

HB

73

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HB 73

Revision Date: _____
 Title: An Act relating to licensure of manicurists.
 Sponsor: Representative Brice
 Requestor: House HESS

Department: Commerce and Economic Development
 BRU: Occupational Licensing
 Component: Operations
 COMPONENT SERIAL NO. 1844

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	5.8	5.8	5.8	5.8	5.8	5.8
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	36.2	4.8	4.8	4.8	4.8	4.8
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	43.0	11.6	11.6	11.6	11.6	11.6

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES	106.6	0.0	23.2	0.0	23.2	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other 1091 Designated PR	43.0	11.6	11.6	11.6	11.6	11.6
TOTAL	43.0	11.6	11.6	11.6	11.6	11.6

Estimate of any current year (FY 98) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

HB 73 establishes a licensing category for manicurists to be regulated by the Board of Barbers and Hairdressers. The number of individuals that would be affected by the bill is not known therefore, a number of assumptions are made in this fiscal note. Information obtained from the Business Licensing files indicate there are approximately 295 manicure/pedicure salons licensed to do business. For the purposes of this fiscal note, we have doubled the number (590) assuming that most salons would have more than one manicurist. An explanation of the costs is attached.

Prepared by: Jennifer Strickler, Administrative Officer
 Division: Occupational Licensing
 Approved by Commissioner: William L. Hensley
 Agency: Commerce and Economic Development

Phone: 465-2144
 Date: January 12, 1996
 Date: 1-15-96

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO.: HB 73

ANALYSIS: (Continued)

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT FISCAL NOTE CALCULATIONS

PERSONAL SERVICES

\$ 5.8

This fiscal note assumes that the duties for examination and licensure of manicurists will require dedicated staff time especially in the first year to implement the new requirements. This funding assumes reclassifying a present Administrative Clerk position to a Licensing Examiner position to help manage the workload affected by adding this new category.

TRAVEL

\$ 0.0

No travel is anticipated.

CONTRACTUAL SERVICES

\$36.2

Contractual Services are based on the following costs -

Examinations:

\$32.5

Examination costs at \$55 per candidate x 590 candidates.
(Note: Exam candidates pay the State for the cost of the examination. In turn, the State pays the examination agency for use of its examinations. This is considered to be a pass-through cost.) After the first year, the assumption is made that at least 20 applicants will take the examination each year at a cost of \$1.1 (20 x \$55).

Exam Facilities:

\$0.5

Examination facility rentals: one day exams at \$125 per site x 2 sites = \$250 x 2 exams per year = \$500.

Proctor Fees:

\$0.6

Based on one-day exams, 8 hours per day, given in Anchorage and Fairbanks, at least two times per year by two proctors at each site. The proctor fee is \$10 per hour x 8 hrs. = \$80 x 2 proctors = 160 x 2 sites = \$320 x 2 exams per year = \$640.

Continuation of HB 73 Fiscal Note

Regulations: \$1.2
- One public notice printed in three newspapers, estimated at \$200 per paper x 3 = \$600
- Printing of regulations consisting of 6 pages, back-to-back, at \$12 per 100 x 6 pages = \$72 x 6.0 (to produce 600 copies) = \$432
- Postage for 600 pieces x .32 = \$192

Daily Communication Costs: \$1.0

Printing Costs: \$ 0.4
- Applications and other forms will be needed to implement the licensing requirements. A large supply will be required for the initial mailing and to have forms available in each division office in Juneau, Anchorage, and Fairbanks. Assuming application forms are at least 3 pages, back-to-back, at \$12 per 100 x 3 pages = \$36 x 10 (to produce 1,000 copies) = \$360

After the first year, it is anticipated that costs associated with the examinations will drop as explained above.

<u>SUPPLIES</u>	\$ 1.0
TOTAL:	\$ 43.0

REVENUE/FUND SOURCE: In accordance with AS 08.01.065, all licensees are required to pay the costs of regulating their profession. The revenue generated from fees are labeled Designated Program Receipts.

This fiscal note identifies the additional expenses the division expects as a result of licensing manicurists. It *does not* describe the existing division resources which may be used to support licensing of manicurists and then charged to licensees. For example, the division's regulations specialist, complaint investigators, Department of Law attorneys, and licensing examiners that may include manicurists projects into their work. Manicurists licensing fees will be adjusted to cover these costs as will the fees of other occupations whose services may change as a result of licensing manicurists.

