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FILE NO. 11

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BARBER
EXAM.

SENATE COMMERCE COMMITTEE

HEARING MINUTES

OCTOBER 22, 1979

The meeting was called to order by Chairman Senator Brad Bradley at 9:00 a.m. The meeting was held in Room 262, Consortium Library, University of Alaska, Anchorage, 3211 Providence Drive, Anchorage, Alaska. Other committee members present were Senator Arliss Sturgulewski; Senator Tim Kelly; and Licia Piceno, Administrative Assistant Senator Stimson. Representative Terry Martin was also in attendance and participated in the proceedings. Committee staff members in attendance were Christian Basler and Janet Seitz.

Attached is a transcript of the hearing taken from a taped recording. Also attached are copies of written testimony presented and witnesses that testified.

BOARD OF BARBER EXAMINERS

Written Testimony Submitted by Following:

Judy Dixson
6300 West Dimond
Anchorage, AK 99502

Marse Kueber
#21 Wedgewood Manor
Fairbanks, AK 99701

Witnesses Testifying in Addition to Those Submitting Written Testimony:

James Newman, Local 56, Barbers, Beauticians and Allied Industries, Anchorage
5207 Shore Crest Drive
Anchorage, AK 99502

Maurie J. "Bub" Smith
7721 Ascot Drive
Anchorage, AK 99502

Donald Morris
1010 Beech Lane
ANCHORAGE, Alaska

Bill Keyse
1433 Aspent Street
Fairbanks, Alaska

Alberta Grant
547 Second Avenue
Fairbanks, Alaska

Rick Thornton
2611 Minnesota Drive
Anchorage, AK 99503

George Mohr
4824 Queens Court
Anchorage, Alaska

Dick Evans
(NO ADDRESS INFORMATION GIVEN)

Yvonne DeVatos
(NO ADDRESS INFORMATION GIVEN)
Juneau, Alaska

BRADLEY: The Commerce Committee will come to order. First I would like to introduce the Committee members and the people that are representing members. I'll start with the Vice-Chairman, Senator Arliss Sturgulewski, on my right; Senator Tim Kelly; and Licia Piceno, who represents Senator Terry Stimson. On my left is Representative Terry Martin, who is with us today and he is in Commerce on the House Side. I see we have six people testifying today. Have any others come in that haven't signed in? I guess not. Judy, how many people do we have testifying from Fairbanks? Three? Juneau, one? Does anybody in here disagree with having the teleconference individuals testify first or is someone in a big hurry? If someone is in a hurry to go someplace else, we'll take them first. All right. We'll take the teleconference individuals at the various locations, Fairbanks and Juneau first, if there is no disagreement with that. Judy, could we have -- which one is available first, Fairbanks or Juneau? All right. Does any member of the Committee disagree with going ahead and getting all of the teleconference individuals that are to testify, including the hairdressers although that was scheduled for this afternoon. I think we can probably change. Okay, we'll go ahead with all the teleconference. Maybe you can do other things, too, Judy. We may have to continue after lunch. So we'll start with either Fairbanks or Juneau? Fairbanks, go ahead please with the first one to testify. This is for the Board of Barber Examiners. Over.

FAIRBANKS MODERATOR: Our first witness is Bill Keyse.

KEYSE: My name is William Keyse. I'm a resident of Fairbanks and I've been a barber in Alaska for 24 years. I will be brief but I would like to say that for the most part this audit report seems to more than imply that the Barber Board does little more -- looking over a memorandum, which I have here, to the Legislature (SOUND OUT)

(SOUND OUT FROM KEYSE'S TESTIMONY FROM FAIRBANKS THROUGH RICK THORNTON'S TESTIMONY FROM FAIRBANKS. WRITTEN TESTIMONY HAS BEEN REQUESTED FROM WITNESSES KEYSE, GRANT, BRANSON, KEUBER AND THORNTON.)

THORNTON: I just have one question for the Board. That is, if the Barber Board was omitted, what happens to the licensing? Who is going to be in charge of licensing?

BRADLEY: Mr. Thornton, it could be done by the Department of Commerce, more specifically, the Division of Occupational Licensing. They could issue the license or they could given an examination, some standard examination and issue the license. There are some alternatives. Not that that is what we will approve but there's some alternatives. Any further questions, over?

THORNTON: Yes. I would just like to say one thing for the Barber Board. That is if the committee would keep in mind that if the licensing is omitted that you are going to be putting products in the hands of non-professional people and I think that this is more dangerous to the consumer and I think that the Board should look at this very seriously.

BRADLEY: That's a quite valid comment, Mr. Thornton, and I'd like for everybody listening in to understand that just because the Audit Division recommended that this Board be terminated doesn't mean that it will be. That's just their opinion. Over.

THORNTON: Okay. Well again, I thank you for your time and, again, if the Board will just keep in mind that by putting professional products in the hands of those that are not qualified to use them I think that the public is more in danger than the Barber Board itself.

BRADLEY: Thank you very much, Mr. Thornton. Any other witnesses?

FAIRBANKS MODERATOR: We have no further witnesses for the Board of Barbers; however, we do have several for the Board of Hairdressers. Would you like us to wait with those?

BRADLEY: Juneau, do you have any witnesses to testify concerning the Barber Examiners Board? Over.

JUNEAU MODERATOR: Yes, Mr. Chairman. We have one lady here who would like to speak on behalf of the Barbers. Her name is Yvonne DeVatos and she is ready to speak now.

BRADLEY: Go ahead, Yvonne.

DEVATOS: My name is Yvonne DeVatos and (UNDISCERNABLE) Barber Board (UN - DISCERNABLE). I agree with many of the recommendations of the Legislative Audit and would like to enunciate on certain areas of it. There is a need for professionalism in our business of haircutting. That could come from various areas. Such as in the schooling or through organized ways of testing people, such as apprenticeship program or in case of having the Barbering Board in effect at this point, that is a way of testing them also. I do feel that after a person has gone through nine months of schooling, they should, if they can pass all the schooling, be ready to be in business, either working with somebody or opening up their own business. If there is a need for licensing, it can happen in various departments and not necessarily only in the Barber Board department. If there is a testing, I think that the testing needs to be updated. A lot of new concepts have come into action in haircutting but people are not being testing for it at the time of the Barber Board testing. I don't know that the testing as it is now is an accurate means of seeing whether that person is able to go out and practice but if there is a need for testing then let's upgrade it and let's do what is needed for today. I have to think a minute of what else to say. I guess I will stop at that. Thank you.

BRADLEY: Thank you, Yvonne. The Chairman of Commerce Committee and members need a haircut real bad. We miss your haircuts up here. You think you might could arrange a trip up to Anchorage?

DEVATOS: Well, we could see about. I don't know, I would have to look at my schedule.

BRADLEY: And those massages, too. They're worth a lot. That's sort of a fringe benefit. Any questions by members of the Committee? Thank you, Yvonne. They're no questions. We know what you can do.

JUNEAU MODERATOR: Mr. Chairman, this is Juneau. We have no further witnesses here for the Barbers.

FAIRBANKS MODERATOR: Mr. Chairman, this is Fairbanks. I'd like to ask you a question. We have several people that wish to testify for

the Board of Hairdressing. They are not here at the moment. They will be called when you are ready. Are you going to be ready for them within the next half hour or so?

BRADLEY: You just read my mind. I was getting ready to say that since we had scheduled the Hairdreesers for this afternoon, contrary to what I said earlier, it might be better to hold most of the hairdressers this afternoon unless this one hairdresser in Juneau, I believe, is in some big hurry. Most of them will probably be available in the afternoon. That's the way they were notified. The one hairdresser in Juneau, course there will probably be more, we'll hold your testimony until we finish the Barbers. We've had quite a few people to come in after we convened and I think probably some of these people will be expected to be back on their job in the afternoon. So we'd best take care of these now.

JUNEAU MODERATOR: Mr. Chairman, this is Juneau.

BRADLEY: Yes, Juneau. Over.

JUNEAU MODERATOR: We have at least five people who wish to speak on behalf of the hairdressers at this point, but we will stand by.

BRADLEY: Since we notified the hairdressers that it would be in the afternoon, I think that, in all due respect to the people that are the barbers to testify that are here this morning and I'm sure they expect maybe not to be here this afternoon, we'd better proceed with the barber testimony and then upon finishing it, we'll take up the hairdressers whether it is afternoon or morning, if they are available. Over.

JUNEAU MODERATOR: We have people here who are listening to you, Mr. Chairman, and they will be standing by.

BRADLEY: Thank you very much. Fairbanks, do you have any more barbers that wish to testify that may have come in later?

FAIRBANKS MODERATOR: No, we don't.

BRADLEY: And Juneau?

JUNEAU MODERATOR: No, we do not, Mr. Chairman.

BRADLEY: Thank you very much. We'll proceed with those that we have in the room before us from Anchorage.

ANCHORAGE MODERATOR: Stand by, please.

BRADLEY: First one we will have to testify is Judy Dixon.

ANCHORAGE MODERATOR: For your information, Ms. Dixon is passing out some information and will be presenting her testimony in a moment.

BRADLEY: Go ahead with your testimony, Judy. Judy Dixon.

DIXSON: My name is Judy Dixson and I'm speaking as one of a member of a large body of Anchorage barbers who are very concerned about maintaining the standards of our profession. And, Barber laws have been on the Alaska books since Statehood and this should be an indication as to the concern, public as well as professional, regarding the guarantee of a safe and sanitary service when the public goes into a barber shop. We barbers agree that many changes must be made in the Board of Barber Examiners and we've addressed some of these in the report that we made and there are more changes that we would like to see made given more time. We haven't had as much notice as we'd like. We've evaluated the performance review and found valid recommendations and we also came up with our recommendations that you have before you (SEE WRITTEN DOCUMENTS SUBMITTED). The one thing that the majority did agree on was that there must be State licensing of barbers and the most qualified individuals to oversee this licensing are Board of Barber Examiners comprised of experienced and professional peers. Over the years, barber styling has progressed into a huge industry that reaches almost everyone on a personal level and because of the standards established by examination and State licensing, we can all pretty much rest assured that we will get the quality of service that we want when we go to a barber styling establishment. Without the peer review of the Barber Board and without a practical examination to weed out incompetents, all the professional standards we have worked so hard to establish would be shattered. Due to the overall high quality of basic barbering training that is required in just about every state, the spread of contagious skin and scalp diseases, such as ringworm, have been virtually eradicated. If there were little or no requirements involved in becoming a barber, there would be much less impetus to seek out and receive the necessary training, which includes those basics of sanitation and bacteriology that have contributed to the control of these contagious diseases. I'm sure that none of us present today would relish the sight of an untrained practitioner determining our appearance without the knowledge of the correct processes involved. This is too personal a service to leave to chance. As professionals, we see this sunset review as yet another way to upgrade our standards, but we also have come to the conclusion that this can only be done by continuing to make the Board of Examiners a cornerstone in our foundation. If you'd like, I could go over this report that we have. Maybe give you just a few of the highlights that we found. This is strictly on the Legislative Audit Review and after speaking with the House Commerce Committee the other day a lot, I found out some thing that, you know, have opened new areas that need to be covered now, but apparently we will have some more time to work on these things. Along with these recommendations, one of the most important things that we'd like to see done between now and the time that action is taken on our particular board is have a comprehensive set of barber laws included in any legislation that might be going through because our laws need to be upgraded; they do need to be broadened because they are very limited right now and there are a lot of areas that need to be covered and the laws are very old and we have tried several times in the past to get laws passed and to get things straightened out and it's been very difficult. So we see this as an excellent opportunity to work with our legislators to help us get some action in this area. Okay? I don't know. Let's see, I think you all have copies of the performance review. I believe the, just the recommendations begin on page 9, I believe, and, okay. Rather than read off the questions and the statements made and the recommendations,

I'll just address them. If you have any questions at any time, please feel free to ask them. Okay, the report states that the examination unnecessarily restricts entry of qualified personnel into the profession. The questions we are dealing with here, the two parts in review, are reciprocity with other states and that students are issues permits if from Alaska when the Outsiders must produce a license from their state. Okay -- reciprocity. Due to widely varying standards of education in different states, reciprocity is not possible at this time. States requiring 2,000 hours do not accept an Alaska license as we only require 1,500 hours, and that's not even on the books at this point. We don't even have that, although that is the minimum requirement that we have here in our schools. And Alaska can't accept an Outside license, they shouldn't, that requires only 1,200 hours. Until there are federal standards that cover barbering in all states and all the requirements are the same and who knows how long it will be before that happens, if it ever does, or if it should, the only way the reciprocity is going to be possible is through private agreements between individual states. And this could be possible for Alaska only if our Barber Board was allocated the funds to attend the National Association of Barber Examiners convention where these problems can be discussed with other professionals. If we have no means of communication with the other states then, yes sir?

BRADLEY: Representative Martin?

MARTIN: Miss Dixson, why is it necessary for a private organization or private individuals like yourself to depend on the government to give you funds to upgrade yourself by going to national meetings or even regional meetings? There are many professional groups that do it on their own.

DIXSON: At this point, we don't have a strong enough group in Alaska to allow for these funds and since the Board is a State -- you know, they are appointed by the State. They are not private individuals, you know, doing this on their own. They are appointed by the State and since they are part of a State agency at this point, then we'd like to see those funds allocated. We're one of the, probably one of the cheapest boards you have. Our total cost is right around \$11,000 and I think over \$6,000 of that is strictly costs to Division of Occupational Licensing that they've broken down over all the boards. The actual cost of our board is about \$3,200 for the per diem and for the travel expenses of all of our members and to ask for a very small amount of additional funds for one or maybe two Board members to go would be definitely worth the public will and probably one of the cheapest investments for a good return that they could make.

MARTIN: Miss Dixson, do you have a state association, professional association outside the Board, and does the state have meetings periodically?

DIXSON: We do have a barbers' union that is active in Anchorage. Mr. Newman is going to be speaking on behalf of the union. He could give you more information than I could. It's small membership at this time and that is, as far as I am aware, the only professional organization that we do have although we are very strongly talking about -- we'd like to see a good strong professional organization that will be coming up in the future, too, we hope, and that won't be dependent upon any sort of state aid or state funds. Okay, as far as the second recommendation

of test materials. The group of concerned barbers in Anchorage have come up with a slightly different format than one that is implemented now although the one that is implemented now has been no problem up until now but since they recommended a different format, we thought that this would be something that would be very fair and that would be just totally -- a person would have to try really hard to fail this one. And the way the points are distributed and it would be just a very, very equal test for all applicants and the breakdown is there. Seventy-five out of 100 points and that includes all the practical and written. So a person would only need 75 overall. Something that was brought up as far as when a person goes in to get their work permit before they take their exam, apparently it has not been made clear, or they feel it hasn't been made clear, what is going to be on the test. That's one of the big complaints that we've tested on. And something that we've suggested that would be a very important thing would be to include some kind of a guideline sheet with the test application packet that would include the text books from which the test will be taken and subjects that will most likely be covered and requirements that you must bring your own tools and that there will be time limits and so they will know all the information that is pertinent. That's something we'd like to see done and the Board could be responsible for. As far as limiting the term of Board members, this would probably be a good idea except that they are appointed and that as the administration change, appointments do change. So it would be rather difficult to make a very standard set up unless the appointments were changed. The public member on the Board should be appointed. That's a very good idea and we'd like to see that done and we'd be more than happy to accept that idea. And as far as recommendation number 5, the Board inspection of health. As far as that goes, the health inspections are the province of the Health Department and we don't see where the Board would need to be inspecting for health purposes. The only inspection that we'd like to see is the inspection of new schools to insure that the facilities and equipment were adequate for the proper teaching of barbering and also to insure that the curriculum is adequate and that standard textbooks are used and that a certain amount of classroom time is allocated so that the students receive the preparation for their written exam that they need. That's all that I have to say on this at this time. And if you'd like to look at that in more depth at your own leisure, I'd certainly appreciate it. Any more questions?

