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1 certificate or permit in accordance with the provisions for the renewal of licenses and
2 certificates under sections 1 to 26 of this Act.

3 (2) Any student enrolled in a school regulated by ORS chapter 690 or 691 on the
4 effective date of this Act may, at the election of the student and upon the completion of
5 the training at the school, apply for a certificate as provided in sections 1 to 26 of this
6 Act or may qualify for a certificate by complying with the provisions of ORS chapter
7 690 or 691 and rules adopted thereunder as the statutes and rules exist on the effective
8 date of this Act.

9 (3) Any person serving as an apprentice under ORS chapter 690 on the effective
10 date of this Act shall be issued, without charge, a certificate as a practitioner as
11 provided in sections 1 to 26 of this Act.

12 (4) For purposes of this section, the State Board of Barbers and Hairdressers shall
13 apply the appropriate provisions of ORS chapters 690 and 691 and rules adopted
14 thereunder, as the statutes and rules exist on the effective date of this Act, as
15 necessary.

16 **SECTION 38a.** (1) Notwithstanding any other provision of this Act, any school
17 licensed to teach barbering under the provisions of ORS chapter 690 on the effective
18 date of this Act may continue, at the election of the school, to operate under the
19 provisions of ORS chapter 690 and any rules adopted thereunder as effective on the
20 effective date of this Act and as administered by the Superintendent of Public
21 Instruction. If a school elects to become subject to the provisions of this section all
22 aspects of the operation of the school shall become subject to regulation under this
23 section, including, but not limited to, the course of study, admission requirements,
24 teacher requirements and qualifications, teacher licensing and license renewal,
25 requisites for graduation, work station requirements, curriculum and all other
26 requirements for the school.

27 (2) If a school elects to be regulated according to the provisions of this section, it is
28 not subject to regulation pursuant to any other provision of this Act. Any student
29 attending a school regulated according to the provisions of this section and any teacher
30 teaching in the school are subject to the requirements of ORS chapter 690 and any rules
31 adopted thereunder only while attending or teaching in the school.

32 (3) No school shall be regulated according to the provisions of this section unless the
33 school so elects before the effective date of the rules adopted by the State Board of
34 Education pursuant to section 39 of this Act. Any school electing to operate according to

1 this section may at any later time elect to withdraw from the provisions of this section
2 and become regulated as otherwise provided by this Act.

3 (4) Any license or certificate to teach barbering issued by the Board of Barber
4 Examiners pursuant to ORS chapter 690 before the effective date of this Act shall
5 remain valid and may be renewed according to the provisions of ORS chapter 690 and
6 rules adopted thereunder as effective on the effective date of this Act so long as the
7 holder teaches at a school regulated according to this section.

8 (5) The Superintendent of Public Instruction shall administer the provisions of this
9 section.

10 **SECTION 39.** (1) The State Board of Education shall adopt rules for the regulation
11 and licensing of schools teaching hair design, cosmetology or manicure. The rules shall
12 become effective not later than July 1, 1978.

13 (2) Until the effective date of rules adopted pursuant to subsection (1) of this
14 section, the Superintendent of Public Instruction shall regulate schools holding valid
15 licenses to teach under ORS chapter 690 or 691 in accordance with the provisions of the
16 statutes and rules in effect on the effective date of this Act.

17 (3) Students graduating from schools regulated by the Superintendent of Public
18 Instruction under the provisions of this section shall be considered to have graduated
19 from a licensed school for purposes of sections 1 to 26 of this Act.

20 **SECTION 40.** (1) Nothing in this Act relieves a person of an obligation to pay a fee
21 or charge or any other liability, duty or obligation owed to the State Board of Cosmetic
22 Therapy or the Board of Barber Examiners. The State Board of Barbers and
23 Hairdressers may undertake the collection or enforcement of such fee, charge, liability,
24 duty or obligation.

25 (2) The rights and obligations of the State Board of Cosmetic Therapy and the
26 Board of Barber Examiners legally incurred under contracts, leases and business
27 transactions, executed, entered into or begun before the effective date of this Act, are
28 transferred to the State Board of Barbers and Hairdressers. For the purpose of
29 succession to these rights and obligations, the State Board of Barbers and Hairdressers
30 is considered to be a continuation of the State Board of Cosmetic Therapy and the Board
31 of Barber Examiners and not a new authority, and the State Board of Barbers and
32 Hairdressers shall exercise those rights and fulfill those obligations as if they had not
33 been transferred.

34 **SECTION 41.** (1) The unexpended balances of amounts authorized to be expended
35 by the State Board of Cosmetic Therapy and the Board of Barber Examiners, from

1 revenues dedicated, continuously appropriated, appropriated, collected or otherwise
2 available for the purpose of administering and enforcing duties, functions and powers,
3 are appropriated and transferred to the Commerce Administration Account and are
4 available for expenditure by the Department of Commerce.

5 (2) The Department of Commerce may expend moneys received under subsection (1)
6 of this section for the purpose of administering and enforcing its duties, functions and
7 powers and for the payment of expenses lawfully incurred by the State Board of
8 Cosmetic Therapy and the Board of Barber Examiners to the extent that the money is
9 unexpended on the effective date of this Act.