To determine the projected annual cost per licensee, 590 licensed manicurists are assumed. Direct costs are shown on the fiscal note. To calculate the Board of Barbers and Hairdressers indirect costs and Administrative indirect costs, 590 manicurists are added to the 3,698 barber and hairdresser licensees and divided into the total FY 95 indirect costs (\$75,340 Barber and Hairdresser Indirect divided by 4,288 = \$17.57; \$117,500 Administrative Indirect divided by 4,288 = \$27.41).

Continuation of HB 73 Fiscal Note

Therefore, the annual cost per licensed manicurists is projected to be:

\$ 17.89 Direct Costs	
\$ 17.57 Board of Barbers & Hairdressers Indirect Costs	
<u>\$ 27.41</u> Administrative Indirect Costs	
\$ 62.87 Per Licensee, Per Year;	\$125.74 Biennially
	+ <u>55.00</u> Examination Fee
	\$180.74 INITIAL LICENSE FEE

The Revenue assumes that 590 applicants will seek licensure in the first year. Thereafter, revenue will be received from new applicants only except during the renewal year.

Name of Examiner _____

Department of Commerce
and Economic Development
Board of Barbers and Hairdressers

Student State No. _____

Date of Examination _____

PRACTICAL EXAMINATION SCORE SHEET FOR HAIRDRESSER

Subject	Points	Subject	Points	Subject	Points	Subject	Points	Subject	Points
HAIRSTYLE		PERM		VIRGIN TINT		BLEACH		HAIRCUT	
On Mannequin: (60 min.)		On Mannequin: (30 min.)		On Mannequin: (30 min.)		TOUCH-UP AND HIGHLIGHTING		On Model: (30 min.)	
Fingerwave (15)		Sections	8	Explanation (12)		On Mannequin: (30 min.)		Patron Protection	10
Use of Comb and Fingers	5	Tension	10	To Include:		Explanation (12)		Remove at Least One Inch of Hair	10
Uniform in Width & Depth	5	Rod Selection & Wrap	10	a. Client Card	2	To Include:		Use of Razor	10
Open and Closed Ends	5	Application	10	b. Hair Analysis	2	a. Client Card	2	Use of Shears	10
Rollers (15)		Explanation (17)		c. Patch Test	2	b. Hair Analysis	2	Appropriate Sections	10
Section Size to Roller	5	To Include:		d. Mix to Manufacturers Directions	2	c. Mix to Manufacturers Directions	2	Blending	10
Roller Placement	5	a. Client Care	5	e. Test for Shade	2	d. Test for Stage	2	Evenness of Perimeter	10
Wrapped Even and Smooth	5	b. Hair Analysis	2	f. Rinsing	2	e. Proper Rinsing	2	Follows Directions	10
Pincurls (15)		c. Test Curl	2	Patron Protection	20	f. Toner Application	2	Sanitation	10
Clip Placement	4	d. Rinse	2	Section	10	Patron Protection	20	Properly Equipped	10
Section Size	5	e. Towel Blot	2	Application — Lighter & Darker	20	Partings	5	(The "blow dry" and "curling iron" sections are listed under the Hairstyle category and there is a 30-minute time allotment.)	
Full Stem	2	f. Neutralizing	2	Labeling and Sanitation	13	Application	20	Examiner Scores	
1/2 Stem	2	g. Manufacturers Directions	2	Follows Directions	15	Labeling and Sanitation	13	TOTAL POINTS	100
No Stem	2	Patron Protection	15	Property Equipped	10	Follows Directions	10	TIME	30 MIN.
Follow Directions	5	Labeling and Sanitation	10	Examiner Scores		Demonstrates the Use of a Weaving Method of Highlighting	10		
On Model: (30 min.)		Follows Directions	10	TOTAL POINTS	100	Property Equipped	10		
Patron Protection	10	Property Equipped	10	TIME	30 MIN.	Examiner Scores			
Blow Dryer	5	Examiner Scores				TOTAL POINTS	100		
Curling Iron	5	TOTAL POINTS	100			TIME	30 MIN.		
Tools & Supplies	10	TIME	30 MIN.						
Finished Results	20								
Examiner Scores									
TOTAL POINTS	100								
TIME	1 HR. 30 MIN.								