STURGULEWSKI: Mr. Chairman?

BRADLEY: Senator Sturgulewski.

STURGULEWSKI: Judy, I know you have done a lot of talking to a lot of people and a lot of thinking about this. I guess this kind of comes under a philosophical question and I think in a sense that that is almost the kind of a decision that we are going to have to make. There's a great deal of, throughout the country, trend toward regulation as being inhibiting business and keeping people from getting jobs and making profits and all of the rest. And yet we have here from profession after profession as we've reviewed the boards under sunset really a great push for the profession itself saying that there is a need for professionalism that it's in the public interest. And I'd really like you to speak to is it in the public interest or is it in the best interest of the, of your profession and for those members within it to be regulated. I really think I'd like some comment on how is the public served by the continuation of the professional licensing and so on. I think it's important to note

that there are obviously several ways that you could go. You could continue as it is with certain changes; it could be taken over, all of the functions, by Occupational Licensing; or, as basically has been suggested, not to do any regulation at all. So, if you could speak kind of on that philosophical point, I'd appreciate it.

DIXSON: There's been a lot of other people who have testified this morning that have brought up valid points that are part of that. Some of the things that I've brought up myself. Once again, okay, the spread of contagious diseases. If you've never been to school and never learned to recognize these things, and I saw them in school and I learned to recognize them and I know that all of the fellow barbers I went to school with have all seen that. If you've never seen it and you don't understand it and you have no knowledge of it, then there is no way that you can know what to do when you do see it and you won't be able to recognize it and deal with it appropriately and I'm sure that this training could be had -- you know, you could take the textbook home and try to figure it out for yourself and you could try just cutting people's hair and just see what happens but I think the public would probably suffer from that. First of all, by looking awful and personal appearances -- you know, would any of you here just decide to cut each other's hair and take that chance. I wouldn't let any of you cut my hair, afraid not. So that's -- it seems, it may not be a big matter of safety although we do use some tools. You know, the straight razor is nothing to be laughed at. I've cut myself very well a few times in the process of learning how to use it and if you're not aware of how to use it on somebody's face or somebody's hair properly then you can really get yourself into trouble because you're working around ears and eyes and it's not an easy thing to learn. It took me a good six months before I felt comfortable using it and that was every day in school. I suppose, I'm not saying it's impossible
(END TAPE 1, SIDE A)

(BEGIN TAPE 1, SIDE B)

and everyone of those hours was necessary and I don't feel that if a person did not go to school and did not have the experience and training and somebody watching over them, teaching them the proper methods of cutting the hair and sanitation and sterilization, they would be doing the public a great disservice by cutting on them. Also a point that Mr. Thornton brought out about barbers as well as beauticians using chemicals -- perms, dyes, things like that -- that can be very harmful to somebody's hair and scalp and can be just down right damaging. Those are things that a person needs training for before they're allowed to use on the public and I think that's very important.

STURGULEWSKI: Mr. Chairman, if I could continue? It's interesting to me that with the barbers there is no professional organization apart from the Board. We've seen some criticisms in the reports that have come that have been on the action of (1) on the part of the Board, some deficiencies with Occupational Licensing and with the ability to handle complaints and so on. I think again we have seen this as we have reviewed, as you know, ten of the major health boards last year and we have another series of which this is one for the coming year. But, what responsibility do you see, as a professional, to see (1) that the Board is doing its job, to address some of these questions, to address the regulations, to address needed statute changes, to do some action as far as getting OL on its, on the stick. It seems to me that there has been until this came along perhaps not enough interest to see that some of these questions were addressed. What responsibility do you feel toward some of the things that have been brought out here? As a member of this profession, do you

think that if the Board were to be continued that we would see any difference? Would we be back in another three year situation with the same complaints before us and perhaps, you know, the same thing coming out in an audit report? What do you think should happen out of this and what would the responsibility be of those members of the profession that are not on the Barber Board?

DIXSON: Oh, I think you'd see a lot of changes, a lot of changes for the good. All the recommendations that we've made just off of the performance review, I don't know about a lot of the other people, but I know there are several of us that are very interested and would really be quite interested to make sure that these things were, were done. And I know I've spoken to the Board members and they are also very concerned and very interested in seeing changes made. There are a lot of changes that they would like to have seen made because it has been impossible because there hasn't been enough attention paid, you know, who cares, so you're just the Barber Board. This is a real good opportunity -- out of this, like I said, we could get some laws passed that we need quite badly and I assume that you would find that as a positive movement and that is just very important to us. And I think the Board could stand quite a bit more organization. It's done very well with what it has had on the very limited amount of money and limited amount of time. They only meet for two days twice a year and there is only so much work you can get done in that time. But, they have, they do have problems being as they are scattered all over the State with some of the organization that could definitely stand to be improved but if they could formulate a good statement of goals and objectives and formulate a good procedure to follow instead of leaving so much of it to chance and well, what do you think we should do now, then I think that would make it a lot more efficient and if some of the testing is maybe a little more standardized and improved, I see nothing but improvements. As far as the alternatives, I haven't really -- I've heard a lot of different possibilities to the Board. I think more than the Board itself I think peer review is the important part here. Now whether it is done by a group titled "Board of Barber Examiners" or a group of barbers hired by the Occupational Licensing to do it, it doesn't make sense to me to throw out one group of peers to pick out another group of peers and go through all the paperwork and problems involved to do that. If there was no licensing whatsoever, is that a possibility from what I've understood? No licensing at all? I can't see how that would even be dreamed of as far as opening up competition, etc., etc. Of everybody that I know that is a barber, I don't know anybody that wants to be a barber that isn't working as one. Anybody who hasn't had the small amount of get-up-and-go that is required to go to school and get your license. Just like any other profession, it takes training and it takes time. I see nothing but improvement coming from this. And enough of the barbers I have spoken to are concerned that I think it would happen if it happened fairly fast.

STURGULEWSKI: Thank you.

BRADLEY: Representative Martin?

MARTIN: Thank you, Senator Bradley. I have a battery of questions thought up and I'd like to add to Senator Sturgulewski -- what she said. Last (UNDISCERNABLE)

FAIRBANKS MODERATOR: Mr. Chairman, this is Fairbanks. We can't hear the speaker.

MARTIN: Last year I was quite concerned with some of the professional groups that were abolished as a board but at the same time they had professional groups, like the veterinarians and the chiropractors and physical therapists and these people were having classes throughout the year, they were attending professional meetings on their own not because (UNDISCERNABLE) They paid it on their own. Yet they were blackmarked, so to speak, because they didn't accept the State monies. So, you know, it seems like our review board is going to get you one way or the other, but that's their problem. The thing is, I'm a little surprised right now to find out that the barber group is not really a professional group. What is to assure the public today, you say if we continue this we are going to have everything right in the future, and I'm somewhat surprised that we don't have it now. For instance in your report and the report from Juneau, they heavily stress the medical aspect and the health aspect and the reason why disorders of the human bodies and handling and recognizing contagious disease. Well, I doubt if any of you know what a (UNDISCERNABLE) disease is. Of course, dermatologists don't know that. How much medical schooling do you have and if you do have medical schooling, why is it determined on a board that is sanctioned from the State? Why doesn't the profession itself continue your own schooling, if you have any schooling at all? Is there a continuation? You have a minimum here of 1500 hours. Is there any continuation?

DIXSON: That's up to the individual. Like I said, barbering is a very big industry in this country and there are a lot of professional -- there's a lot of professional training available once you've gotten your license and gotten your basic barbering out of the way. As far as any of the medical training we get -- it's limited. It certainly doesn't qualify you to treat any diseases but, like I said, it at least qualifies you to recognize them and in the 1500 hours, which is one of the laws we'd like to see passed. At this point, we have no hour requirement. Most states do require a certain number of hours. Anywhere from 1200 to 2000 hours of school and a certain portion of that is classroom training as well as practical. We have a lot of private companies that, oh, say companies that we buy our products from, that offer franchisees and that offer continual training all through the states. The barbers, as individuals, attend these training sessions at their own discretion. Now it is up to the individual; there are no requirements. But if you want to be a good barber and you want to be an established professional, you do attend these trainings. I, myself, have paid my own way, not affiliated with any state organization, to go down to the states and receive training. And just about every barber that I know of has done so repeatedly and invested thousands and thousands of dollars in furthering our knowledge of our profession. And this was with no backing from any state association or any state agency. We just have done it on our own. And as far as the state association, like I said we do have the union. Many of us have chosen not to join this particular union. We may form an additional group. We may join the union. At this time, I can't speak for the other barbers. I know that enough people have been concerned over this and have gotten together over this that we're enough of a unified body that we can at least work towards something that we feel is this important. What we are concerned about -- like I said before, we want to see the Board continued because we feel that this is the best way to move our licensing procedure economically and swiftly. But what we want, we want to keep our licensing. We want to keep basic requirements and if the Board is the best method of doing this and, you know, we

feel it is and, you know, like I said the cost is minimal for what we get. We feel that we get a lot for the small amount of money..

BRADLEY: Senatc. Sturgulewski?

STURGULEWSKI: Judy, one further question. There is a present exemption in the law as to the more rural parts of Alaska. What kind, if any, interchange have you had there? How reasonable is it to expect some of the very rural communities to be able to say handle this question of coming to a center to receive their training. Have you addressed this problem at all?

DIXSON: At our school here in Anchorage, we've had several people from the Bush that have come in and they've received state aid and private help from Native -- and, you know, aid from their Native corporations, municipal funds and there are student loans available for schooling also since we are licensed by the State -- the school is -- and there's been. There's one person who has completed the course and graduated and is a practicing licensed barber in Juneau at this time. And there is another fellow who is also in school right now and is doing extremely well and will be graduating soon. And these people have not found it any problem to get the necessary financial aid from the various available sources and it has been quite easy for them to do that. Now, a person could always open a barber school some place in the Bush if that was a good idea. But that once again, the barber schools are private. They're not public. So it is up to the owner's discretion as to where they want to put a school. Anybody who has wanted to from the Bush hasn't had any problem up until now as far as we know we people have done it and been successful.

BRADLEY: Any other questions from members of the Committee? If not, Judy, I have one. Are you in private practice or are you a teacher at the Barber College?

DIXSON: I'm in private practice right now. I just received my instructor's license (UNDISCERNABLE)

BRADLEY: Appreciate your testimony. You've done a lot of homework. You know we did our best to have combined meetings between the House and the Senate Commerce Committees to save people a lot of inconvenience in having to testify twice but we couldn't get with the House and suddenly they throw theirs in before ours and we had our scheduled before and we did most of the coordinating with them. So, we were a little disturbed about that. Suddenly they throw in theirs on Saturday. Do you think it is beneficial that you have one and then the other? Maybe you learn a little something from one that you can benefit by in your testimony, by testifying the second time? Just as a matter of interest?

DIXSON: Well, personally, I did. But I'm not saying that I would have enjoyed being able to spend all day Saturday at work instead of having to take time out to go there. I think that the questions, the questions that were asked by the Representatives on the Commerce Committee were pertinent and would probably have been brought up today also. So, either way was fine.

BRADLEY: It doesn't make all the difference in the world. But I think it would be much better to have them both together. Do it once rather than twice. Okay, you know we've had some bills concerned the barber profession. We had one during not the last session but the previously legislature. And it

wasn't pushed and it had in their moral character and so forth. Many of our professional boards have this requirement -- moral character. I know it is a personal interpretation. How important do you think that is? Your personal interpretation.

DIXSON: Well, as a member of the barbers' group that we formed and legislative committee of that group, we agreed in the recommendations that it was too subject to personal interpretation and should be deleted. My personal feelings on this are a little bit different but I'm speaking more or less for the group so I'll just leave it at that. It is too difficult to judge that. What we were trying to do is to keep (UNDISCERNABLE) people working while they were intoxicated and that is a common problem and if the Board if is aware of a person who is intoxicated and who is practicing then this clause would allow them to say "Hey, you'd better go home and sober up before you start taking your shears to people's heads." But once again everybody's standards are a little bit different and some people's vary quite widely and it's really difficult to say you have good moral character and you don't so therefore it should probably be deleted. I knew where to point.

BRADLEY: I guess maybe I'd better leave that question. But I think it probably rather than just have it as a requirement, good moral character, I think you'd need some explanation in that many people are probably are very good barbers but maybe their off-duty moral character may not be just so but it has nothing to do with their efficiency as a barber. But anything as obvious as intoxication or an alcoholic, I think maybe we need, in my opinion, it needs to be included but explained. Incidentally, anybody prefers any coffee, we made sure we had enough for everybody. I don't like to drink coffee with everybody else not drinking coffee and I haven't got up to get mine but I will soon. So feel free to get up and get a cup of coffee whenever you like, members included. Thank you very much for your well-prepared testimony, Judy. I think I learned a little something.

FAIRBANKS MODERATOR: Mr. Chairman, this is Fairbanks.

ANCHORAGE MODERATOR: Go ahead, Nancy.

FAIRBANKS MODERATOR: Do I understand that we will for sure be waiting until 1:30 p.m. Anchorage time for the testimony from the hairdressers.

ANCHORAGE MODERATOR: Nancy, my understanding is that when the testimony of the barbers is completed if we're still in the morning hours, we'll start taking testimony from the hairdressers. What is your witness situation there now as far count?

FAIRBANKS MODERATOR: We have two witnesses and then somebody who is waiting to call others who will be here when we know what the time the meeting, they'll be taking testimony.

ANCHORAGE MODERATOR: The Committee definitely will be taking testimony from the hairdressers at 1:00 p.m.

FAIRBANKS MODERATOR: One o'clock Anchorage time?

ANCHORAGE MODERATOR: That's correct. Juneau?

JUNEAU MODERATOR: Juneau has four witnesses with one possible for the Board of Hairdressing.

ANCHORAGE MODERATOR: Fairbanks. Do you have any additional witnesses on the Barber Board?

FAIRBANKS MODERATOR: No, we don't.

ANCHORAGE MODERATOR: And Juneau, have you?

JUNEAU MODERATOR: We have no further witnesses on the Barber Board.

ANCHORAGE MODERATOR: Okay. And Debbie, how many did you say you had on the Hairdressers?

JUNEAU MODERATOR: We have four definite and one possible.

ANCHORAGE MODERATOR: Okay. Fine. Thank you.

BRADLEY: Very well. Thank you for that check, Judy. Do we have anybody that wishes to testify that hasn't signed the sheet? Okay, the next one is Mr. James Newman. In case it's not verified to everyone, as soon as we are finished with all the barber testimony, we'll take the hairdressers. Go ahead, James.

