3 YEAR]. A student permit may not be renewed, but, upon application,  
4 the board may issue a new permit to the same person, or extend an  
5 expired permit to the date of the next scheduled examination. Credit  
6 earned under an expired student permit may be transferred to a new  
7 permit as determined by the board.

8 \* Sec. 17. AS 08.13.180 is amended by adding a new subsection to read:

9 (b) A person is eligible for a student permit if the person

10 (1) is at least 16 years of age; and

11 (2) has graduated from high school or holds a G.E.D. equiv-  
12 alency.

13 \* Sec. 18. AS 08.13.185 is repealed and reenacted to read:

14 Sec. 08.13.185. FEES. (a) The department shall adopt regula-  
15 tions under AS 08.01.<sup>065</sup>~~080~~ that establish the amount and manner of  
16 payment of fees for examination and investigation, and for initial  
17 licenses and renewals for the following:

- 18 (1) schools;  
19 (2) school owners;  
20 (3) instructor;  
21 (4) shop owner;  
22 (5) practitioner of barbering;  
23 (6) practitioner of cosmetology;  
24 (7) practitioner of esthetics;  
25 (8) temporary permit;  
26 (9) student permit.

27 (b) The department may not adopt a regulation under (a) of this  
28 section unless the board concurs.

29 (c) A fee established under this section shall, to the extent

1 possible, be based on the actual costs to the department of the  
2 activity for which the fee is charged.

3 \* Sec. 19. AS 08.13.190 is amended to read:

4 Sec. 08.13.190. FAILURE TO POSSESS A LICENSE OR PERMIT. A  
5 person who practices barbering, cosmetology, or esthetics [HAIRDRESS-  
6 ING, OR COSMETOLOGY], or operates a shop, or operates a school of  
7 barbering, cosmetology, or esthetics [HAIRDRESSING, OR COSMETOLOGY],  
8 or teaches in a school of barbering, cosmetology, or esthetics [HAIR-  
9 DRESSING, OR COSMETOLOGY], without a license, temporary permit, or  
10 student permit and who is not exempt under AS 08.13.120 or  
11 08.13.160(d). [UNDER AS 08.13.160(d)] is guilty of a class B  
12 misdemeanor.

13 \* Sec. 20. AS 08.13 is amended by adding a new section to read:

14 Sec. 08.13.195. CIVIL PENALTY. A person who violates a  
15 provision of this chapter is punishable by a civil penalty in an  
16 amount established by the board in a schedule or schedules  
17 establishing the amount of civil penalty for a particular violation.  
18 The schedule or schedules shall be adopted by the board by regulation.  
19 A civil penalty imposed under this section may be appealed in the  
20 manner provided for appeals in the Administrative Procedure Act  
21 (AS 44.62).

22 \* Sec. 21. 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, cosmetology,  
25 and esthetics [HAIRDRESSING, AND COSMETOLOGY] shall be supervised by  
26 the Department of Health and Social Services.

27 \* Sec. 22. AS 08.13.220 is amended to read:

28 Sec. 08.13.220. DEFINITIONS. As used in this chapter,  
29 (1) "apprentice" means a person who receives on-the-job

1 training under [THE] direct supervision [OF A PRACTITIONER, WHO DOES  
2 NOT RECEIVE A WAGE OR COMMISSION BEFORE COMPLETING 350 HOURS OF  
3 TRAINING, AND FOR WHOSE WORK NO CHARGE IS MADE BEFORE COMPLETING 350  
4 HOURS OF TRAINING];

5 (2) "barbering" means shaving, [TRIMMING, OR] cutting,  
6 styling, 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 (3) "board" means the Board of Barbers and Cosmetologists  
10 [HAIRDRESSERS];

11 (4) "esthetics" ["COSMETOLOGY"] means the use of the hands,  
12 ~~mechanical or electric [APPARATUS OR]~~ appliances, cosmetic prepara-  
13 tions, antiseptics, or lotions in massaging, cleansing, stimulating,  
14 or similar work on the human body, including skin care and make-up fo  
15 cosmetic purposes for a fee;

16 (5) "cosmetology" ["HAIRDRESSING"] means performing, for a  
17 fee, the following services for cosmetic purposes:

18 (A) shaving, trimming, or cutting the beard of a  
19 living person; [AND]

20 (B) arranging, styling, dressing, curling, temporary  
21 waving, permanent waving, cutting, singeing, bleaching, coloring,  
22 cleansing, conditioning, or similar work on the hair of a living  
23 person; and

24 (C) manicure or pedicure;

25 (6) "instructor" means a person who teaches barbering,  
26 cosmetology, or esthetics in a school or who supervises an apprentice;