WRITTEN EXAMINATION SCORE: _____

HEREBY STATE THAT I AM ASSOCIATED WITH THE EXAMINATION CANDIDATE IN THE FOLLOWING WAY:

COMMENTS: _____

HOUSE COMMITTEE REPORT

(9)

Date Referred: January 16, 1995

FURTHER REFERRALS: Labor & Commerce
Finance

Date of Committee Action: 2/15/96

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: HB 73

HOUSE BILL NO. 73

LICENSURE OF MANICURISTS

"An Act relating to licensure of manicurists."

recommends it be replaced with the following committee substitute CS HB 73 (Hes) the same title a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) C+ED

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>				

CHAIR'S SIGNATURE

[Signature]

9-LS0358\F ✓
Lauterbach
1/24/96

CS FOR HOUSE BILL NO. 73()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE BRICE

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to licensure of manicurists."

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

3 * Section 1. AS 08.13.030 is amended to read:

4 Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board
5 shall exercise general control over the vocations of barbering, hairdressing,
6 manicuring, and cosmetology.

7 (b) The board shall

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

10 (2) authorize the issuance of licenses for schools of barbering,
11 hairdressing, manicuring, and cosmetology.

12 (c) The board may

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

14 (2) on its own motion or upon receipt of a written complaint, conduct
15 hearings and request the Department of Commerce and Economic Development to

1 investigate the practices of a person, shop, or school involved in the practice or
2 teaching of barbering, hairdressing, manicuring, or cosmetology;

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

5 * Sec. 2. AS 08.13.040 is amended to read:

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

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

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

14 (1) practice barbering, hairdressing, manicuring, or cosmetology
15 without a license, temporary permit, or student permit unless exempted under
16 AS 08.13.160(d);

17 (2) practice barbering, hairdressing, manicuring, or cosmetology except
18 in a shop or school licensed under this chapter unless exempted under AS 08.13.160(d)
19 or permitted under AS 08.13.160(e);

20 (3) open or conduct a school of barbering, hairdressing, manicuring,
21 or cosmetology without a license;

22 (4) teach in a school of barbering, hairdressing, manicuring, or
23 cosmetology, or supervise an apprentice without an instructor's license;

24 (5) operate a shop in violation of AS 08.13.120;

25 (6) permit an employee or other person being supervised who is not
26 exempted under AS 08.13.160(d) to practice barbering, hairdressing, manicuring, or
27 cosmetology without a license, temporary permit, or student permit;

28 (7) permit the use of the person's license, temporary permit, or student
29 permit by another person;

30 (8) obtain or attempt to obtain a license, temporary permit, or student
31 permit by fraudulent means.

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

2 Sec. 08.13.080. QUALIFICATIONS OF APPLICANTS. An applicant for
3 examination must

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

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

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

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

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

17 (6) [(5)] specify the field of practice in which the applicant intends to
18 teach and have held a license to practice in the field for three years or have held a
19 license in the field for one year and have completed 600 hours of student training as
20 an instructor in the field of practice from a licensed school with a curriculum approved
21 by the board if applying for a license as an instructor; or

22 (7) [(6)] have completed a combination of course work and
23 apprenticeship acceptable to the board.

24 * Sec. 5. AS 08.13.082 is amended by adding a new subsection to read:

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

30 * Sec. 6. AS 08.13.100(b) is amended to read:

31 (b) A license shall state the areas of practice (barbering, hairdressing,

1 manicuring, cosmetology, or any combination) that the practitioner is qualified to
2 perform.

3 * Sec. 7. AS 08.13.100(c) is amended to read:

4 (c) The board may by regulation create areas of limited professional licensing
5 in the field of cosmetology [, EXCEPT THAT THE BOARD MAY NOT RESTRICT
6 OR OTHERWISE REGULATE THE PRACTICE OF MANICURE OR PEDICURE]
7 . Any limitation shall be stated on the license.

8 * Sec. 8. AS 08.13.100(d) is amended to read:

9 (d) A person holding a current valid license from a board of barbering,
10 hairdressing, manicuring, or cosmetology in another state is entitled to a license under
11 this chapter without examination in this state. An application must include [:]

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

13 (2) proof of completed training, testing, and working experience that
14 the board finds to meet the minimum requirements of the state; and

15 (3) payment of a credential investigation fee.