NEWMAN: Thank you, Mr. Chairman. James Newman representing Local 56 of the Barbers, Beauticians and Allied Industries, the Anchorage affiliate. I have in front of me a report presented by the Legislative Affairs Agency and there are a great number of factors in here that need to be brought to the attention of the Committee. One of them, which we just talking about, was moral character. There is a very good definition in the back as to moral character. Conviction of a felony. Gross malpractice or incompetence. Continual practice while knowingly carrying a communicable disease. Habitual drunkenness or addiction to the use of narcotics or other habit forming drugs. Those are the type of things that within our professional could be considered immoral character. Because of those factors, the immoral character clause should be left in but should be very definitely defined. The State of Alaska had renewal of 209 licenses in 1978. We have approximately 200,000 male members of our population. That gives us approximately 1,000 male customers per barber. Now that is a good ratio. That enables the customers to receive adequate service at the same time allowing the professional to earn an adequate living. Many states have a far lower average. This is years ago, this report that I have here is based on a great number of years ago. Going through this, you'll find that some states have as low as 600, even as low as 500 potential customers per barber. This is fantastic for the waiting line to get in to get your hair cut; however, it is not indictive to a good healthy practice. I have taken a great deal of my education in the State of California twenty years ago. At that time we were cutting hair at a price that was almost impossible to make a living. The State of California induced a minimum price law. The minimum price law was based on the amount of time an individual would need to practice per customer in order to maintain sanitary benefits. As far as the question of having a licensing law in the State of Alaska and as to whether the potential benefits equal the deficit to the general public, are rather easily understood in the fact that 48 of the 50 states now require licensing, including the State of Alaska. If no license was required or it was not important that we have a license, why have all the 48 of the 50 states said "License the barber." If education was not

important, why is the average number of hours required throughout the United States 1,438 hours? That is an average throughout the United States. If an apprentice law was not required, why is it that only two states do not have apprentice laws? If apprenticeship was not important to the general public, why is the average number of months spent in apprenticeship throughout the United States 18.4 months? If education, minimum education, is not important, why is the average throughout the United States requirement of 9.5 years primary education? Eighty-six percent of the states do not require a residency requirement in order to be eligible to take the state test. Of those that do require it, the average is six months. The State of Alaska does have a temporary permit situation. It is applicable in our State due to the fact that our Board meets but twice a year for the purpose of examining. Many incidents, my own included -- I arrived approximately thirty days after the Board in the year that I arrived in 1972. Had it not been for the permit situation, I would have been unable to make a living for five months. But because of the permit situation, I was allowed to go to work. Now there are two ways to deal with that. Eliminate the permit and increase the frequency of the Board examinations and in so doing increase the costs of maintaining a Board. Continue to issue the permits, maintain the number of Board meetings that we have now and maintain very low costs. According to the summary report, the expenditure above and beyond per diem, transportation costs for our Board is approximately \$6,000 -- between \$6,000 and \$7,000. I would like to be able to buy the kind of insurance for the public at any insurance company in the world for \$6,000. That's what our Board, our education requirements are. They are a very inexpensive but a very important part of an insurance policy for the public and the State of Alaska. The last page of the consumer's report consisted of a letter written by Local 56, page 51(d), and it brings out that due to the action, due to the repeated efforts of barber boards throughout the United States certain diseases have been virtually eliminated. Impentigo is one of them. Ringworm is something that is almost of the past. Many of us who are older remember ringworm all too well. Many of us came in contact with impentigo all too well. But because of the requirements in our education which, who can better determine that than a Board of Barber Examiners? Those diseases have been almost wiped out and with continued perservance will be totally eliminated from this society. This is something to look forward to.

BRADLEY: Thank you, Jim.

STURGULEWSKI: Mr. Chairman?

BRADLEY: Senator Sturgulewski.

STURGULEWSKI: Mr. Newman, not only you yourself but others have spoken to the issue of the training that you have in various kinds of scalp disease and have indicated that there has been a reduction in that. Okay. So I come in and I've got a problem. What do you do about it? What do others do about it?

NEWMAN: In answer to that, my training in medical field is nothing more than diagnostic work. We are taught to recognize diseases of the hair, of the scalp and of the skin. In most states, however unfortunately our laws do not cover it though we have tried many, many years to upgrade our laws, I have copies that go clear back into the 60s. By most state laws, I am prohibited to work on a customer that has a communicable disease unless that customer is under the direct care of a physician. So the way

it is dealt with is that upon recognizing or suspecting a communicable disease that customer is advised to attend a physician and return.

BRADLEY: Any other questions from members of the Committee? Representative Martin.

MARTIN: Thank you, Mr. Chairman. Sir, once again on the education aspect. Perhaps I misunderstood you, but you said there is an average eighteen month apprenticeship required and you alluded to nine years of education requirement but I didn't know what you meant by that because one report here that Ms. Dixon presented showed that in Alaska we need 1500 hours, which is approximately forty work weeks, and in some places they have 2000 hours, which is approximately fifty-two work weeks. Could you explain the big difference there?

NEWMAN: Okay. What I was referred to there is the average primary education or gradeschool/high school requirement to be eligible to enter into barber college is and then the average numbers of -- the eighteen months is the average apprenticeship program which is recommended in most of the states or 48 out of the 50. I will leave this report with the Board to give them an opportunity to go over it and possibly if they can find it within their scope, include this, recognition of this, for the apprenticeship program within the laws of the State of Alaska. I do, and for this I apologize, I did neglect to extend the last page of this which covers exemptions. And I think that this might shed a lot of light on our situation. Exempt persons from licensing that are allowed to do barber work in most states are persons authorized by law to practice medicine, surgery; commissioned medical and surgical officers in the United States Army, Navy, and Public Health Services; undertakers, embalmers and morticians. Those are the people that are exempt in most states from having a barber license and those are people that have already been educated in the possible spread of diseases. Those are the only exemptions in most states requiring the barber law.

BRADLEY: Senator Sturgulewski? Mr. Martin has another question.

MARTIN: Thank you, Senator. Just two other questions, Senator. You were talking about moral character and you mentioned that you would probably uphold a standard that you read off there and encourage the continuation (UNDISCERNABLE). We are talking about a felony. I do believe in rehabilitation but felonies come in different characters and in different qualities and in different crimes. If a person has been rehabilitated, so to speak, in our society, what would be wrong with allowing him to become a barber later? Also, you were talking about communicable diseases. There are a number of diseases that people can have and are taking treatment for it but still are carriers of it and why should we condemn them. For instance, tuberculosis which used to be very prevalent in the state. A person can have it and it can be active but yet they can be taking medication for it and it would not be contagious to the other person. (UNDISCERNABLE)

NEWMAN: In answer to that. When they have taken -- when a person is under medication even though they are a carrier of tuberculosis or of another disease, the statement is carrying a communicable disease. Now if they are under treatment, they cannot give that disease to an individual so that takes it out of the category of being communicable. In this report that I am going to be leaving with you, it states that those persons convicted of felonies and take training while in a correctional

would not be eliminated because of the felony record. It also recommends the hours for work that they do while in the correctional institution be credited toward hours required for receiving, being eligible to take the license. As far as convicted -- being convicted of a felony, being a controlling factor on that, I think that would depend on the particular felony. Surely in to heaven you could not consider a person who had possibly gone to sleep because he had driven too many miles that day, many hours that night, and dozed off for a moment and while he was in a dozed status clipped somebody, a pedestrian, not realizing it, but was convicted for a felony hit and run. You could not necessarily include that individual as being an immoral character. But for a person that had gone out and had gotten totally wiped out on alcohol or drugs and hit a pedestrian and knowingly drove off, that would be an immoral character. So there would have to be -- that would have to be defined by the members of the Board as to include in there that they would have grounds to refuse, suspend or revoke licenses. I think all of us know what is moral and immoral when it comes to a felony situation. Gross malpractice, that is easy enough to handle. You end up somebody paying out a half a million dollars on a malpractice lawsuit, that's pretty well gross malpractice. Incompetency, again, if we have testing to determine whether or not people that will serve the public are competent professionals, we have very little worry about incompetency.

BRADLEY: Senator Sturgulewski?

JUNEAU MODERATOR: Mr. Chairman, Juneau is having difficulty in hearing the witness.

ANCHORAGE MODERATOR: We've asked our witnesses to speak more closely to the microphone.

STURGULEWSKI: Mr. Chairman. Mr. Newman. Judy Dixson in her paper addresses a question of reciprocity. One of the things, as sort of a personal statement, I think we should do whatever we can to make people coming from other areas to be able to fit into the job market. I don't believe in exclusionary practices. I guess this is one of the reasons I'm surprised that there has not been a professional organization working toward a standardization of requirements throughout the country. I'm wondering, is your union, does that across the country more or less take the place of professional societies in barbers or are there generally barbers associations, professional associations, apart from the union? Hows does that work just as a matter of your particular trade?

NEWMAN: Okay. There are basically two organizations within the profession of barbering. There is the International Union of Barbers, Beauticians & Allied Industries. There is another organization known as the AMBBA -- that's the American Barbers and Beauticians, the American Master Barbers and Beauticians. Yes, we are pretty well throughout the United States. Currently have approximately 27,000 members. We are a small union. As to why we do not have a more standard or have a tighter knit between state to state on reciprocity, unfortunately, we as barbers do not make the laws. The laws are made by congressional groups of each state. In order to have a reciprocity situation within our state with other states, we would also have to have a standardized system of laws between each of the states and again this goes right back in to your own laps of the law-making body. As far as reciprocity is concerned, with the current system where permits are given, reciprocity is not in reality a necessity. But

let's take that one step further. As we probably all noticed this morning on the way in, there was a slight nip in the air. Now if I had a California license and knew that I could go down there and go to work, I might well be packing my things up to head south just like the birds do. And many others would be doing the same thing. So come winter time we end up in a situation where it is almost impossible to find a barber. Come spring time and the fish start running, we all know what that means. Every barber in the Lower 48 would want to be coming up here fishing which would result in a starvation situation for the barbers. Let's extend that one step further because I know how good I am and I know how good the people within this room are. They're all good; they're all going to make a living. So the people would be coming up, say now wait a minute. These people have got an established clientele; how am I going to take that away from them. They start cutting the prices -- reducing the prices to an extreme low. This is fine for the consumer excepting that in order to do so that barber would eliminate washing his hands, not worry about cleaning his chair between customers; as a result, create a gross negligence in sanitation and health to the public. So this is the way that I would answer whether or not reciprocity should or should not be included. On the recommendation of Local 56, it is definitely "No."

BRADLEY: Any further questions from members of the Committee? If not, Jim, I have one. And that is in regard to what you were just discussing concerning migration of barbers up during the summer and migration the other direction during the winter, and that's true in many type of jobs and professions in this State, do you think we should have a residency requirement for licensing? And do you prefer more frequent examinations or the permit law?

NEWMAN: Is that personally or as a representative of Local 56?

BRADLEY: Both.

NEWMAN: Okay. I had to clarify that because the answer on both clauses are identical. This way I can get to speak for both myself and Local 56 so I get to speak twice. We prefer the system as is with the permit system and the frequency of the test every six months. Looking at the reports as to how many were tested, in '77, '78, '79, you're averaging out fifteen to sixteen and this is twice a year. There is no way that I or anyone else could justify increasing the frequency of the meetings. The best alternate is to use the permit system because at least the State and the Board have some idea of who other than those licensed are practicing within the State of Alaska.

BRADLEY: Question -- how many barbers have been suspended for not living up to the standards required on malpractice, say in the last year and then in the last five years?

NEWMAN: To my knowledge, none. However, that is not information that is readily available to the practitioner in the field. This is something that the Board could probably answer a little bit better. Due to the fact that we do have a Board at large, unless there is a complaint filed by an individual within the profession, the Board has no way of knowing about any incorrect behavior of a barber or member of the profession because being barbers at large they do not and cannot afford to take time away from their chair to go out and spend one week a month doing the type of inspection that we are talking about. This is the main reason that even

though at one time the Board had the authority to do health inspections, they deemed it more applicable to turn that over to the Department of Health and where it has remained ever since.

BRADLEY: Senator Kelly.

KELLY: Yeah. Getting back to this permit thing. I don't quite understand how the permit system operates up here. Secondly, does your union as a national union have any kind of regulations or rules pertaining to inter travel between states?

NEWMAN: Okay. The way the permit system works currently. I will take my own incident and make it maybe a little easier for you to understand. I arrived in November '72. Presented to, at that time, a member of the Board, a copy of my California license. Acquired the required sized photograph; obtained a money order payable to the State of Alaska for the amount of \$25.00, which is the cost of being tested; presented them to the Board member; he immediately had me mail those to the Department of Commerce and wrote me a permit which was good until the next Board meeting. This is the normal way that a permit is issued or upon showing a diploma or completion of the required number of hours in a school, again due to the fact that the Board meets twice a year and a person could graduate from school with the required number of hours shortly after a Board has met, like within the next week. They would have five months to wait before they would be eligible for a Board. As far as inter travel within the union system, to my knowledge and I haven't done any extensive research on this, the union does not recommend reciprocity one state to another; they do not abide a guideline for reciprocity; however, they do offer something that I also neglected before the Board reflecting back to questions that was asked of Ms. Dixon about continuing education. Currently, residing here or waiting here in the State of Alaska to visit our barber college and to visit some of the shops is an international guest artists, the 1979 Hairstylist of the Year, whose transportation to the State of Alaska was paid for by the international union. He is an educator so there is an ongoing system of education through the international union.

(TAPE 2, SIDE A)

MARTIN: Sometimes when I go to different cities and even with in Anchorage at the time I'm in a hurry to get a hair cut and some shops I look at them from the outside and then I'll go to another shop that looks pretty good from the outside and then go in. Has there been any talks with the union and/or perhaps a professional group developing some kind of shield that would tell the consumer "Hey, this is quality here." Regardless of whether you have a piece of paper that says "I, barber, in the State" or not. This is what I am getting to in helping your own professional to recognize its peer group and to help the customer say "Hey look this is a professional group shield. I know I can get quality there."

NEWMAN: Yes, there's been a great deal of thought about that but then you run in to one particular situation. I personally drive a Ford because to me that's the best vehicle there is. I've got a friend that drives a Cadillac because he thinks that is the best vehicle there is. I've got another friend that drives a Chevy. Now, who sets the standards in your mind as to what is the best. I know some people that swear one particular barber is the best barber in the entire city of Anchorage and I know other people who have gone to that same barber and have said "Boy, I wouldn't

let him cut my dog's hair." Because the individual requirement of the customer differs so much that it would be virtually impossible to establish a criteria as to what would be the requirements for having a shield of performance and so on and so forth. And as far as to the exterior of the building, whether you say that is going to be a good shop or that is going to be bad shop, that is usually left up to the landlord to control the exterior of it and only to the shop owner as far as the interior.

BRADLEY: Any other questions from members of the Committee? If not, I have some real quick ones. Are you in private practice, Jim, or are you an instructor at the barber college or both?

NEWMAN: I am in private practice. I do have an instructor's license which I am not using at this time.

BRADLEY: In regard to barbers not making laws, you're right but also wrong in that people do influence the making of laws and those that put out an effort and lobby and write the most letters and make the most noise usually get the most laws passed. So that's one reason that the bill that I had, you know, some time back in the committee, last legislature, didn't go anywhere. And it didn't say very much either. It didn't do much good, I think, even if we would have passed that one. So, if you think there are some things that you do need, there are ways of getting it but you've got to sort of get organized. Nobody ever got anything without getting organized. Now, from your experience, what do you -- do you think that the Department of Health inspections are adequate? I've sat around a lot of barber shops. I've got my barber expert friend here so I know he's the best and that shop but, as you say, you like a Ford and I like a Chevrolet and so on. So I've seen some things, like a barber would shave or cut hair from one to another and never sterilize any instruments. The Department of Health can't be there all the time. So, just your comments in that regard.

NEWMAN: The Department of Health does as well as they possibly can, unfortunately there is no system that is totally adequate in inspection. From what I understand, we have only one hospital in the State of Alaska that is certified as being totally sanitary. You know, we have a great number of hospitals in the State. The best way to insure the sanitation that is required in the shop again goes back to education because the one most susceptible to the disease is the one that spends eight or nine hours a day in that environment. So the education of the practitioner would be the best way to maintain a sanitary condition.

BRADLEY: Any other questions? Thank you very much, Jim. Thanks immensely. Very good testimony.

ANCHORAGE MODERATOR: Stand by just a moment please.

BRADLEY: I'd like to notify the teleconference network that we currently have only six people to testify concerning

BRADLEY: I'd like to notify the teleconference network that we currently have only six people to testify concerning the barbers, the Barber Examiners Board. Just so you know maybe how long you will have to wait. Go ahead, Bud.

SMITH: My name is Maurice Smith and I am the newest member elected to the Barber Board as of March of 1979. Does the Board have any questions at this time to ask me?

BRADLEY: We'll proceed with questions unless you prefer to give your testimony

and then answer questions. Would you like to answer questions immediately, Bud?

SMITH: Well, I would like to go over some of the testimony that has been given so far. It's really be covered quite clearly, I think.

BRADLEY: Why don't you go ahead and do that, Bud, and that may stimulate some questions.

SMITH: Just a second while I run over these notes, please.