27 (7) "practitioner" means a person licensed to practice  
28 barbering, cosmetology, or esthetics [HAIRDRESSING, OR COSMETOLOGY]  
29 under this chapter; */MANICURE - PEDICURE*

1            [(7) "SHAMPOO PERSON" MEANS A PERSON WHO, FOR A FEE AND  
2 UNDER THE SUPERVISION OF A PRACTITIONER OF BARBERING OR HAIRDRESSING,  
3 CLEANSSES OR CONDITIONS THE HAIR OF THE HUMAN HEAD WITH PRODUCTS WHICH  
4 HAVE NO EFFECT OTHER THAN CLEANING OR CONDITIONING THE HAIR;]

5            (8) "shop" MEANS [IS] an establishment operated for the  
6 purpose of engaging in barbering, cosmetology, or esthetics  
7 [HAIRDRESSING, OR COSMETOLOGY].

8 \* Sec. 23. AS 44.46.020 is amended to read:

9            Sec. 44.46.020. DUTIES OF DEPARTMENT. The Department of En-  
10 vironmental Conservation shall

11            (1) have primary responsibility for coordination and devel-  
12 opment of policies, programs and planning related to the environment  
13 of the state and of the various regions of the state;

14            (2) have primary responsibility for the adoption and en-  
15 forcement of regulations setting standards for the prevention and  
16 abatement of all water, land, subsurface land and air pollution, and  
17 other sources or potential sources of pollution of the environment,  
18 including by way of example only, petroleum and natural gas pipelines;

19            (3) promote and develop programs for the protection and  
20 control of the environment of the state;

21            (4) take actions that are necessary and proper to further  
22 the policy declared in AS 46.03.010;

23            (5) adopt regulations for

24            (A) the prevention and control of public health nui-  
25 sances;

26            (B) the regulation of sanitation and sanitary prac-  
27 tices in the interest of public health;

28            (C) standards of cleanliness and sanitation in con-  
29 nection with the construction, operation, and maintenance of a

1 camp, cannery, food handling establishment, food manufacturing  
2 plant, mattress manufacturing establishment, industrial plant,  
3 school, barbershop, cosmetology or esthetics [HAIRDRESSING OR  
4 COSMETOLOGY] establishment, soft drink establishment, beer and  
5 wine dispensaries, and for other similar establishments in which  
6 lack of sanitation may create a condition that [WHICH] causes  
7 disease;

8 (D) the regulation of quality and purity of commer-  
9 cially compressed air sold for human respiration.

10 \* Sec. 24. AS 44.62.330(a)(51) is amended to read:

11 (51) Board of Barbers and Cosmetologists [HAIRDRESSERS]

12 (AS 08.13.010)

13 \* Sec. 25. This Act takes effect immediately in accordance with AS 01.-  
14 10.070(c).

M E M O R A N D U M

To: All Members, House Labor and Commerce Committee

From: Roger Poppe, Committee Staff

Date: April 19, 1985 Friday

Subject: Supplemental Material, HB 305: Barbers and Hairdressers

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There are many sides to this rather complex bill; including a very large number of people in the field (2,500+), the fact that it is experiencing growing pains with the field rapidly expanding and developing a lot of new technology, the diversity of sub-groups within the profession which are often at odds and competing with one another, geographic regional and sectional special interests, lack of coordination at times (between the Board and its members; between the Board and the Division of Occupational Licensing), concerns over protecting and grandfathering the people already in the field, the Governor's veto last year, potential insurance problems, and finally the complexity of terminology and issues that are alien to a person who is not actually engaged in practice in the field. Everyone wants to help, but where to begin? All of the above have led to hard feelings and frustration on the part of all parts involved, and the meeting today may be no exception. Some issues that have not been considered that the Committee may wish consider:

1) Regardless of how the Governor or the legislature feels about the Board continuing or not, the fact that sunseting the Board will also stop the Department from de-licensing the industry can have serious ramifications. The most critical is that it appears it will greatly increase the insurance that all of the members in the field will have to pay, and I am sure no one intends for that to happen. There is the additional ramification that if the industry is de-licensed and some does get injured, it is very likely that the State could be held potentially liable in a lawsuit.

2) There is the feeling that the LB & A report was poorly executed and inadequate. For example, the report indicated that they felt termination of the Board would not endanger the health and safety of the public. LB & A did not know that sunseting the Board would also lead to de-licensing, and the health and safety of the public could be affected as a result. The industry is growing so fast and has so much new technology, that there are potential dangers to the public health, for example:

a) Color and perm solutions, if inappropriately applied by untrained and unlicensed people can and have caused damage to not only the scalp, but to hearing and to eyesight.

b) New Climazone machines, which dry hair on a microwave principle from the inside out, can cause severe burns if misused by inexperienced and unlicensed operators.

c) In the area of cosmetology, there is a need for people to be trained to recognize diseases and infections like ringworm, lice, etc. and to be trained and licensed to sterilize instruments so that such disease are not passed on to other customers.