16 * Sec. 9. AS 08.13.110 is amended to read:

17 Sec. 08.13.110. SCHOOL LICENSE. The board shall adopt regulations for
18 the licensing of schools of barbering, hairdressing, manicuring, and cosmetology. The
19 regulations must include details of the curriculum, minimum hours of instruction,
20 physical condition of the facilities, and financial responsibility of the owner.

21 * Sec. 10. AS 08.13.160(d) is amended to read:

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

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

27 (2) a shampoo person;

28 (3) a licensed health care professional;

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

1 * Sec. 11. AS 08.13.170 is amended to read:

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

7 * Sec. 12. AS 08.13.180 is amended to read:

8 Sec. 08.13.180. STUDENT PERMITS. A person attending a licensed school
9 of barbering, hairdressing, manicuring, or cosmetology, and a person apprenticed to
10 a licensed instructor in a shop approved by the board shall obtain a student permit.
11 A student permit to practice barbering or hairdressing is valid for two years. A student
12 permit to practice manicuring or cosmetology is valid for one year. A student permit
13 may not be renewed, but, upon application, the board may issue a new permit to the
14 same person, or extend an expired permit to the date of the next scheduled
15 examination. Credit earned under an expired student permit may be transferred to a
16 new permit as determined by the board.

17 * Sec. 13. AS 08.13.185(a) is amended to read:

18 (a) The Department of Commerce and Economic Development shall set fees
19 under AS 08.01.065 for initial licenses and renewals for the following:

- 20 (1) schools;
21 (2) school owners;
22 (3) instructor;
23 (4) shop owner;
24 (5) practitioner of barbering;
25 (6) practitioner of hairdressing;
26 (7) practitioner of manicuring;
27 (8) practitioner of cosmetology;
28 (9) [(8)] temporary permit;
29 (10) [(9)] student permit.

30 * Sec. 14. AS 08.13.190 is amended to read:

31 Sec. 08.13.190. FAILURE TO POSSESS A LICENSE OR PERMIT. A person

1 who practices barbering, hairdressing, manicuring, or cosmetology, or operates a shop,
2 or operates a school of barbering, hairdressing, manicuring, or cosmetology, or
3 teaches in a school of barbering, hairdressing, manicuring, or cosmetology, without
4 a license, temporary permit, or student permit and who is not exempt under
5 AS 08.13.120 or under AS 08.13.160(d) is guilty of a class B misdemeanor.

6 * Sec. 15. AS 08.13.210 is amended to read:

7 Sec. 08.13.210. HEALTH AND SANITARY CONDITIONS. Health and
8 sanitary conditions in shops and schools of barbering, hairdressing, manicuring, and
9 cosmetology shall be supervised by the Department of Environmental Conservation.

10 * Sec. 16. AS 08.13.220(6) is amended to read:

11 (6) "instructor" means a person who teaches barbering, hairdressing,
12 manicuring, or cosmetology in a school or who supervises an apprentice;

13 * Sec. 17. AS 08.13.220(7) is amended to read:

14 (7) "practitioner" means a person licensed to practice barbering,
15 hairdressing, manicuring, or cosmetology under this chapter;

16 * Sec. 18. AS 08.13.220(9) is amended to read:

17 (9) "shop" is an establishment operated for the purpose of engaging in
18 barbering, hairdressing, manicuring, or cosmetology.

19 * Sec. 19. AS 08.13.220 is amended by adding a new paragraph to read:

20 (10) "manicuring" means cutting, trimming, polishing, coloring, tinting,
21 cleansing, affixing material by artificial means for the addition to or extension of the
22 natural nail, or otherwise treating the nails of the hand or foot or massaging, cleansing,
23 treating, or beautifying the hands or feet performed for cosmetic purposes and not for
24 the treatment of disease or physical or mental ailments.

25 * Sec. 20. TRANSITIONAL PROVISION. (a) Notwithstanding the other provisions of
26 this Act, a person qualifies for a license to practice manicuring if the person

27 (1) applies for the license within 150 days after the effective date of this Act;

28 (2) presents evidence satisfactory to the board that the person practiced
29 manicuring for compensation for at least 350 hours during the 12 months immediately
30 preceding the effective date of this Act;

31 (3) passes a manicuring examination conducted by the Board of Barbers and

1 Hairdressers before applying under this section; and

2 (4) pays the required fees for examination and licensure.