BRADLEY: While Mr. Smith is going over his notes, does any member of the Committee have any questions they would like to ask? Mr. Martin.

MARTIN: Thank you, Senator. Mr. Smith, I was told some time ago and I was waiting for this committee to have hearings to ask this question of one of the members that there is a considerable turf protection in the sense that isn't their one barber college in town that is owned by an individual that is on the Board that somehow individuals that need licenses or accreditation need to go to his facility and is that the only outlet? This is just one complaint from one barber and it is strictly going to you as I heard it so could you enlighten me as to what is available for a person that must be licensed?

SMITH: Yes, there is one college at the time in this State and it is here in Anchorage and it is owned by Manual Norat, who is a Board member. I don't know if Mr. Norat is going to speak today but he has informed us, the other members of the Board, that he will be dropping soon from the Board. He has other engagements (UNDISCERNABLE) very tightly that way and there will be another set open on that Board. But I'd like to clarify something. I've worked as a Board member on the, I've set in on the last two testings, last April and this October. The procedure, I feel, that Mr. Norat's way is very good as far as if we have a student coming from his college, he automatically disqualifies himself and will not grade that person. I think this is a very fair way of doing it and I also had two people that took the last test that are working among my shops and I disqualified myself from grading them also. So we're trying to cut down any discrepancies whatsoever there. I think that's a very good system.

MARTIN: Thank you, sir. How do people from Fairbanks, sir, and Juneau or other sections of our state get qualified if they cannot go to a or at least get the education? Is it possible for a person in the northern part of our state to meet the minimum requirements without having to come to Anchorage to the barber college?

SMITH: No, sir. At the present time to enter this profession one must go to an accredited barber college. I feel that that is the way it should be in any state. The instructors at that college are very well qualified. I have examined the college myself and am very impressed with their procedures. I have lived in six states in all and I have licenses in four and the procedures in this college are actually above most other colleges that I have participated in.

STURGULEWSKI: Mr. Chairman?

BRADLEY: Senator Sturgulewski.

STURGULEWSKI: Bud, you've heard not only at this meeting but at others the need for practice act or statute and regulatory change. How do you, as a Board member, see your responsibility to bringing those? Do you just see you responding to the bureaucracy or the Legislature or do you see your Board moving ahead to address some of these issues that have been raised? Okay, if you're continued in other words, what's your responsibility, what's your role?

SMITH: Well, as a Board member, I am actually open to all comments in all directions. As far as other barbers, I want them to come forward and I've stated that way since I was elected to the Board at different meetings and things that I'm open at all times to any suggestions from my profession. As far as goals, I'll be sending in a report of what I'd like to do this coming year and what I'd like to accomplish and it's going to be quite lengthy. Like I said, I've just been appointed to the Board and it takes time really to get these things done. You can't do it over night. We've got a tremendous amount of changes in legislation coming up and I hope legislators go over these legislation and do it very closely and help us in this respect.

STURGULEWSKI: Mr. Chairman. Just to continue a bit but do you see that as your direct responsibility to see that those changes are developed and put into legislation. I mean are you waiting for somebody to come with something so you react or do you see you taking a positive action to develop those needed changes. I think I'm looking for accountability. Whose responsibility is it to address a number of the concerns that have been raised?

SMITH: Yes, ma'am. Personally, I'm going to monitor this right up until these bills are served. This is one of my goals. We have set up a legislative committee, the barbers here in this town, and they've come up with a tremendous amount of changes on our laws to date and I think you're going to find that all these changes are needed for many years. You're going to find (UNDISCERNABLE)

STURGULEWSKI: Thank you.

BRADLEY: Anyone else on the Committee have a question? If not, Bud, I know you are relatively knew and you may have heard, are you aware of any license being suspended or being revoke as a result of malpractice or not living up to the standards of the Board?

SMITH: Not at the moment, Sir, I'm not.

BRADLEY: You know, one of the criticisms by the audit which was alluded to and implied in the report and then by some of those who testified that conducted the audit during the Budget & Audit Committee meeting that they weren't doing anything. If they weren't doing anything, we don't need them. There are two ways to go, I think, there. Either terminate or appoint new members that do something. So that's just a comment. Normally I refrain from giving personal opinions during these testimonies but I think it's admirable of Manuel Norat to drop from the Board because I've got the same complaint from numerous people, too, but everybody who has done anything has got a conflict of interest. If you haven't done anything, you don't have a conflict of interest. So you have to depend on the integrity of some people. But that might be a good thing to do. Having a barber shop and then the barber college and then being on the Board does subject

him to criticism so I think it's admirable of him to consider that. Your comments regarding that particular thing are most appropriate, too, and they might be good to keep in mind but it has been a common complaint from people who have called and written letter.

SMITH: Yes. I find that very true, sir, going over the minutes of the last few years.

BRADLEY: Any other questions? If not, Bud, thank you very much.

ANCHORAGE MODERATOR: Stand by just a moment please.

(UNDISCERNABLE - TESTIMONY FROM DONALD MORRIS, ANCHORAGE)

MORRIS: There is a definite need in my belief find the paramount duties of the barbers to prevent the spread of disease and to give a good commodity to the public, general public. The duty, as I see it, of the Board of Barbers is to see that they have the proper facilities, proper education, the proper testing, examing, licensing, so that we are assured that the barbers in the profession have been trained thoroughly, have been examined and are capable of rendering this service in protecting the general welfare. Otherwise, I am in complete agreement with what Judy said. We worked on the same committee. I am in agreement with what the gentlemen before Jim said with its reciprocity permits. We are the only state that allows people to work with a permit until the Board convenes again so that they can be examined. There is no other state. If you do not have their license, you do not work in their State until you have been examined and, therefore, I think this permit is very fair to someone from the Outside coming in. Really, that's all I have to say except to answer some questions.

BRADLEY: Then what do you recommend -- that we keep the permit situation as it is although no other state has such?

MORRIS: Well, with the Board only convening unless they want to change and have the Board convene more often, the permit situation seems to be the only solution. Now, Judy, we have recommended, this committee that I'm working with, that students coming out of school only be allowed to work in a shop, be issued a permit only working under the direct supervisions of a master barber, who is already a master barber in the state, until the time that the Board convenes so that they can be exempt.

BRADLEY: What about somebody coming from the Outside? Does anybody investigate? How do you know he didn't just leave barber school down there?

MORRIS: I don't know the workings of the State Barber Board right now but if they have a license, they are given a permit but as far as coming out of school, I don't know. I personally, myself, don't believe that they should be given a permit until they have been tested.

BRADLEY: Well, the reason I mentioned that is (UNDISCERNABLE)

ANCHORAGE MODERATOR: Stand by, please.

BRADLEY: If anybody has any comments to make although you're not on these sheet, maybe as a result of some of the testimony stimulated, might want to make two or three comments.

MOHR: My name is George Mohr, spelled M-o-h-r. I live 4824 Queens Court, Anchorage. Yes, I will fill this in. I would like to ask the members of this hearing, if I am, I'm fairly familiar with the provisions that a sunset law involves when it goes into effect. Doesn't it mean for the consumer, and I am a consumer -- I'm a customer; I'm not a barber and I know nothing about unions and permitting procedures. Doesn't it mean that there would be no qualification tests or procedures at all if the sunset law takes effect? In other words, if the current supervision over the qualification of people who cut my hair is abandoned is then there no more standard for performing the art properly available in the State of Alaska? Is that a correct assumption?

BRADLEY: It need not necessarily be that way. You know like some states give an examination and you pass it or you don't pass it. You go to school or

MOHR: Do we have that now?

BRADLEY: We have the school right now. We have one of these that was grandfathered in. And how it will be if we decide to terminate this Board, we don't know right. Maybe they'll just issue a license. Maybe they'll have to take some standard examination before it will be issued?

MOHR: So there will be some assurance. I'm asking for this reason, I've been here 28 years and when I came to the Territory, the availability of proper barber services was very limited on a hit or miss basis you had to find out who was good, which, of course, is okay in many things in the open market places. You find out who is good and who can serve you and if not you don't, you don't patronize them. Excuse me. With the development to which Anchorage and the rest of the State is coming now, this is a shocking experience that it happens to you that you get a very bad treatment and then what you do to remedy the situation? At least for the next four weeks. If you have an important engagement here. That is the deal and if this is a real obstacle and hazard. I mention this because it happened to me and I wasn't very pleased when I knew that the barbers were eventually allowed to practice in the metropolitan area here are well qualified and I have not had a bad experience. But I did have my bad experience before this went into effect. So that's my concern is that something should be there. I have no technical understanding of the medical hazards that might arise if any qualification procedures are dropped but I'm, and of course I hope they are maintained. I'm concerned with the state of the art. Okay?

BRADLEY: Thank you very much, George. I'm glad we got a consumer here. We put the advertisements in the paper and what not but sometimes you just get the professionals and not the consumers. Judy, when two people are pressing the button at the same time, only one talking, is it okay? Same time? Do you have any further comments to make?

MOHR: No, not at all. As I say, I only hope that whatever I'm able to enjoy here as far as barbering (UNDISCERNABLE) something or another how a Board or any other commission is run. I've got to rely on some

BRADLEY: Regulation but not overregulation?

MOHR: Okay, it is exactly that.

BRADLEY: We'll have some protection. Okay. Thank you very much. Is there anyone else wishes to make some comments. Yes, Dick?

EVANS: I'm Dick Evans. I'd like to comment about the law. I view it like the driver's license. All the drivers aren't too good but if we didn't have a law, they'd be a whole lot worse. I hate to see Manual quit the Board. He cares and we need people who care. That's it.

BRADLEY: Okay, Dick, thanks. Any questions? I agree. I think it's going to be a loss, too, and I think a lot of people complain because, you know, they find an excuse to complain. You know, I've put in a few bills, too, that I've got criticized for because I had a conflict of interest. Well, I've done away with my conflict of interest. By golly, if you've done anything, you've got a conflict of interest. It's going to be a loss. I agree. Had enough initiative and get up and go and drive to start a barber college, to set some standards, to protect me -- I've got scalped quite a few times -- kind of like the barber asking you "how do you want it?" It's better to take off too little than too much. Can't put it back on. And good barbers do that. But that is a common complaint and for the good of the profession I think it's admirable for Norat to -- he can still do the same thing he's doing. Probably even influence the Board because a lot of people have respect for him. Yes, Bud? Bud Smith. If you speak loudly will it pick up, Judy? Okay, I'll repeat it. Please, please come back. This will be Mr. Maurice "Bud" Smith making additional comments for his initial testimony. Just, we're all home folks here.

SMITH: In summing up, I would like to say a few points here that at the present time, I am trying to get a state barbers' association started in this state and my goal is January 1980 to get this underway. Another respect, I'd like to see a limit to the Barber Board members. What I would like to see is two three-year terms at the most and have them rotating so that we'd have a new member coming on the Board as one goes off. Another respect I'd like to run over here is our products. Now we've been told by our insurance companies -- most all of us carry malpractice insurance -- and if there's no examining Board to qualify licensed barbers, all these insurance companies are going to drop our malpractice.

BRADLEY: Bud, can I interrupt just a minute. Is there anyone here that is from the hairdressers that wishes to testify? It looks like we are going to be through with the barbers' testifying soon so we could probably start with some of those if you like. I just thought I would make that comment. Go ahead.

SMITH: Another thing I would like to clarify too as being on the Board -- procedure of permits. This is quite an issue, I can see by listening to the testimony. The way it is set up right now, anybody coming in from another state wishing to obtain a license in our state, we, as Board members, examine their credentials, we have to see a copy or the diploma from an accredited barber college or a license for barbering in another state. Upon this we can write a permit for them to go to work until the test is given. Now, once the test is given, we pick up that permit and it is no longer good. It is up to this individual to have done his homework and pass this test. While we are on the testing, I would like to bring up the point that if you

review our results in this past test in October, you will find it quite good. What we did there is we went through a new procedure that has never been done before to my knowledge. What we did, our chairman of the examining board, Mr. Jim Rossi, gave us, the Barber Board members, certain areas in one particular book that we are using only in the State -- this will be on the law coming up also with the name of the book. I, myself, was assigned to an in bacteriology and sterilization and sanitation. I made up questions from this area. I sent in my questions to Occupational Licensing. All Board members were assigned different categories in this book and we sent in all to Occupational Licensing and it was up to them to sit down and pick out a hundred questions out of what we sent in. The examination, we were handed these questions and we served them. I, myself, have been a great believer in doing away with 100% essay questions. I feel that this is not fair to people no matter what profession you are in because of the hard grading system on an essay question. I made recommendations prior to this test to other Board members that we should keep it very simple -- either fill-ins, true or false, and multiple choice. I, myself, prefer multiple choice. We had 75 questions of multiple choice. Twenty-five were essay questions which were quite easy, I must say. I don't have right with me at the present moment the percentage that passed the test and did not but I am sure that it was quite high that passed the test. Another thing I'd like to bring to your attention is that chairman Jim Rossi has moved from Soldotna to Anchorage. Now we've had problems in the past working with Jim Rossi. It would either have to be telephone at our expense or letters because no teleconference there from Soldotna. I find myself having Mr. Rossi still the chairman of this Board and located in our town here, I find myself that we are going to be able to work much closer and upgrade the Board in that respect. I, myself, hope to have Mr. Rossi over to my house many evenings that way and go over different aspects of what we are talking about here today and different laws and other Board members if they possibly can make it. Another thing I would like to try, I don't think it's ever been tried in this State before, on my own, I would like to put a newspaper ad in the local paper to see what the public feelings are on our profession. We ask people daily different criteria that way behind the chair but nevertheless I want something in writing. I want to be able to show you legislators what the feelings are of the people on the street. Another thing I would like to do as a Board member, I would like to try to set up a national law criteria with other states. This has never been accomplished before and I don't believe that it has ever been tried. Two weeks ago I spent two days, approximately 23 hours, reading material from other states and I find tremendous difference in laws and I find that there is too much difference. I, myself, would like to go to the national board meeting next year, even if I have to pay my own expense, I would like to do it and I think I will. While we are on that point, I think there are areas where we might be able to come up with our own financing that way and myself, speaking as myself and not a Board member at the present moment, I don't think it is up to the State, personally, to send us anywhere in the United States. I think it is up to us Board members to come up with the money anyway we possibly can.

BRADLEY: As a result of association dues? As in many professions.

SMITH: I think that pretty well sums up what I have to say here. Listening to testimony this morning it really covered an awful lot of material and I don't want to duplicate it and take your time but I can reassure you as a new

Board member that there are a tremendous amount of changes coming up in laws and whatever in our profession and I would like to have you judge us on more or less that merit -- the changes that we are hoping to do and not phase us out.

STURGULEWSKI: Mr. Chairman?

BRADLEY: Senator Sturgulewski.

STURGULEWSKI: A comment. I think it is one of the helpful things on the whole sunset review even if we don't eliminate a good number of the boards is for people to get their act together and if we've got barriers either through staffing problems in the state or the individual board members not doing their job, I think that is the time that we start to address some of those things and there is a responsibility of the people in the profession not just the Board. I would like to have later for the record, obviously we are not going to take any action until the Legislature is in session, we can't, but you made a comment regarding malpractice insurance. If at all possible, I wish you would get some firm to make some statements regarding just what the procedure is for handling malpractice as far as this profession goes. What are the kind of rates? What kind of problems do we get into and, in fact, how would they look at it if there were no standards? What kind of liability are we talking about? In other words, I'm not informed about that. I think your point is interesting and I'd like to see some information on it. If you could supply that to me, I'd certainly welcome the information.

SMITH: Yes, ma'm. I certainly will.

BRADLEY: Any other questions? Well, Bud, I personally, and I think I can speak for the Board, appreciate your interest and attitude as a Board member. I think that is what the Board needs. I think we'd better check with the teleconference network and see if any latecomers have come in from Fairbanks or Juneau. Fairbanks, do you have any people that might have come in later that would prefer to testify concerning the Barber Examiners Board? Over.