3) Having been sunsetted last year, the Department and the Division of Occupational Licensing appears to have done very little to assist the Board in preparing for its demise or in preparing alternatives or in working to write decent legislation to revive the Board. At the 3 meetings held since last year, the Board was not given input on how to deal with this problem, since the Division assumed the Board was sunsetted. (The Department has not behaved that way with the sunsetting of other Boards, such as Pharmacy, however.).

This lack of cooperation appears to extend to the Committee hearings. Granted that the Division is overworked and has a lot of other bills to work on, as well as provide a service to the public--they still came in at the last minute to both the hearings in the House and the Senate on this issue with a long shopping list of amendments. This has been construed by some members of the industry as an attempt to kill the bill. They could have gotten them to us sooner--but as it happened, the bill was held over from April 3 for other reasons anyway.

There is also some feeling in the industry that while the Division is claiming it is too busy and pressed for time, that they have already put together in draft form a certification procedure through regulation to replace the licensing function by statute which would be lost with sunset. If this is true, it could conceivably remove all statutory oversight in this area and allow the Department to totally control the industry through regulation; which may be questionable without the statutory authority to do so.

Regardless of whether the above reflects paranoia or actual abuse, it does raise some additional issues in this rather complex situation.

M E M O R A N D U M

To: All Members, House Labor and Commerce Committee

From: Roger Poppe, Committee Staff

Date: April 18, 1985

Subject: Overview, HB 305, Board of Barbers & Hairdressers

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The bill to extend the Board of Barbers and Hairdressers another 4 years was submitted last year as HB 714 and also as SB 435, by the respective Labor and Commerce Committees. The final vehicle, SB 435, passed the Senate on a 19-0-1 vote, and the House on a 38-0-2 vote. This bill extended the Board for just one year, and a letter of intent was attached by the Senate (see item #10 in your file), which would have formed a committee to study the issues in more detail. However, the Governor vetoed even this one-year extension (see item # 11).

SB 218 is a much more detailed bill that attempts to deal in more detail with the various issues involved. Subsequently, this bill received a hearing in Senate L & C Committee on April 3, 1985, but was held over by the Committee--in part because of a shopping list of 23 proposed amendments presented at the last minute by the Dept. of Labor, Division of Occupational Licensing; in part because because the Committee was confused at all the changes in terminology and language; and in part because there is a general impression that regardless of what the legislature does, the Governor will veto any bill sent to him--because he is determined to sunset that board, based on the Legislative Budget and Audit Report (see item #8). While this possibility exists, it may be bad policy and precedent to not work on a bill or pass it out of the legislature simply because of a possible veto.

The Committee has received more letters, POMs, and the like on this bill than any other piece of legislation this year. Clearly, there are a lot of people concerned that the Board may sunset.

However, there are some fairly complex problems associated with this bill. For example, there is a real diversity of opinion and disagreement within the profession regarding this whole issue--it is my impression that a sizeable number of people in the profession would rather see the Board sunsetted than simply extended without some major changes in its structuring such as this bill attempts to do. Simple 4-year extension would eliminate their opportunity to make some substantive changes. On the other hand, if the bill were given full treatment and development that is indicated based on public input and the complexity of the issues, it could take 4 or 5 hearings. We do not have the luxury of doing that and still getting the bill through both houses this session, given the amount of time left before the end of this session and the final sunset of the Board.

A very critical concern has just been discovered here: the way the current statutes read, we can sunset a Board and still continue the licensing function of the Department. This is not so with Barbers and Hairdressers--the law gives the licensing function to the BOARD, not the DEPARTMENT, so failure to pass this bill in some forms means the entire bill can fail. This issue has not been raised before to my knowledge (it was not included in or considered or noticed as a problem by the Legislative Budget and Audit report last year, because that report assumed that the Department would continue to do licensing functions), and the Committee may wish to consider the possible impacts and results of this, with some 2,500 barbers and hairdressers being possible de-licensed and de-regulated. The legislature and the administration may wish to take more time to consider this issue, and a simple one-year extension may be a way of doing this, if we could get assurance from the Governor that he would not veto such a bill again this year. Alternately, the Committee may wish to consider revising the bill so that the Board is sunsetted but the statute is changed so that licensing functions continue.