3 (b) Notwithstanding other provisions of this Act, a person also qualifies for a license to
4 practice manicuring if the person

5 (1) applies for the license within 150 days after the effective date of this Act;

6 (2) held a license issued under AS 08.13 before the effective date of this Act that
7 is valid on the effective date of this Act; and

8 (3) pays the required fee.

9 (c) Notwithstanding other provisions of this Act, a person qualifies for an instructor's
10 license to teach manicuring or to supervise an apprentice manicurist if the person

11 (1) applies for the license within 150 days after the effective date of this Act;

12 (2) held an instructor's license for any field issued under AS 08.13 before the
13 effective date of this Act that is valid on the effective date of this Act; and

14 (3) pays the required fee.

15 (d) Notwithstanding other provisions of this Act, a person who, on the effective date of
16 this Act, holds a valid

17 (1) instructor's license issued under AS 08.13 may teach manicuring or supervise
18 an apprentice manicurist without an instructor's license in the field of manicuring until 180 days
19 after the effective date of this Act;

20 (2) license to practice barbering, hairdressing, or cosmetology issued under
21 AS 08.13 may practice manicuring without a license to practice manicuring until 180 days after
22 the effective date of this Act.

23 (e) Notwithstanding other provisions of this Act, a person may practice manicuring
24 without a license issued under AS 08.13 until 180 days after the effective date of this Act if the
25 person files with the Board of Barbers and Hairdressers, within 30 days after the effective date
26 of this Act, a written notice of intent to apply for a license under (a) of this section.



Representative Tom Brice

ALASKA STATE LEGISLATURE

119 N. Cushman, Ste. 205
Fairbanks, AK 99701
907-456-7423 / Fax: 451-9293
While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3488

Sponsor Statement

House Bill 73

Licensure of Manicurists

The practice of manicuring involves the use tools and chemicals which, when used incorrectly or improperly, may be dangerous and constitute a health threat to consumers. The practice of manicure is completely unregulated in Alaska, one of only eight states with no regulatory oversight in this area. Over the years the legislature has recognized and acted on the need to oversee the practice of vocations where the health, safety, and welfare of the public are at stake, including similarly situated vocations such as barbering and cosmetology.

The bill would simply add manicuring to the list of vocations controlled by the Board of Barbers and Hairdressers. HB 73 would empower the Board with the duties and responsibilities relating to manicure, including issuing examinations, setting standards and qualifications, and approving licenses for manicurists in order to give the public some assurance that those who practice manicure have the appropriate education and vocational training to ensure public health and safety. The Board of Barbers and Hairdressers, as well as members of the barbering and hairdressing vocation, have long recognized the need to regulate this aspect of their industry.

HB 73 allows for reasonable control of a vocation that carries public health implications, thus giving the Board of Barbers and Hairdressers the ability to address this area of concern and ensure the health and safety of Alaskan consumers.

District 30



Representative Tom Brice
ALASKA STATE LEGISLATURE

119 N. Cushman, Ste 205
Fairbanks, AK 99701
907-456-7423 Fax: 451-9293

While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3466

Memorandum

DATE: January 29, 1996
TO: Rep. Con Bunde, Co-Chair
Rep. Cynthia Toohey, Co-Chair
House HESS Committee
FROM: Rep. Tom Brice *TB*
RE: CSHB 73 changes

The changes that CSHB 37 makes to the original are relatively simple and are found in sec. 19 and sec. 20 of the bill.

The change to sec. 19 in the CS is an expansion of the definition of manicure to cover those procedures relating to artificial nails. The exact language added in the CS is "affixing by artificial means for the addition to, or extension of the natural nail,".

In the CS, sec. 20 provides that applicants for grandfathered licenses must apply within 150 days after the effective date of the Act. People not licensed in the field of manicuring may practice or instruct without a manicuring license for 180 days. The thirty day difference is intended to allow processing of applications. The 180 day period which unlicensed practice of manicure is allowed pertains to the following groups of people. One, people who already have a license under AS 08.13, and two, people who file a notice of intent to apply for a license under sec. 20(a), which requires an examination and proof of 350 hours of manicuring practice in the 12 months preceding the effective date of the act.

The transitional provision will effectively give the Division of Occupational Licensing and the industry nine months to make all necessary preparations and begin the process of licensing. The division has indicated that nine months is sufficient time to make preparations and begin licensing.