FAIRBANKS MODERATOR: No, we don't have any.

BRADLEY: Juneau? Over.

JUNEAU MODERATOR: No, not at this time, Mr. Chairman.

BRADLEY: Thank both Fairbanks and Juneau for your cooperation for the testimony concerning the Barber Examiners Board. And, at this time we will take a two or three minute stretch break and decide what we will do from this point on. I suppose we will take, the Committee will agree to take those hairdressers that are available now up to lunch and the remainder of them after lunch. All right Judy, make your network check.

ANCHORAGE MODERATOR: Fairbanks, how many hairdressers or

FAIRBANKS: Others will be returning in awhile and they do all wish to speak later.

ANCHORAGE MODERATOR: Would you judge sort of informally that the people who are there in the room waiting to testify now will probably want to hear all of the testimony and might prefer to wait until one o'clock to present theirs?

SEMI-ANNUAL FOR OCTOBER 22/23 SENATE COMMERCE COMMITTEE HEARINGS
OF SUNSET LEGISLATION.

OCTOBER 22/ 1979

Anchorage --- Room 262
University of Alaska
Consortium Library
3211 Providence Drive, Anchorage Ak.

(Judy Mengel 263-1832)
Time (9:00 am to 5:00 pm) ANC time

Juneau --- Butrovich Room #207
Capitol Building
Juneau, Alaska

(Dave Hammick) 586-1201
(Sue Plumer)

Time (11:00 am to end) JNU Time

Fairbanks --- Legislative Affairs
101 College Road, Building F., Room #250
Fairbanks, Alaska

(Maxine 452-4449)

Time (9:00 am to 5:00 pm) FBX Time

Board of Barber Examiners
Board of Hairdressing & Beauty Culture Examiners

AUDIT REPORTS ---

AN A PERFORMANCE REVIEW OF THE BOARD OF BARBER EXAMINERS
March 31, 1979

PH A PERFORMANCE REVIEW OF THE BOARD OF HAIRDRESSING AND BEAUTY
CULTURE EXAMINERS
June 11, 1979

Division of Legislative Audit, Att: Gerald L. Wilkerson
State Office Building
Pouch W, State Capitol Juneau, Alaska 99811. (465-3830)

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SCHEDULE FOR OCTOBER 22/23 SENATE COMMERCE COMMITTEE HEARINGS
ON SUNSET LEGISLATION.

²³
OCTOBER ~~22~~/ 1979

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101 College Road, Building F., Room #250
Fairbanks, Alaska

(Maxine 452-4449)

Time (9:00 am to 5:00 pm) FBX Time

Board of Registration for Architects, Engineers and Land Surveyors

AUDIT REPORTS ---

A PERFORMANCE REVIEW OF THE BOARD OF REGISTRATION FOR ARCHITECTS,
ENGINEERS AND LAND SURVEYORS
May 11, 1979

Division of Legislative Audit, Att: Gerald L. Wilkerson
State Office Building
Pouch W, State Capitol, Juneau, Alaska 99811 (465-3830)

PLEASE REPLY TO:

1016 West Sixth Avenue, Suite 201
Anchorage, AK 99501

Telephone: 278-1581; 278-1582

September 25, 1979.

Ms. Maria Dunham

Board of Hairdressing and Beauty Culture Examiners

Shawnee's Beauty Salon.

530 Seventh Avenue

Fairbanks, AK 99701

Dear Ms. Dunham:

The Senate Commerce Committee will convene at 9:00 a.m. on October 22, 1979, for the purpose of holding a public "Sunset" hearing on the Board of Hairdressing and Beauty Culture Examiners. The hearing will be held in Room 262 of the Consortium Library, University of Alaska, 3211 Providence Drive, Anchorage, Alaska, and will be teleconferenced to Juneau and Fairbanks.

The Juneau teleconference will begin at 11:00 a.m. (Juneau time) in the Butrovich Room (Room 207), Capitol Building, Juneau, Alaska.

The Fairbanks teleconference will begin at 9:00 a.m. (Fairbanks time) in Room 250, Building F, Legislative Information Office, 101 College Road, Fairbanks, Alaska.

The following Audit Report is available at the local Legislative Information Offices:

A Performance Review of the Board of Hairdressing and Beauty Culture Examiners. July 11, 1979.

If you have any questions, contact Christian Basler at 278-1581.

Sincerely,

Brad Bradley
Chairman
Senate Commerce Committee

Attached letter sent to following:

Maria Dunham
Board of Hairdressing and Beauty Culture Examiners
Shawnee's Beauty Salon
530 Seventh Avenue
Fairbanks, AK 99701

Mrs. Ione Lambert
Board of Hairdressing and Beauty Culture Examiners
PO Box 441
Douglas, AK 99824

Mr. Dennis Milhouse
Board of Hairdressing and Beauty Culture Examiners
407 East Northern Lights
Anchorage, AK 99503

Ms. Judith R. Maness
Board of Hairdressing and Beauty Culture Examiners
2807 Turnagain Blvd.
Anchorage, AK 99503

Hair Today
Attention: Yvonne
191 South Franklin
Juneau, AK 99801

Elaine Garrett
Division of Occupational Licensing
Department of Commerce & Economic Development
Pouch D, Mail Stop 0800
Juneau, AK 99811

PLEASE REPLY TO:

1016 West Sixth Avenue, Suite 201
Anchorage, AK 99501

Telephone: 278-1581; 278-1582

September 25, 1979

The Honorable Arliss Sturgulewski
Senate Commerce Committee
2957 Sheldon Jackson Drive
Anchorage, AK 99504

Dear Senator Sturgulewski:

The Senate Commerce Committee will convene at 9:00 a.m. on October 22, 1979, for the purpose of holding public "Sunset" hearings on the Board of Barber Examiners and the Board of Hairdressing and Beauty Culture Examiners. The hearings will be held in Room 262 of the Consortium Library, University of Alaska, 3211 Providence Drive, Anchorage, Alaska, and will be teleconferenced to Juneau and Fairbanks.

The Juneau teleconference will begin at 11:00 a.m. (Juneau time) in the Butrovich Room (Room 207), Capitol Building, Juneau, Alaska.

The Fairbanks teleconference will begin at 9:00 a.m. (Fairbanks time) in Room 250, Building F, Legislative Information Office, 101 College Road, Fairbanks, Alaska.

The Senate Commerce Committee will also hold a public "Sunset" hearing on the Board of Registration for Architects, Engineers, and Land Surveyors on October 23, 1979. The time, places and teleconferencing will be the same as for the October 22, 1979, hearings.

The following Audit Reports are available at the local Legislative Information Offices:

A Performance Review of the Board of Registration for Architects, Engineers, and Land Surveyors. May 11, 1979.

A Performance Review of the Board of Hairdressing and Beauty Culture

September 25, 1979

Page 2

Examiners. July 11, 1979.

A Performance Review of the Board of Barber Examiners. March 31, 1979.

If you have any questions, contact Christian Basler at 278-1581.

Sincerely,

Brad Bradley, Chairman
Senate Commerce Committee

The Honorable Jerry Strison
Senate Commerce Committee
1610 1st Street
Anchorage, AK 99501

The Honorable Fred Brown, Chairman
House Commerce Committee
Box 1718
Fairbanks, AK 99701

The Honorable J. ...
House Commerce Committee
210 ...
Anchorage, AK

The Honorable ...
House Commerce Committee
210 ...
Anchorage, AK

The Honorable ...
House Commerce Committee
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Anchorage, AK

The Honorable ...
House Commerce Committee
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The Honorable ...
House Commerce Committee
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Anchorage, AK

The Honorable ...
House Commerce Committee
210 ...
Anchorage, AK

Department of Commerce & Economic Development

State Treasurer, Coordinator
Legislative Intergovernmental Network
Department of Public Services
Legislative Affairs Agency
Fourth Fl., Mail Stop 3131
Anchorage, AK 99511

The Honorable Jerry Cardina
Speaker of Alaska House of Representatives
Box 6000
Ketchikan, AK 99901

The Honorable ... Gillen
President of Alaska State Senate
210 ...
Anchorage, AK 99503

... A. Anderson, Jr.
... Alaska House of Representatives

...
...
...
Anchorage, AK

... W.
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...
Anchorage, AK

Miss Blue
Administrative Assistant
House Commerce Committee
210 ...
Anchorage, AK

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Anchorage, AK

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...
Anchorage, AK

Attached letter mailed to following:

The Honorable Arliss Sturgulewski
Senate Commerce Committee
2957 Sheldon Jackson Drive
Anchorage, AK 99504

The Honorable Tim Kelly
Senate Commerce Committee
Box 1004
Eagle River, AK 99577

The Honorable Frank Ferguson
Senate Commerce Committee
Box 131
Kotzebue, AK 99752

The Honorable Terry Stimson
Senate Commerce Committee
1610 "E" Street
Anchorage, AK 99501

The Honorable Fred Brown, Chairman
House Commerce Committee
Box 1718
Fairbanks, AK 99707

The Honorable Joyce Munson
House Commerce Committee
935 East 79th Avenue
Anchorage, AK 99502

The Honorable Hugh Malone
House Commerce Committee
Box 9
Kenai, AK 99611

The Honorable Alvin Osterback
House Commerce Committee
Box 71
Sand Point, AK 99661

The Honorable Robert Bettisworth
House Commerce Committee
Box 80288
College, AK 99708

The Honorable Richard Halford
House Commerce Committee
Box 66
Chugiak, AK 99567

The Honorable Richard Randolph
House Commerce Committee
Box 123
Fairbanks, AK 99707

Elaine Garrett
Division of Occupational Licensing
Department of Commerce & Economic
Development
Pouch D, Mail Stop 0800
Juneau, AK 99811

Sioux Plummer, Coordinator
Legislative Teleconference Network
Division of Public Services
Legislative Affairs Agency
Pouch Y, Mail Stop 3101
Juneau, AK 99811

The Honorable Terry Gardiner
Speaker of Alaska House of Representatives
Box 6092
Ketchikan, AK 99901

The Honorable Clem Tillion
President of Alaska State Senate
Box 373
Homer, AK 99603

The Honorable Nels A. Anderson, Jr.
Majority Leader, Alaska House of Representatives
Box 234
Dillingham, AK 99576

The Honorable Mike Colletta
Majority Leader, Alaska Senate
1016 West Sixth Avenue, Suite 435
Anchorage, AK 99501

Gerald L. Wilkerson
Legislative Audit Division
State Office Building
Pouch W
Juneau, AK 99811

Alan Blume
Administrative Assistant
House Commerce Committee
PO Box 1370
Fairbanks, AK 99701

Judy Hopkins
Legislative Affairs Agency
1024 West Sixth Avenue
Anchorage, AK 99501

Debi Smith
Legislative Affairs Agency
Pouch Y
Juneau, AK 99811

Legislative Information Office, Fairbanks
Attention: Maxine
101 College Road, Building F
Room 252
Fairbanks, AK 99701

Pam Derrer,
ARCO
134 North Franklin
Juneau, AK 99801

~~XXXXXXXXXX~~
~~Karen Baker~~
Rep. Terry Martin
3960 Reka
Anchorage, Ak. 99504

Judy Mengel
Media Services Department
University of Alaska, Anchorage
3211 Providence Drive
Anchorage, AK 99503

Paul Harris (276-1443)
Legislative Audit Division
PO Box 1231
Anchorage, AK 99510

Karen Baker (272-5514)
% Jay. Baxter & Co.
207 East Northern Lights Blvd.
Anchorage Alaska 99503



Alaska State Legislature

Senate

Committee on Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business
PLEASE REPLY TO:

1016 West Sixth Avenue, Suite 201
Anchorage, AK 99501

Telephone: 278-1581; 278-1582

September 25, 1979

Mr. Dan A. Noll
Board of Barber Examiners
604 Second Street
Fairbanks, AK 99701

Dear Mr. Noll:

The Senate Commerce Committee will convene at 9:00 a.m. on October 22, 1979, for the purpose of holding a public "Sunset" hearing on the Board of Barber Examiners. The hearing will be held in Room 262 of the Consortium Library, University of Alaska, 3211 Providence Drive, Anchorage, Alaska, and will be teleconferenced to Juneau and Fairbanks.

The Juneau teleconference will begin at 11:00 a.m. (Juneau time) in the Butrovich Room (Room 207), Capitol Building, Juneau, Alaska.

The Fairbanks teleconference will begin at 9:00 a.m. (Fairbanks time) in Room 250, Building F, Legislative Information Office, 101 College Road, Fairbanks, Alaska.

The following Audit Report is available at the local Legislative Information Offices:

A Performance Review of the Board of Barber Examiners. March 31, 1979.

If you have any questions, contact Christian Basler at 278-1581.

Sincerely,

Brad Bradley
Chairman
Senate Commerce Committee

Attached letter sent to following:

Mr. Dan A. Noll
Board of Barber Examiners
604 Second Street
Fairbanks, AK 99701

Mr. Manuel Norat
Board of Barber Examiners
PO Box 238
Anchorage, AK 99510

Mr. James Russi, Chairman
Board of Barber Examiners
PO Box 1122
Soldotna, AK 99669

Mr. Maurice "Bud" Smith
Board of Barber Examiners
Anchorage Sportsman's Barber Shop
1650 W. Northern Lights
Anchorage, AK 99503

Mr. Elmo Kienbaum
Board of Barber Examiners
2337 Second Avenue
Ketchikan, AK 99901

Mr. Manuel Norat
c/o Anchorage Barber College
3519 Mt. View Drive
Anchorage, AK 99504

Hair Today
Attention: Yvonne
191 South Franklin
Juneau, AK 99801

Elaine Garrett
Division of Occupational Licensing
Department of Commerce & Economic Development
Pouch D, Mail Stop 0800
Juneau, AK 99811

Elaine Carreen
Division of Occupational Licensing
Department of Commerce & Economic Development
P.O. Box 1144
Juneau, Alaska 99801

PLEASE REPLY TO:

1016 West Sixth Avenue, Suite 201
Anchorage, AK 99501

September 25, 1979

Mr. Wayne K. Jenson
Board of Registration for Architects,
Engineers, and Land Surveyors
PO Box 190
Douglas, AK 99824

Telephone: 278-1581; 278-1582

William M. F.
430 W. 7th
Anchorage, Alaska
274-5231

Dear Mr. Jenson:

The Senate Commerce Committee will convene at 9:00 a.m. on October 23, 1979, for the purpose of holding a public "Sunset" hearing on the Board of Registration for Architects, Engineers, and Land Surveyors. The hearing will be held in Room 262 of the Consortium Library, University of Alaska, 3211 Providence Drive, Anchorage, Alaska, and will be teleconferenced to Juneau and Fairbanks.

The Juneau teleconference will begin at 11:00 a.m. (Juneau time) in the Butrovich Room (Room 207), Capitol Building, Juneau, Alaska.

The Fairbanks teleconference will begin at 9:00 a.m. (Fairbanks time) in Room 250, Building F, Legislative Information Office, 101 College Road, Fairbanks, Alaska.

The following Audit Report is available at the local Legislative Information Offices:

A Performance Review of the Board of Registration for
Architects, Engineers, and Land Surveyors. May 11, 1979.

If you have any questions, contact Christian Basler at 278-1581.