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

**REQUEST**

Bill/Resolution No.: CSHB 305 (L&C)  
 Title: Relating to barbers, cosmetologists, and estheticians  
 Sponsor: House Labor & Commerce  
 Requester: House Finance  
 Date of Request: 2/25/86

**FISCAL DETAIL**

Agency Affected: Commerce & Econ. Dev.  
 BRU: Occupational Licensing  
 Components: \_\_\_\_\_

**EXPENDITURES / REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-	-0-	-0-	-0-	-0-
TRAVEL		6.7	7.0	7.4	7.8	8.2
CONTRACTUAL		4.0	4.2	4.4	4.6	4.9
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>10.7</b>	<b>11.2</b>	<b>11.8</b>	<b>12.4</b>	<b>13.1</b>

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of dollars)**

GENERAL FUND		10.7	11.2	11.8	12.4	13.1
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>10.7</b>	<b>11.2</b>	<b>11.8</b>	<b>12.4</b>	<b>13.1</b>

**POSITIONS:**

FULLTIME		0	0	0	0	0
PARTTIME						
TEMPORARY						

**ANALYSIS:** Attach a separate page if necessary.

The bill amends the name of the Board and adds additional licensing provisions for estheticians, manicure and pedicure. The bill also allows the board to meet as often as necessary to conduct its business and to administer examinations once each calendar quarter. Since two meetings and exams are mandated in present statutes, two additional

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 Division: Occupational Licensing Date: 2/26/86

Approved by Commissioner: [Signature] Date: 2/26/86  
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 305 (L&C)

meetings and exams are included in this fiscal note.

TRAVEL: Travel costs in this fiscal note are based on two meetings, one to be held in Juneau, and the other in Fairbanks.

Juneau Meeting:

1 board member in Juneau (Travel)	-0-
Per diem at \$80 per day x 2	160.00
2 board members from Anchorage (Travel)	
@ \$352 ea. x 2	704.00
Per diem at \$80 per day x 2 days x 2	320.00
1 board member from Fairbanks (Travel)	
@ \$564	564.00
Per diem at \$80 per day x 3 (one day extra for travel)	240.00
1 board member from Kenai (Travel)	422.00
Per diem at \$80 per day x 3	240.00
	2,650.00

Fairbanks Meeting:

2 from Juneau (1 board member, and the Licensing Examiner)	1,128.00
Per diem at \$90 per day, per person	540.00
2 board members from Anchorage (Travel)	424.00
Per diem at \$90 per day, per person	360.00
1 board member in Fairbanks (Travel)	-0-
Per diem at \$90 per day x 2	180.00
1 board member from Kenai (Travel)	282.00
Per diem at \$90 per day	180.00
	3,094.00

Since board members are located in Anchorage, Fairbanks and Juneau where examinations are offered, costs of \$1,000.00 are included for per diem during the examinations. This is based on 2 day exams in each area, Anchorage, Fairbanks, and Juneau.

CONTRACTUAL: Contractual costs in this fiscal note consist of rental costs of barber and hairdresser schools to administer the examinations. Practical exams require the use of special facilities such as the schools, which are available on contractual basis. Costs identified are based on schools located in Anchorage and Fairbanks. Presently, there are no schools in Southeast, however, exams have been administered to a minimal number of applicants in shops who have offered use of their facility at no cost to the State.

Anchorage facility: (Hairdressers)	at \$500 per exam x 2	= \$1,000.00
(Barbers)	at \$300 per exam x 2	= 600.00
		\$1,600.00
Fairbanks facility: (same costs as indicated above)		+ 1,600.00
		\$3,200.00

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 305 (L&C)

Proctor fees: (Standard proctor fee is \$35 per day per person)

Anchorage examination -	
2 proctors at \$35 per day x 2 days x 2 exams	140.00
Fairbanks examination -	
2 proctors at \$35 per day x 2 days x 2 exams	140.00
Juneau examination -	
2 proctors at \$35 per day x 2 days x 2 exams	140.00
	<u>\$420.00</u>

The bill also require that regulations be established for the practice of manicure and pedicure. Therefore costs of advertising regulation notices in accordance with the Administrative Procedure Act are included.

Public notice costs at \$60 each x 3 major newspapers	
x 2 regulation projects	360.00

GRAND TOTAL: \$10,724.00

\*\*Revenues: Section 18 of the bill allows fees to be established by regulations which will cover the costs to administer the licensing function. New revenues generated by this bill will be generated by the licensing of estheticians, manicurists and pedicurists. We do not currently know the number of licensees who would be eligible for licensure as an esthetician, or eligible to practice manicure or pedicure.

The expenditures of this bill will be included as part of the total cost of the licensing activity and upon which licensing fees will be based.

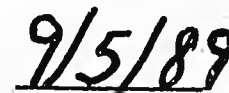


# RECORDS CERTIFICATION



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Signature of Camera Operator

  
Date