**States Participating
In National Testing
(as of June 1992)**

Basic Cosmetology	Alabama	Montana	Estheticians
Alaska	Arizona	Nebraska	Alabama
Arizona	Arkansas	Nevada	Alaska
Delaware	California	New Hampshire	Arizona
District of Columbia	Colorado	New Mexico	Arkansas
Georgia	Delaware	North Carolina	Delaware
Guam	District of Columbia	North Dakota	District of Columbia
Idaho	Georgia	Oklahoma	Georgia
Illinois	Idaho	Pennsylvania	Idaho
Indiana	Illinois	Rhode Island	Illinois
Kansas	Indiana	South Carolina	Indiana
Louisiana	Kansas	Tennessee	Louisiana
Maine	Louisiana	Texas	Maine
Maryland	Maine	Virginia	Maryland
Mississippi	Maryland	West Virginia	Mississippi
Missouri	Mississippi		Nebraska
Montana	Missouri	Manicurists	Nevada
Nebraska	Montana	Alabama	New Mexico
Nevada	Nebraska	Arizona	Pennsylvania
New Hampshire	Nevada	Arkansas	Rhode Island
New Jersey	New Hampshire	Delaware	South Carolina
New Mexico	New Jersey	District of Columbia	Tennessee
North Carolina	New Mexico	Georgia	Vermont
North Dakota	North Carolina	Idaho	Wisconsin
Ohio	North Dakota	Indiana	
Oklahoma	Ohio	Kansas	Electrology
Pennsylvania	Oklahoma	Louisiana	Idaho
Rhode Island	Pennsylvania	Maine	Kansas
South Carolina	Rhode Island	Maryland	Montana
South Dakota	South Carolina	Mississippi	Nevada
Tennessee	South Dakota	Missouri	New Mexico
Vermont	Tennessee	Montana	Ohio
Virginia	Vermont	Nevada	Utah
West Virginia	Virginia	New Hampshire	
	West Virginia	New Jersey	
Instructors		New Mexico	
Alabama		North Carolina	
Alaska		Ohio	
Arizona		Oklahoma	
Delaware		Pennsylvania	
District of Columbia		Rhode Island	
Georgia		South Carolina	
Guam		Tennessee	
Idaho		Texas	
Indiana		Vermont	
Louisiana		Virginia	
Maine		West Virginia	
Minnesota			
Mississippi		Managers	
Missouri		District of Columbia	
		North Dakota	
		Pennsylvania	

**States having
Licensed
Manicurists**

State	Hours
Alabama	300
Arizona	360
Arkansas	360
California	360
Colorado	350
Delaware	250
District of Columbia	125
Florida	120
Georgia	None
Hawaii	350
Idaho	300
Indiana	300
Iowa	40
Kansas	350
Kentucky	300
Louisiana	500
Maine	200
Maryland	100
Massachusetts	100
Michigan	300
Minnesota	350
Mississippi	250
Missouri	350
Montana	350
Nevada	500
New Hampshire	150
New Jersey	200
New Mexico	500
North Carolina	150
North Dakota	350
Ohio	200
Oklahoma	300
Oregon	350
Pennsylvania	200
Rhode Island	300
South Carolina	300
Tennessee	300
Texas	250
Virginia	150
Vermont	150
Washington	500
West Virginia	400
Wisconsin	300
Wyoming	350

Total for 44 States

1—None	4—300 hours
1—40 hours	3—250 hours
2—100 hours	11—350 hours
1—120 hours	1—350 hours
1—125 hours	1—400 hours
4—150 hours	4—500 hours

NEW CONCEPTS BEAUTY SCHOOL, INC.
3677 COLLEGE ROAD UNIT IV
FAIRBANKS, AK. 99709

JAN. 11, 1996

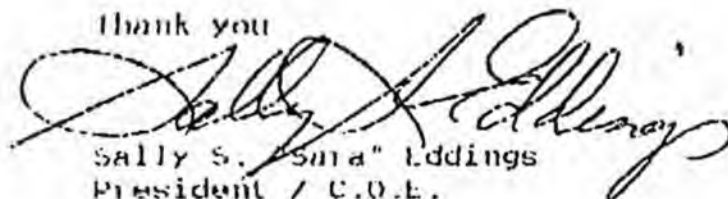
ATTENTION TOM BRICE:

As the owner of New Concepts Beauty School, INC. I have supported House Bill 73 because I feel the the Health, Safety and Trust of the public has been compromised by unlicensed, untrained individuals practicing manicuring in an unsafe and unsanitary manner.