Sincerely,

Brad Bradley
Chairman
Senate Commerce Committee

Attached letter sent to following:

Mr. Wayne K. Jenson
State Board of Registration for Architects,
Engineers & Land Surveyors
PO Box 190
Douglas, AK 99824

Elaine Garrett
Division of Occupational Licensing
Department of Commerce & Economic
Development
Pouch D, Mail Stop 0800
Juneau, AK 99811

Mr. Jim Bridges
State Board of Registration for Architects,
Engineers & Land Surveyors
4789 Business Park Boulevard
Anchorage, AK 99503

William M. Smith
430 W. 7th Suite #210
Anchorage, Ak 99501
274-8231

Mr. Donald J. Cook
State Board of Registration for Architects,
Engineers & Land Surveyors
Box 80093
College, AK 99701

Ken Walch
DOWL Engineering
4040 B Street
Anchorage, AK 99503

Mr. Wallace Deboff, Chairman
Board of Registration for Architects, Engineers
& Land Surveyors
RR5, Box 5521
Juneau, AK 99803

Mr. James M. Lake
Board of Registration for Architects, Engineers &
Land Surveyors
206 Nerland Building, Room 206
Fairbanks, AK 99701

Mr. Loren Lounsbury
Board of Registration for Architects,
Engineers & Land Surveyors
723 West Sixth Avenue
Anchorage, AK 99501

Mr. Paul E. Stutzmann
Board of Registration for Architects,
Engineers & Land Surveyors
PO Box 1429
Fairbanks, AK 99707

Mr. Gordon R. Unwin
Board of Registration for Architects,
Engineers & Land Surveyors
103 East 26th Avenue
Anchorage, AK 99503

Mr. Wallace Wellenstein
Board of Registration for Architects,
Engineers & Land Surveyors
325 Barrow
Anchorage, AK 99501

STATE OF ALASKA



BOARD OF BARBER EXAMINERS

CENTRALIZED LICENSING STATUTE, AS 08.01.

BARBER ACT, AS 08.12.

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

POUCH "D"

JUNEAU, ALASKA 99811



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 11, 1980

Honorable W.E. "Brad" Bradley
Chairman
Senate Commerce Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Bradley:

Re: Regulation of Barbers and
Beauticians

Enclosed are this committee's recommendations concerning the Boards of Barber Examiners and Hairdressing and Beauty Culture Examiners. We realize these recommendations are coming to the committee at a late stage of the "Sunset" review process, however, we offer them for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bob Palmer".

Committee on Regulatory Reform
Bob Palmer, Special Projects
Coordinator
Charles R. Webber, Commissioner
Commerce & Economic Development
Ernst W. Mueller, Commissioner
Environmental Conservation

Enclosures

Pursuant to the objectives and function of this committee, we have reviewed the functions of the above referenced boards and the licensing of the above referenced occupations. During the review, we have kept in mind the Governor's policy theme which stated the need and desire "to improve the ability of the private market system to provide needed goods and services," "encourage private sector competition," "to reduce unnecessary governmental intervention," "reduce restrictions on new business formation," and "to provide government services in an efficient manner."

Accordingly, the following is recommended:

1. The Board of Barber Examiners and the Board of Hairdressing and Beauty Culture Examiners; Cosmetologists, should be combined into a single five-member board consisting of four members from the profession and one member from the general public who is not involved in the profession.
2. Those that practice in these occupations that offer only the services of cutting or trimming hair and/or beards and/or mustaches and/or washing or shampooing the hair with water and prepared commercial shampoos should not be required to be licensed to practice such occupation.
3. Those who give facial and scalp massages or treatments with oil, creams, lotions or other preparations either by hand or mechanical devices or singe, dress, dye, bleach, color, or wave the hair utilizing cosmetic preparations, antiseptics, tonics, lotions or creams with the hands or with a mechanical or electrical apparatus shall be licensed and regulated by the State.
4. The requirement for "good moral character" should be deleted.
5. Examination should be waived for those who hold either a bona fide license issued by another territory, state or country, or a diploma from an accredited barber college or beauty school.
6. Any requirement for a high school diploma should be deleted.
7. Delete manicurist from any regulation.

April 9, 1930

Senator Brad Dudley,

This letter offers comments on HB 978. Passage of HB 978 would deal a serious blow at cosmetologists as the word is used in the beauty culture field and by legislatures elsewhere, which includes hairdressers, as opposed to barbers. We believe that it would also be of real concern to the customers who would have no way of knowing whether an operator (licensee) is a person trained in one area or the other.

The bill appears to be a great one for barbers, but a sad one for hairdressers. There are several areas that need to be taken under great consideration:

1. The definition of cosmetology used (A.S. 08.13.220 (3)) does not follow the meaning of the word generally adopted throughout the nation or by the writer in the subject.
2. "Hairdressing" is not defined.
3. No legislative guideline or standard is given for schools other than requiring regulations as to "curriculum, minimum hours of instruction, physical condition of the facilities, and financial responsibility of the owner." (A.S. 08.13.110). Nothing is provided regulating or establishing standards for teachers, or student-teacher ratio, minimum equipment required, supplies, reports, required filings, or standards for approval, disapproval suspension, or revocation.
4. No standards are provided for shops.
5. No inspection of shops or schools is provided, except for health and sanitation enforcement by Health and Social Services who has had a dismal performance of the same authority in the past.
6. This bill lumps barbers and cosmetologists together so that the board may be totally controlled by one profession, the barbers.
7. Grandfather rights are provided for barbers by A.S. 08.13.150, but none are provided for cosmetologists.

In conclusion, the bill, as written, appears to be in need of considerable revision.

Very truly yours,

Alice J. M. M.

from Alice

Rose & Breeze
Attorneys at Law - a Professional Corporation
526 J Street - Anchorage, Alaska 99501

David A. Rose
Robert A. Breeze

Telephone
(907) 277-0533

April 2, 1980

Alaska State Legislature
Senate Commerce Committee
Pouch V
Juneau, AK 99811

Attn: The Honorable Senator Bradley, Chairman

Dear Senator Bradley:

This letter offers comments on HB 978. On behalf of the Alaska Hairdressers and Cosmetologists Association, it is submitted that the bill does not meet the desires of the thousands of consumers who have submitted statements to your committee, or the substance of the testimony at hearings held by your committee. The consolidation of the two existing boards, Barbers and Hairdressing and Beauty Culture, does not require the combining of the professions or the domination of the new agency by barbers, as the new bill proposes.

Passage of HB 978 would deal a serious blow at cosmetologists as the word is used in the beauty culture field and by legislatures elsewhere, which includes hairdressers, as opposed to barbers. We believe that it would also be of real concern to the customers who would have no way of knowing whether an operator (licensee) is a person trained in one area or the other.

While other states such as California have expanded the role of boards of cosmetology as reflected by the bill proposed by the Association, and require continuing professional education as a condition of renewal of licenses for the protection of the using public, HB 978 appears to be a step/backwards from consumer protection and a lowering of professional requirements.

The bill appears to be a great one for barbers, but a sad one for hairdressers.

1. The definition of cosmetology used (A.S. 08.13.220(3)) does not follow the meaning of the word generally adopted throughout the nation or by the writers in the subject.
2. "Hairdressing" is not defined.

Nissel A. Rose, Esq.

to

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April 2, 1980

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3. "Hairdresser" is not defined.
4. No legislative guideline or standard is given for schools other than requiring regulations as to "curriculum, minimum hours of instruction, physical condition of the facilities, and financial responsibility of the owner." (A.S. 08.13.110). Nothing is provided regulating or establishing standards for teachers, or student-teacher ratio, minimum equipment required, supplies, reports, required filings, or standards for approval, disapproval suspension, or revocation.
5. No standards are provided for shops.
6. No inspection of shops or schools is provided, except for health and sanitation enforcement by Health and Social Services who has had a dismal performance of the same authority in the past. California has resorted to inspectors under Board of Cosmetology supervision for the purpose, the same here would combine health, sanitation and compliance with other standards such as display of licenses, equipment used, checking personnel, professional supervision, etc. As licensees are required to demonstrate knowledge in these areas, they should be well qualified, and inspector qualifications can be higher.
7. Historically, as far back as ancient history, barbers and cosmetologists have been separate professions. They have separate associations. But this bill lumps them together so that the board may be totally controlled by one profession. As set out by Section 6, the five members of the existing Board of Barbers are to be voting ex-office members, thus assuring control of the new Board by Barbers to the exclusion of cosmetologists. Even without it, three "Hairdressers" may be all barbers! Only one cosmetologist is assured.
8. Grandfather rights are provided for barbers by A.S. 08.13.150, but none are provided for cosmetologists.
9. A "barber" license is provided by A.S. 08.13.150 and 010(b)(1) no definition is offered as to what is a barber, except by reference to A.S. 08.12 and regulations thereunder, but that statute is repealed by Section 5, and all regulations thereunder are repealed by implication, as they rely upon A.S. 08.12 for their validity. Thus, once A.S. 08.12 is repealed, any interested person would have to search statutes and regulations

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no longer published to attempt to find the meaning of the new statute. That is both unfair, unjust and unduly expensive and time consuming.

10. The only licenses contemplated by A.S. 08.13.070 are (1) for hairdressing or cosmetology, and (2) to organize, open or conduct a school. None appears to be provided for "barbers" or for teachers.
11. Qualifications under A.S. 08.13.080 require successful completion of all courses required to be taught by a school of hair design, but does not include any mention of a school of cosmetology. Furthermore, these provisions appear contrary to A.S. 08.13.090 which contemplates examination "within the field of practice for which the applicant is seeking a license", and to A.S. 08.13.100(b) which provides that "A license shall state the areas of practice the practitioner is qualified to perform." Again, that section provides for a designation as "barber", "hairdresser" or both, but neither is defined by the bill. Surely, if one is to be licensed in a limited area of practice, then one should not be required to successfully complete all courses offered.
12. It appears that A.S. 08.13.120 permits practice "outside of a place of business", but provides no criteria for such itinerant practice, particularly in the area of sanitation, and would appear to make it virtually impossible to subject such itinerant practitioner to any form of inspection, thus negating the intent.
13. If licensing and regulation of hairdressers and cosmetologists is deemed desirable for the protection of the consumers of the service, there appears to exist no logical reason for excluding from that protection communities of less than 1,000 people as provided by A.S. 08.13.150(b). The further question arises as to the status of an unlicensed practitioner in such a community who, after a period of some years of such practice, moves to a more populated area, or the area in which such person practices increases in population from 999 to 1,000. Would such a practitioner be suddenly illegal, or would he or she be somehow "grandfathered in"? There appears to be no reason why such a practitioner should not be required to be examined and licensed initially. The subsection should be eliminated.

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14. While A.S. 08.13.150(b) appears to create an exemption, the misdemeanor provisions of A.S. 08.13.180 contain no exception. Clarification would be helpful.
15. Page 8, line 10, "affect" is apparently intended to be "effect".
16. The loose definition of "cosmetology" in A.S. 08.13.220 may, conceivably, include manicurists, cosmeticians, and electrologists, but appears to be intended to cover only cosmeticians, although the phrase, "similar work" is subject to widely varying interpretations, and what is intended by "the human body" is likewise vague. For example, it could include pedicure, or even the occupation engaged in by massage parlors, erotic or otherwise. One may also wonder whether the head and the limbs are intended to be included in "the human body", or whether the phrase includes only the torso.
17. Although the minimum requirements of A.S. 08.13.082 [one year under (a), and six months under (b)] are understandable, the maximum requirements are not. If the language is changed to "not more than" instead of "not less than", the meaning is clearer, but the result would appear highly inequitable if the apprentice had to interrupt education for a period of time, such as for illness, resulting in going over the limitation. If A.S. 08.13.170 is intended to cure the problem such is not indicated by 082.
18. A number of states are requiring continuing professional education as a condition of license renewal. The bill proposed by the Alaska Hairdressers and Cosmetologists Association contained such a provision because customers should be entitled to know that new procedures, products, styles and safety provisions are known to the practitioner. This bill has no such provision, but it should.
19. The administrative disciplinary powers conferred upon the Board include only suspension and revocation of licenses. The harshness of the provisions often result in their failure of enforcement, or undue litigation efforts and expense on the part of the threatened licensee who needs to protect his right to earn a livelihood. Again, the bill proposed by the Association provided for the assessment of civil penalties or fines, which can often accomplish the desired result much more equitably,

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to
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efficiently, and economically for the state as well as for the licensee. A specific power to issue orders to show cause might well speed up and facilitate the Board's administration of its disciplinary authority.

The attached draft statement for use by the various state chapters of the National Hairdressers and Cosmetologists Association discusses the wide differences between the professions which are not addressed by HB 978.

In conclusion, the bill, as written, appears to be in need of considerable revision if it is to accomplish the desired purposes equitably, with clarity, in the interest of the public, and without undue discrimination against cosmetologists who are considerably more numerous than barbers.

Very truly yours,

ROSE & BREEZE, P. C.

By: _____
Nissel A. Rose

cc: All members of Committee
Mr. Christian Basler
Alaska Hairdressers & Cosmetologists Association

NAR:lw

500.

STATEMENT BY THE
[STATE] HAIRDRESSERS AND COSMETOLOGISTS ASSOCIATION
CONCERNING THE MERGER OF THE
[STATE] BOARDS OF COSMETOLOGY AND BARBERING

For the past [number] years, the [State] Hairdressers and Cosmetologists Association has represented the concerns of the now more than [number] licensed cosmetologists in [state] and has been committed to ensuring high standards of professionalism among the practitioners of beauty culture. To this end, the [State] Hairdressers and Cosmetologists Association has sought to expand and intensify the curriculum of beauty schools and has supported an active role for the [state] board of cosmetology. However, because of such activities and because the officers of the [State] Hairdressers and Cosmetologists Association are themselves practicing cosmetologists, the [State] Hairdressers and Cosmetologists Association is vitally aware of the uniqueness of this profession and particularly the specialized skills required to service the patrons of beauty salons.

It is because of the distinctiveness of this profession that the [State] Hairdressers and Cosmetologists Association opposes the merger of the [state] boards of cosmetology and barbering. The qualifications and characteristics of these two professions are so diverse as to make it infeasible and therefore inappropriate for cosmetologists to serve on a board

which examines the qualifications of graduates of barber schools and conversely for barbers to evaluate the competency of graduates of beauty schools. It would be equally difficult for cosmetologists to fairly evaluate whether a barber's license should be suspended or revoked as it would be similarly infeasible to expect a barber to be able to judge the performance of a licensed cosmetologist. Therefore, the merger of these traditionally separate boards would do a disservice to both professions and would hinder the respective board members' ability to effectively fulfill their statutory obligations.

Moreover, there are limitations on a legislature's power to classify or merge various occupations with respect to licensure. In order to be lawful, the classification of occupations must be reasonable; accordingly, different classes must be regulated by different administrative bodies. Although the differences among the established classes must be "substantial" to warrant separate administration, it is clear that they do not have to be "great" to require individual licensing.

The disparity between the cosmetology profession and the barbering profession clearly requires separate and distinct licensing requirements and separate and distinct regulatory boards. The disparity is most noticeably reflected in the diversity of the services each renders to its particular clientele. Since the cosmetologist primarily serves female patrons, fashion is a critical factor in the performance of the art of hairdressing. It

is not enough to know how to cleanse and cut hair. A licensed cosmetologist must be an expert in hairstyling and be able to cut, set and comb out a patron's hair so that it not only reflects the latest trends in hair fashion but also suits the personality and physiognomy of the customer.

Since women can wear their hair short or long, straight or curly, twisted into French knots or corn rows, plain or adorned with ribbons, hairpieces, combs or barretts, it is obvious that the hairdresser requires different skills than the barber who remains essentially immune from the vagaries of hair fashion. In order to achieve certain effects, the hairdresser must be trained in finger-waving, wigology, curling, singeing, thinning, tinting, streaking, bleaching, rinsing, permanent waving, hair straightening, pin and roller curling as well as iron curling. Many of these skills would be of little service in a barber shop.

In addition, because the salon owners service a female clientele, the licensed cosmetologist must be skilled in the application of cosmetics. Not only do hairdressers need to understand the use and advantages of such cosmetics as eyeshadow, rouge and nail polish, but they must also be able to arch and tint eyebrows as well as remove facial hair by the use of tweezers, wax, depilatories and electricity or camouflage such superfluous hair by bleaching, again employing techniques not required by barbers who service their clients more appropriately by shaving off facial hairs.

Because cosmetologists and barbers provide different services to their patrons, they generally rely on different instruments and tools. It is the rare occasion at most that a barber would be called on to use hair pins, bobby pins, clips, curlers, rollers, hair nets, curling irons, hair dryers or eyebrow tweezers. It would be equally unusual for a cosmetologist to wield a straight razor during the course of a traditional day's practice.

Such diversity in the services performed and the implements used are reflected in the differences in the curriculum provided and often required by statute in schools that train future cosmetologists and barbers. The very fact that there are beauty schools which are separate and distinct in ownership and operation from barber schools underscores the separateness of the two professions. A perusal of the subjects offered in beauty schools indicates that cosmetologists emphasize clinical instruction and receive extensive training in hair styling, permanent waving (a service which barbers are prohibited by law from offering in California and several other states), cosmetics, hair coloring and lightening as well as the care and styling of wigs.

In addition, a survey of the hours of training required for cosmetologists and barbers reveals that cosmetologists in 29 states were required by law to have considerably more instruction than student barbers. In another 13 states, both professions have an equal number of training

hours, leaving only 8 states where cosmetologists receive less instruction than barbers. In fact, cosmetologists generally receive 1,000 to 2,500 hours of training in contrast to barbers who receive from 0 to 2,000 hours. Further, not only are cosmetologists' apprenticeship training periods generally longer than in the barber apprenticeship programs, but the minimum educational qualifications for admission to beauty schools are higher than the requirements for acceptance in barber schools.

Finally, the existence of two separate and distinct professions is confirmed by the fact that there are now and traditionally have been two separate trade associations, the National Hairdressers and Cosmetologists Association, Inc., which represents the concerns of the licensed cosmetologist and the Associated Master Barbers and Beauticians Association which represents the practicing barber. Each explores the interests and deals with the problems unique to its membership. Although there is informational exchange between the two groups, each association works to service the particular needs and express the views of their individual members.

Thus, it is imperative that the [state] board of cosmetology and the [state] board of barbering continue to function as two separate entities. The cosmetologist and the barber serve different clients, perform different services, use different implements, study different courses and have different interests as reflected in the existence of their separate

trade associations. The [State] Hairdressers and Cosmetologists Association therefore opposes the merger of these two distinctive licensing boards so that applicants and practitioners alike can be evaluated by those best suited to judge their capabilities and their performance.

Combine W/ Händuss

BOARD OF BARBER EXAMINERS SUNSET

KEY TO REFERENCES:

- (Y) - (yellow cover) - State of Alaska Sunset Review, 1979, Prepared by The Division of Occupational Licensing.
- (B) - (blue cover) - Division of Legislative Audit Performance Review.
- (W) - (white cover) - Senate Commerce Committee Public Hearing testimony, October 22, 1979.

- 1. The Barber Examiners Board should not be continued.
 - (Y) - p. 1, par. 2.
 - (B) - p. 8, par. 4.

If The Board of Barber Examiners is to be continued then the following changes/recommendations are suggested:

- A. The Board should review its examination procedures and develop a valid, consistent examination and grading standard.
 - (Y) - p. 5, par 1; p. 6, par 3; p. 7, par 2; p. 9, par 3; p. 12, par 5; p. 13, par 5.
 - (W) - p. 2, p. 6, p. 8.
 - (B) - p. 10, recommendation #2.
- B. There should be an inclusion of two public members on the board without increasing its overall size. (5)
 - (Y) - p. 11, par. 3; p. 13.
 - (W) - p. 6, par. 1.
 - (B) - p. 11, recommendation #4; p. 12, last par.
- C. The five (5) year Alaska License restriction for Board members should be deleted. (08.12.020)
 - (Y) - p. 9, par. 5; p. 13. par. 4.
 - (B) - p. 12, par. 3 (definition of the statute in question)
- D. Board Membership should be limited to two consecutive terms.
 - (Y) - p. 13, par. 4.
 - (W) - p. 23.
 - (B) - p. 11, last par.; p. 12, par. 5 & last par.
- E. Statutory authority for reciprocity should exist for obtaining a license. Presently, licensure is by examination only.
 - (Y) - p. 9, par. 4; p. 13, par. 4.
 - (B) - p. 7, par. 4; p. 9, par. 4; p. 10, par. 1.
- F. Section 08.12.270 should be repealed. (applies to a person engaged in barbering in a community having more than 1,000 persons, etc.)

BOARD OF BARBER EXAMINERS

(Y) - p. 9, par. 4; p. 10, par. 3; p. 13, par. 4.

G. Section 08.12.180 should be repealed. (Licensing of person barbering before 1957 without examination.)

(Y) - p. 13, par. 3. (this is now obsolete. If a person in this category does not have a license by now he never will. Formality.)

H. Change Fees - Board recommendation

Section 08.12.080. [EXAMINATION] FEES. An applicant [FOR EXAMINATION] shall submit with his application a [AN EXAMINATION] fee as follows:

(1) examination for apprentice barber registration [LICENSE]..... \$25

(2) annual apprentice registration fee [EXAMINATION FOR BARBER TEACHER LICENSE].... \$10 [\$75]

(3) annual barber license fee.... \$15

(4) annual barber teacher license fee.... \$50

(5) annual barber school or college license fee.. .. \$150

(6) examination for barber teacher license.... \$75

GENERAL COMMENTS:

The Board of Barber Examiners should establish formal goals, objectives, and quantifiable measures which should be included in the Division of Occupational Licensing's budget document.

THE BOARD DOES NOT HAVE A STATEMENT OF GOALS AND OBJECTIVES TO DATE ACCORDING TO THE O. L. REPORT (Y).

(B) - p. 14, recommendation #7.

The testimony of the Barber Examiners hearing on October 22, 1979 said very little regarding significant changes and recommendations.

Board of Barber Examiners
Audit Report Page 21

<u>Expenditures</u>	<u>\$11,243</u>
Personal Services (Allocated Expense)	6,358 *
Travel Expense and Per diem	2,231
Contractual & Office Supplies	2,654 **

* * Indicates that the amount above is an estimate due to the total expense of the Division of Occupational License being divided up among all the various boards.

**Also an estimated cost. This is 2% of the total Division of Occ. License expenses for personal services.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

POUCH D

JUNEAU, ALASKA 99811

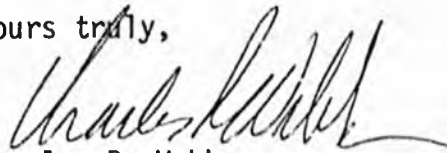
October 19, 1979

Alaska State Legislature:

Transmitted herewith, pursuant to AS 44.66.050, are the reports of the Alaska State Board of Barber Examiners and Board of Hairdressing and Beauty Culture Examiners.

This evaluation, supplemental to the Department's testimony before the Legislature, serves to focus attention upon the questions of whether or not the boards are best serving the interests of the public. Data as provided by the Division of Occupational Licensing, the board members, licensees and members of the public has been received, reviewed and evaluated.

Yours truly,



Charles R. Webber
Commissioner

CRW/kkk3/15

STATE OF ALASKA
Board of Barber Examiners
July, 1979

Findings

The Board of Barber Examiners was created in 1957. Members of this profession, and the Board, are regulated under AS 08.12; control over health and sanitation of facilities is with the Department of Health and Social Services (AS 08.12.030(2) and AS 18.05.040(9)).

Alternatives to the present operation of the Board and to State regulation of the barbering profession are discussed in this review; however, we believe that the review indicates termination of the Board and licensing.

I. General Information

A. Regulated Parties

1. Barbers

B. Definitions

"Barbering includes the following practices when performed for hire or reward:

- (1) shaving or trimming the beard or cutting the hair;
- (2) giving facial and scalp massages or treatments with oils, creams, lotions or other preparations either by hand or mechanical appliances;
- (3) singeing, shampooing, dressing or dyeing the hair or applying hair tonics." (AS 08.12.280)

C. Nature and Composition of Board

1. Board members and terms:

(No specified length of term and no restrictions regarding consecutive terms or numbers of terms.)

Don A. Noll
Manual Norat
James Russi
Elmo Kienbaum
Maurice Smith

2. Representation:

Profession = 5 (by statute)

Public = 0

3. Qualifications:

Four members shall be from separate major senatorial districts and the fifth from the district having the largest number of practicing licensed barbers. Each member shall be a practicing barber who has engaged in barbering the State for at least five years prior to his appointment.

D. Licensing Data

Currently licensed:

in-State	=	204	
out-of-State	=	<u>40</u>	
Total		244	(July, 1979)

E. Fees

1. barber license exam	\$25.00
2. teacher license exam	75.00
3. annual relicensure	10.00
4. annual teaching relicensure	50.00
5. annual school/college fee	150.00
6. temporary permit	25.00

F. Board Revenues and Expenditures

	FY '76	FY '77	FY '78	FY '79
Receipts	\$4,087.00	\$5,005.54	\$4,410.18	\$4,369.00
-Refunds	<u>-</u>	<u>35.00</u>	<u>10.00</u>	<u>95.00</u>
Total	4,087.00	4,970.54	4,400.18	\$4,274.00
Expenditures				
Per Diem	1,152.50	1,714.50	1,297.75	1,227.50
Transportation	586.93	583.61	723.22	1,647.25
Phone	20.75	74.20	84.30	464.86
Printing, Adver. & Postage	558.61	425.96	228.49	272.78
Fees & Services	170.40	115.00	300.00	35.00
Rents, Leases & Other	<u>-</u>	<u>-</u>	<u>300.00</u>	<u>725.65</u>
Total	<u>\$2,489.19</u>	<u>\$2,913.27</u>	<u>\$2,933.76</u>	<u>\$1,498.29</u>
Surplus	\$1,597.81	\$2,057.27	\$1,466.42	\$2,775.71
Deficit	-	-	-	-

(EXCLUDES DIVISION OF OCCUPATIONAL LICENSING ADMINISTRATIVE OVERHEAD)

G. Complaints

Eight of the twelve complaints filed with the administrative agency from January, 1976 through June, 1979 were complaints against the Board regarding its examination procedures. The remaining four cases consisted of complaints that individuals were practicing barbering without a license. Although these were filed in 1976 and 1977, only one has been closed. All complaints against the Board (filed in 1978) remain open.

H. Professional Qualifications

None. Most states require barber training or schooling as a prerequisite to licensure.

II. Analysis

- A. To what extent has the Board of Barber Examiners operated in the public interest?

The Board is statutorily required to issue licenses and permits to qualified individuals or schools, to examine applicants for a barber teacher license, and to regulate conduct and standards of teaching facilities. The Board also has general powers which it may exercise: (1) adoption of examinations in accordance with nationally recognized standards; (2) adoption of reasonable rules and regulations relative to sanitation - ultimate control over health and sanitary conditions is expressly cited as being with the Department of Health and Social Services; (3) suspension of licenses for failure to maintain sanitary standards; (4) inspection of shops; (5) adoption of rules concerning Board operations; (6) delegation of examination, inspection and enforcement powers; and (7) other acts and things necessary to carry out the purposes of AS 08.12.

The Board of Barber Examiners has experienced several problems with its past examinations and procedures. Eight of twelve complaints filed with the administrative agency from January, 1976, through June, 1979, were complaints against the Board regarding its examination.

All applicants for licensure must take an examination. No statutory authority exists by which the Board may license through endorsement or reciprocity. In addition to the written portion of the examination, a practical portion is given consisting of four parts: haircut, shampoo, shave and massage. A passing grade of 75% must be attained on the written portion and on all parts of the practical portion. If any part of the practical is failed, the applicant must retake all four parts.

The written examination given by the Board in the past has contained a variety of types of questions (i.e., multiple choice, short essay, fill-in-the-blank). No key was utilized by the Board in grading which appears to have resulted in some inconsistencies. The test utilized in April, 1979, was provided by the National Board of Barber Examiners of America. Two out of twelve applicants passed that examination and complaints were received regarding the relevancy of some questions. The Board is currently developing a pool of test questions, with answers, from which the Division of Occupational Licensing can formulate future examinations. In this way standard procedures will be established yet each exam will be different in content.

Administration of the practical examination has also met with considerable criticism. In August of 1978 a meeting was held with the Board, representatives of the Department of Law and Division of Occupational Licensing and a representative from the Office of the Governor. The purpose of the meeting was to review allegations of impropriety on the part of the Board and to develop guidelines to assist the Board in its future operations. One Board member, who owns a barber school in the State, was advised to refrain from grading students of his facility.

The member has complied with this advice, however, he has participated in grading of other applicants. Because scores are averaged, such a procedure could work to the disadvantage of "nonstudents." A review of files of applicants who have been licensed since mid-1974 (and are still active) indicate that a significant percentage (84%) were given exactly the same passing grade (75) on all parts of the practical examination by one member of the Board. In a few of these instances the proportionate points given did not total 75 and in one case proper addition would have failed the applicant.

Past Board procedure has been to review the examinations the day after they are given. Scores on some examination papers have been changed either at the time of scoring or during the Board review process. The Board has been made aware of the potential problems this procedure could generate and has been advised to discontinue this practice. The Board has also been advised to establish standard grading criteria for its own benefit as well as that of the applicants.

The Board has adopted regulations for the conduct of the practice of barbering in accordance with reasonable standards of sanitation. However, it does not inspect facilities or ensure that the regulations are being adhered to. Standards for barber schools and colleges also have been established by regulations as have application procedures and some examination information. AS 08.12.030(2) specifically provides that the Department of Health and Social Services have "ultimate control over health and sanitary conditions for all licensees under this chapter..." At its April, 1979, meeting the Board resolved not to involve itself in inspection activities but rather to leave this to other agencies.

The Board may suspend licenses for failure to maintain sanitation standards. There is no record of such an instance having come before the Board in recent years.

Applicants for licensure must submit evidence of good moral character (certified attestation by two parties), a health certificate, and "other information required" by regulation. There is no requirement that an applicant have attended barber school or training, or that (s)he have barbering experience. The Board has proposed statutory amendments which would establish an apprentice program and which would require either 1,500 hours or two years of schooling and/or training.

Statutory exemptions from licensure are licensed cosmetologists, persons engaged in barbering within a military reservation and persons barbering in a community of less than 1,000 persons, or more than 25 miles from such a community. (In analyzing the need for regulation of this profession, one may note that the public in small isolated communities apparently does not need protection.) The Board has also requested a statutory amendment which would delete the latter exception from licensure.

Temporary permits "shall" be issued by the Board to persons entering the State or transferrring from exempt status who have either a barber college diploma or a license issued by another jurisdiction. While new graduates from another state may be issued a temporary permit, none is provided for in-State graduates. The Board has, however, been issuing permits to these individuals. Permits are valid until the next examination and are nonrenewable (except that those failing the April, 1979 examination were reissued permits).

We believe that termination of the Board of Barber Examiners and cessation of State regulation of this profession would not have any significant impact on public well-being. No complaints have been received from the public or regarding any threat to public safety. Barbers do not utilize strong chemical agents. Monetary costs of services to the consumer are relatively minor. A bill was introduced during the 1979

Legislative session, SB 215, which would abolish the Board and relevant statutes (See Appendix A). This bill is now in the Senate Commerce Committee.

- B. To what extent has the operation of the Board of Barber Examiners been impeded or enhanced by existing statutes, procedures and practices which it has adopted, or any other matter, including budgetary, resource and personnel matters?

The greatest impediment to efficient Board operation has been its examination procedures. As previously noted, this has been discussed with the Board and suggestions were made to correct past deficiencies. The fact that the Board can license only by examination has created problems when individuals have demanded licensure by endorsement or reciprocity.

The Board has indicated that it feels the statutory exemption for barbers in small outlying communities is inappropriate. It has also requested that barber schooling or training be made a statutory requirement for licensure.

There is no term of membership provided for board members. The restriction on Board membership for only persons who have been licensed in the State for five years should be reexamined.