It has been frustrating when a consumer comes to me seeking advise as to whom they should contact to report a person who has caused permanent damage and disfigurement. I have to tell them there is no regulation in this area. I can compare this to a Doctor or Dentist using implements that were just used on another person.

I would ask the committee to look at this Bill seriously and "PASS IT".

Thank you



Sally S. "Sma" Eddings
President / C.O.E.

Jan. 11, 1996

ATTENTION TOM BRICE:

Dear Sir:

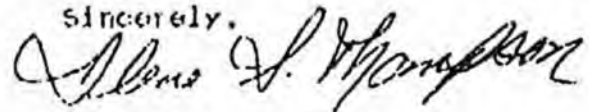
I'm writing to express my concern regarding House Bill 73. I have worked as a wholesale / retail distributor of beauty products for fifteen years, and currently hold three professional licenses in the field. During this time frame I have referred numerous consumers to seek medical assistance due to damage incurred by unlicensed, untrained individuals working out of their homes or in a salon.

The damage and injuries I have seen are not of a minor nature but demanding medical attention. Example, fungus to the degree of nail deformation and infection, nail deformities with furrows and grooves due to improper filing or application of acrylic products.

The implements and products used during basic manicuring and artificial application are very strong chemicals that require proper knowledge of their safe use.

I cannot express strongly enough my concern for the consumer if we continue to allow unlicensed individuals to perform manicuring services to the public. For the safety and well-being of the consumer, I respectfully urge you to pass House Bill 73.

Sincerely,



Ilene S. Thompson

	License #
Debra Long	5503 - 7436 - 7435
Karmen Shoemaker	7529 - 6238
Nichelle Wright	9875
Mary Kelley	5075 - 9106
Arnellia O'Neill	9071
Jeffrey Lincoln Wagar	apprentice

ATTN: Tom BRICE

all of the above are in
 favor of House Bill 73
 enforcing nail techs to be licensed.

Mary's Hair 'Em
 3419 Airport Way
 Fairbanks, AK, 99709

ORDER OF THE SON INC. P.O. 2
Mariann Stoffel
1352 Pioneer Peak Dr.
Wasilla, Ak. 99694
January 13, 1996

Representative Brice
Legislative Office Bldg
Juneau, Alaska

Dear Representative Brice:

I am writing in regards to house bill 73 referring to
"An Act relating to the licensure of manicurists"

First of all I'd Like to thank you for drafting this bill, As
a Hairdresser working in the industry for nearly 30 years it
is a wonder to me that manicuring ever was taken away from
the regulation of the Board of Barbers and Hairdressers.

I have been serving on the Barber and Hairdresser board since
Nov. 1992 (I was confirmed by the Legislature in '93) ever
since that time the licensing of manicurist in the State of
Alaska has been on our agenda. We have heard testimonies of
others in our industry who come from all over the State to
testify of the need to regulate manicurist. The primary need
is to protect the public from those practicing without proper
training and sanitary skills.

In our March 5th and 6th Board meetings we discussed at
length House Bill 73 I can assure you the the Board is
unanimous in favor of this bill.

If you have any further questions please do not hesitate to
contact me.

Sincerely,

Mariann Stoffel

Mariann Stoffel
Chair. Board of
Barbers and Hairdressers

A M E N D M E N T

OFFERED IN THE HOUSE
TO: HB 73

BY REPRESENTATIVE BRICE

1 Page 6, after line 23:

2 Insert a new bill section to read:

3 "* Sec. 20. TRANSITIONAL PROVISION. Notwithstanding the other provisions of this
4 Act, a person qualifies for a license to practice manicuring if the person

5 (1) applies for the license within 12 months after the effective date of this
6 Act;

7 (2) presents evidence satisfactory to the board that the person has practiced
8 manicuring for compensation for at least 350 hours during the 12 months immediately
9 preceding the application;

10 (3) passes a manicuring examination conducted by the Board of Barbers and
11 Hairdressers before applying under this section; and

12 (4) pays the required fees for examination and licensure."