The Board of Barber Examiners has experienced some difficulty with respect to personnel and budgetary restrictions. Support staff is provided by the Division of Occupational Licensing and is presently adequate to serve Board needs; however, past employee turnover has impeded continuity and follow-up on Board requests. Fees and revenues for all boards and commissions under the jurisdiction of the Division of Occupational Licensing are collected through the Division and are deposited into a general fund. Monies deposited and withdrawn are identified by codes so that direct Board revenues and expenses may be determined.

The Board has encountered the same difficulties as have all other boards and commissions with respect to investigative services provided by the administrative agency. During FY'78 two investigator positions were vacant; as a result, one position was abolished by the Legislature. At the present time, two investigators are located in Anchorage with a Chief Investigator located in Juneau. An additional investigator position was approved in the FY '80 budget but will probably not be filled immediately due to vacancy factors incorporated into the personal service category of the budget. Procedural constraints of the administrative adjudication article of the Administrative Procedure Act (AS 44.62.330-630), while necessary, restrict timely disposition of litigation. Prioritization based on time, staffing and nature of alleged offense results in pursuit of only the most flagrant and potentially injurious licensing complaints. The administrative agency will continue to address the need for initial assessment and follow through on complaints with emphasis on magnitude of offense as it relates to public safety.

- C. To what extent has the Board of Barber Examiners recommended statutory changes which are generally of benefit to the public interest?

No amendments of consequence have been made to AS 08.12 since 1960.

If regulation of the profession is determined to be of benefit to the public interest, the following amendments requested by the Board would further those interests: (1) provisions for apprenticeship programs; (2) requirements for schooling or training as licensure qualifications; and (3) deletion of exemption for persons barbering in a community having less than 1,000 persons, or more than 25 miles from such a community.

- D. To what extent has the Board of Barber Examiners encouraged interested persons to participate in a report to it concerning the making and effect of its regulations and decisions, or to report to it concerning the effectiveness, economy, and availability of service which it has provided?

Notices of pending meetings and new or amended regulations are published in newspapers in the State by the administrative agency. Board regulations have not been amended since 1964. Meeting minutes for the past three years indicate no interest or participation by other than persons seeking examination privileges from the Board.

Public interests would be furthered by the presence of public members on the Board. "In recent years a number of states have added one or more public members (citizens with no particular interest in the occupation or profession governed by the board) to licensing boards in an effort to ensure that the interest of the public would be represented in decision-making."¹ The State of California, which provides for a one-third public membership on health care boards and a public majority on others has indicated that its experience with public members has been highly rewarding.

¹Shimberg, B. and Roederer, D., Occupational Licensing: Questions a Legislator Should Ask, The Council of State Governments, Lexington, Kentucky, March, 1978, p. 20.

- E. How efficiently are public inquiries or complaints regarding the activities of the Board of Barber Examiners processed and resolved?

Twelve compliants were filed with the administrative agency from January, 1976, through June, 1979; eight were from applicants regarding Board examination procedures, and four involving unlicensed activity were initiated by the agency. One of these cases had been closed (in September of 1978) as of June 30, 1979.

The administrative agency has been addressing investigative procedures and the need for timely disposition of complaints.

- F. To what extent does the Board of Barber examiners present qualified applicants to serve the public?

The only method the Board has of assuring qualification is the examination procedure. Applicants are not required to have schooling, training or experience and the Board is unable to accept verification of licensure in another jurisdiction for licensure without examination in Alaska. Past examination procedures, however, have not proved satisfactory as measurements of ability either. The administrative agency and the Board will continue to work toward valid examination and grading standards.

- G. To what extent have State personnel practices, including affirmative action requirements, been complied with by the Board of Barber Examiners in its own activities, and in its area of activity or interest?

Board staff consists of the support services of a licensing examiner employed by the Division of Occupational Licensing (also responsible for

four other regulated professions) who is hired through the State Personnel System and is subject to affirmative action requirements.

Affirmative action requirements are not applicable to statutory criteria for licensure.

H. To what extent are statutory, budgetary or other changes necessary to enable the Board of Barber Examiners to better serve the interests of the public?

If the board is reestablished, the following statutory amendments are suggested: (1) deletion of the requirement that Board members come from separate senatorial districts and the five year Alaska license restriction, length of terms should be established and number of consecutive terms limited, § 010; (2) inclusion of public members on the Board while not increasing overall size, § 020; (3) requirements for schooling or training as a condition of licensure, § 070; (4) biennial rather than annual license fees, §§ 090, 100 and 110; (5) requirement of health certification as a condition of renewal; (6) provisions for issuance of temporary permits to in-State graduates pending examination, § 160; (7) endorsement of applicants licensed in another jurisdiction with similar qualifications; (8) repeal of § 180; (9) repeal of exemption for persons barbering in a community with less than 1,000 persons, or more than 25 miles from such a community, § 270; and (10) provisions for apprentice programs.

The Board should establish examination and grading standards. It should work to solicit the interest and participation of those it regulates. Temporary permits should be issued only in accordance with statutory authority until and unless an amendment is made.

Board and administrative expenses outweigh revenues collected through regulation of this profession. Fees collected are not adequate to cover transportation and per diem for meetings and examinations, and Division of Occupational Licensing overhead such as staff salaries and investigative services.

Introduced: 2/13/79
Referred: Commerce

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 SENATE BILL NO. 215

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act abolishing the Board of Barber Examiners."

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

8 * Section 1. AS 08.01.010(2), AS 08.03.010(b)(2), AS 08.12, and AS 44.-
9 62.330(a)(1) are repealed.

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SB 215

Chapter 12. Barbers

Article

1. Board of Barber Examiners (§§ 08.12.010-08.12.050)
2. Examination and Licensing (§§ 08.12.060-08.12.190)
3. Barber Schools and Colleges (§§ 08.12.200-08.12.240)
4. Unlawful Acts and Penalties (§§ 08.12.250-08.12.260)
5. General Provisions (§§ 08.12.270-08.12.280)

Article 1. Board of Barber Examiners.

Section

10. Creation and membership of board
20. Qualifications of board members
30. General powers of board
40. Meetings and examinations
50. Board expenses

Sec. 08.12.010. Creation and membership of board. There is created the Board of Barber Examiners, referred to in this chapter as the board, composed of five members appointed by the governor. Four members of the board shall be from separate major senatorial districts. The fifth member shall be appointed from the district having the largest number of practicing licensed barbers. The members serve at the pleasure of the governor. (§ 1 art II ch 68 SLA 1957; am § 1 ch 168 SLA 1960)

Sec. 08.12.020. Qualifications of board members. Each member of the board shall be a practicing barber who has engaged in barbering in the state for at least five years prior to his appointment. Engaging in the practicing of barbering within a military reservation is not qualifying experience. (§ 2 art II ch 68 SLA 1957)

Sec. 08.12.030. General powers of board. The board may

(1) adopt examinations in accordance with standards provided by any nationally recognized manual of barber science and examine applicants for licenses to engage in the practice of barbering;

(2) adopt rules and regulations for the conduct of the practice of barbering in accordance with reasonable standards of sanitation which do not derogate from the ultimate control over health and sanitary conditions for all licensees under this chapter which is in the Department of Health and Social Services;

(3) suspend licenses for failure to maintain standards of sanitation prescribed by the board;

(4) conduct inspections of barber shops to insure that standards of sanitation are being maintained, except that the board may not

conduct a second inspection of the same shop within 90 days after the first inspection;

(5) adopt rules of procedure for its own organization and conduct of its meetings, examinations, and inspections;

(6) delegate its powers of examination, inspection, and enforcement to a member of the board to be exercised in the judicial district in which he resides;

(7) do such other acts and things necessary to carry out this chapter. (§ 3 art II ch 68 SLA 1957; am § 2 ch 168 SLA 1960; am § 6 ch 104 SLA 1971)

Sec. 08.12.040. Meetings and examinations. The board shall meet as often as necessary to conduct its business but shall hold at least one examination in each year in which applications for a license have been filed. (§ 4 art II ch 68 SLA 1957)

Sec. 08.12.050. Board expenses. Members of the board receive no salary, but are entitled to per diem and expenses authorized by law. (§ 5 art II ch 68 SLA 1957)

Article 2. Examination and Licensing.

Section

- 60. License required
- 70. Application
- 80. Examination fees
- 90. License fee for barbers
- 100. License fee for barber teachers
- 110. License fee for barber schools
- 120. Licenses
- 130. Display of licenses
- 140. [Repealed]
- 150. Reinstatement of lapsed license
- 160. Temporary permit
- 170. Issuance of temporary permit
- 180. License for certain resident barbers
- 190. Deposit of receipts

Sec. 08.12.060. License required. No person may engage in the practice of, or attempt to practice, barbering without a license or permit issued by the board. (§ 1 art III ch 68 SLA 1957)

Sec. 08.12.070. Application. A person wishing to practice barbering shall apply to the board by submitting

- (1) evidence of his good moral character;
- (2) a certificate of health from a physician; and
- (3) other information required under regulations adopted by the board. (§ 2 art III ch 68 SLA 1957)

Sec. 08.12.080. Examination fees. An applicant for examination shall submit with his application an examination fee as follows:

- (1) examination for barber license.....\$25
 - (2) examination for barber teacher license.....\$75
- (§ 3 art III ch 68 SLA 1957; am § 3 ch 168 SLA 1960)

Sec. 08.12.090. License fee for barbers. The annual fee for a license to engage in barbering is \$10. (§ 5 art III ch 68 SLA 1957; am § 6 ch 168 SLA 1960; § 3A art III ch 68 SLA 1957; added by § 4 ch 168 SLA 1960)

Sec. 08.12.100. License fee for barber teachers. The annual fee for a license to engage in the teaching of barbering is \$50. (§ 3A art III ch 68 SLA 1957; added by § 4 ch 168 SLA 1960)

Sec. 08.12.110. License fee for barber schools. The annual fee for a license to conduct a barber school or college is \$150. (§ 2 art V ch 68 SLA 1957; am § 8 ch 168 SLA 1960; § 3A art III ch 68 SLA 1957; added by § 4 ch 168 SLA 1960)

Sec. 08.12.120. Licenses. Licenses shall be issued by the board to any applicant who passes the examination and who possesses the other necessary qualifications. Each license and temporary permit shall have a photograph of the licensee attached. (§ 4 art III ch 68 SLA 1957; am § 5 ch 168 SLA 1960)

Sec. 08.12.130. Display of licenses. Every licensee or permittee shall display his license or permit in a conspicuous place in his place of business. Owners, operators, and managers of shops and schools are responsible for the display of all licenses held by their employees. (§ 4 art III ch 68 SLA 1957; am § 5 ch 168 SLA 1960)

Sec. 08.12.140. Duplicate license or permit. Repealed by § 7 ch 94 SLA 1968.

Sec. 08.12.150. Reinstatement of lapsed license. A lapsed license may be reinstated if it has not remained lapsed for more than five years. (§ 5 art III ch 68 SLA 1957; am § 6 ch 168 SLA 1960; am § 4 ch 94 SLA 1968)

Sec. 08.12.160. Temporary permit. Any person entering the state or transferring from a practice exempt under the provisions of § 27C of this chapter, and who desires to engage in barbering who has (1) a diploma from a barber college accredited by the board or (2) a bona fide license issued by another territory or state, shall be issued a temporary permit, valid until the next examination given by the board. (§ 6 art III ch 68 SLA 1957)

Sec. 08.12.170. Issuance of temporary permit. A temporary permit may be issued by any member of the board upon application under terms and conditions established by regulations of the board, and upon the receipt of an application fee of \$25. The fee shall be credited to the temporary permittee, who shall be permitted to take an examination for a regular license without any additional fee. Upon taking the examination, the holder shall surrender the temporary permit to the board or the committee conducting the examination. (§ 7 art III ch 68 SLA 1957)

Sec. 08.12.180. License for certain resident barbers. The board shall issue a license without examination to a person who was engaged in the practice of barbering in the state, before March 18, 1957. Application for a license shall be accompanied by payment of a fee of \$25, an affidavit that the applicant qualifies for a license under this section, and a certificate of health from a physician that the applicant has no contagious or infectious disease. (§ 8 art III ch 68 SLA 1957)

Sec. 08.12.190. Deposit of receipts. All money received by the board shall be paid into the general fund of the state. (§ 9 art III ch 68 SLA 1957)

Article 3. Barber Schools and Colleges

Section

- 200. Regulation by board
- 210. License required
- 220. Application
- 230. Examination
- 240. School license

Sec. 08.12.200. Regulation by board. The board shall provide for the conduct and supervision of barber schools and colleges in the state. The board shall adopt regulations establishing standards of sanitation and skill for barber schools and colleges and the teachers and instructors. (§ 1 art V ch 68 SLA 1957; am § 8 ch 168 SLA 1960)

Sec. 08.12.210. License required. No person may operate a barber school or college, or teach in a barber school or college, without a barber teacher license issued by the board. (§ 2 art V ch 68 SLA 1957; am § 8 ch 168 SLA 1960)

Sec. 08.12.220. Application. A person wishing to operate a barber school or college or teach in a barber school or college shall apply for examination and licensing to the board and submit

(1) evidence of his good moral character satisfactory to the board;

(2) a certificate of health from a physician;

(3) a diploma from a nationally accredited barber school or college offering a course in barber science evidencing the applicant's qualifications as a barber teacher;

(4) such other information as may be required by regulations adopted by the board. (§ 3 art V ch 68 SLA 1957; am § 8 ch 168 SLA 1960)

Sec. 08.12.230. Examination. Each applicant for a barber teacher license shall demonstrate to the board by passing an examination in theory and practice that he has the ability to instruct barber students in subjects necessary to qualify them as competent barbers. (§ 4 art V ch 68 SLA 1957; am § 8 ch 168 SLA 1960)

Sec. 08.12.240. School license. No person may operate a barber school or college without a license issued by the board. The board shall issue a license if it finds that the school or college is properly staffed with licensed barbers and the premises and equipment are sufficient, sanitary, and proper. (§ 5 art V ch 68 SLA 1957; am § 8 ch 168 SLA 1960)

Article 4. Unlawful Acts and Penalties.

Section

250. Failure to possess license

260. Suspension of license

Sec. 08.12.250. Failure to possess license. A person who practices, or attempts to practice barbering or operates a barber school or college or teaches in a barber school or college without a license is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$500, or by imprisonment for a period of not more than 30 days, or by both. (§ 1 art IV ch 68 SLA 1957; am § 7 ch 168 SLA 1960)

Sec. 08.12.260. Suspension of license. The board may suspend the license or permit of a person who violates any provision of this chapter. The board shall suspend the license of a person who, by his acts, gives evidence that he is not of good moral character, or who uses narcotics or overindulges in the use of alcoholic beverages while practicing his profession, until it is satisfied that he will conduct his profession in a proper manner. (§ 2 art IV ch 68 SLA 1957)

Article 5. General Provisions.

Section

270. Application of chapter

280. Barbering defined

Sec. 08.12.270. Application of chapter. This chapter applies to a person engaged in barbering in a community in the state having a population of more than 1,000 persons, or within 25 miles of such a community. Persons engaged in barbering entirely within a military reservation and licensed cosmetologists are excepted from this chapter. (§ 2 art I ch 68 SLA 1957)

Sec. 08.12.280. Barbering defined. Barbering includes the following practices when performed for hire or reward:

- (1) shaving or trimming the beard or cutting the hair;
- (2) giving facial and scalp massages or treatments with oils, creams, lotions or other preparations either by hand or mechanical appliances;
- (3) singeing, shampooing, dressing or dyeing the hair or applying hair tonics. (§ 1 art I ch 68 SLA 1957)

STATE OF ALASKA
BOARD OF HAIRDRESSING AND BEAUTY CULTURE EXAMINERS
June, 1979

Findings

This Board was created in 1957 and, until the past year, has met annually to conduct its affairs. Members of this profession are regulated by AS 08.28; control over health and sanitation is with the Department of Health and Social Services (AS 18.05.040). Alternatives to the present operation of the Board and to regulation of this profession are discussed in this review.