10 (3) The Department of Commerce shall assume and pay all outstanding obligations
11 the State Board of Cosmetic Therapy and the Board of Barber Examiners lawfully
12 incurred before the effective date of this Act to the extent that the obligations are
13 properly charged against amounts authorized by this section to be expended by the
14 Department of Commerce.

15 SECTION 42. ORS chapters 690 (1973 Replacement Part) and 691 (1975
16 Replacement Part) are repealed.

17 SECTION 43. This Act being necessary for the immediate preservation of the
18 public peace, health and safety, an emergency is declared to exist, and this Act takes
19 effect July 1, 1977.

Rose & Breeze
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Assist. S. Rose
Robert A. Breeze

Telephone
(907) 277-0533

April 8, 1980

Mr. Robert Aaron
c/o House Commerce Committee
Pouch V
Juneau, AK 99811

Dear Bob,

✓ I appreciated your courtesy and interest in calling me on Sunday, March 31, 1980, to alert me about HB 978. Unfortunately, it seems that I caught you at a bad time when I called on April 4, 1980 after meeting with John Mathison.

✓ Bob, I was called on short notice to attend a meeting of beauty shop owners on April 2, 1980. Without any exaggeration, I have never met with a group of people as unhappy and frustrated over a bill. A number of them expressed the thought that it would be better to have no bill than HB 978. No one expressed any dissent from that view. It is their feeling that if that were to occur, they would have the opportunity for a better bill to be prepared between now and next January; have the opportunity to speak to the candidates and legislators during the same time; have the bill pre-filed for the next legislature; and, hopefully have it passed during the 1981 session.

✓ Since talking to you, I have received the Oregon statute and regulations, and the comments of the President of the Association, Oregon chapter. It is true that they are satisfied with their law and regulations, but it is obvious that the Oregon statute is considerably better than HB 978.

✓ Under the Oregon law, the board is totally different from that in HB 978. The only itinerant practitioner is one who practices on persons physically unable to visit a licensed shop, and for that, the practitioner receives a special certificate of identification.

X ✓ The Oregon law empowers the Board to control and enforce safety and health standards, to inspect, etc. the bill does not.

X ✓ The Oregon law is clear on school attendance and certification, the bill is not.

Nissel A. Rose, Esq.

to

Mr. Robert Aaron

April 8, 1980

Page Two

The Oregon law provides for an administrator, the bill does not.

The Oregon law requires certification of manicurists, the bill does not.

The Oregon law has no exemption for communities less than 1,000 people, the bill does.

The Oregon law does not have the abolished barber board members as voting, ex-officio members of the new board; the bill does.

The Oregon law provides standards for shops and schools; the bill does not.

The Oregon law provides grandfather rights for all licensees, the bill does not.

The Oregon law sets up an advisory committee for the regulation of schools by the Superintendent of Schools; the bill does not.

Basically, the Oregon law permits barbers to continue as such, and otherwise abolishes the profession prospectively. It abolished the old barber apprentice provisions, and made all new licensees, in effect, hairdressers. Thus, the higher standards of the hairdressers and cosmetologists were met, school standards were raised, and apprenticeship disappeared. Under the bill, on the other hand, exceptions are created, apprenticeship has no standards for teachers or instructors, and all the substantive aspects of shop and schools are left to regulation, subject to challenge as to statutory authority or sufficiency of guidelines.

It appears to me that the hairdressers and cosmeticians of Alaska would be satisfied with the Oregon law, although it will probably be subsequently further clarified by amendment, except that the Alaska Association would prefer to add a requirement for continuing professional education as a condition of renewal of licenses.

The addition to the board of the power and authority to assess civil penalties (fines) in addition to suspension and revocation would be a further improvement, along with a provision for orders to show cause.

Nissel A. Rose, Esq.
to
Mr. Robert Aaron

April 8, 1980

Page Three

Electrology is a growing field, and could well be included also, as it, too, involves health, sanitation and safety.

It is sincerely hoped that you accept these comments as constructive criticism, and not as picky argument.

Very truly yours,

ROSE & BREEZE, P. C.

By: 

Nissel A. Rose

cc: Senate Commerce Committee, Attn: John Mathison
Alaska Hairdressers & Cosmetologists Assn.

NAR:lw

STATE OF ALASKA THE LEGISLATURE

POUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 16, 1980

SUBJECT: Analysis of objection to HB 978 submitted
by Nissel A. Rose
(Work Order Number 8453)

TO: House Commerce Committee
Attn: Bob Aaron, A.A.

FROM: Tamara Brandt Cook
Legislative Counsel

You have asked for an analysis of the issues presented in a letter dated April 2, 1980 to the House Commerce Committee by Nissel A. Rose. This memo will address each objection to the bill in the order in which it appears in the letter, and will identify the issue raised according to its number in the letter.

1. Mr. Rose objects to the definition of cosmetology as it appears in HB 978. This definition, although somewhat shorter, is substantially the same as the definition used in the Oregon statute provided to me as a model. I have no basis on which to judge Mr. Rose's assertion that the definition does not follow the meaning of the word generally adopted throughout the nation.

2. Mr. Rose objects to the fact that "hairdressing" is not defined in the bill. "Hairdressing" is not defined in the Oregon bill upon which HB 978 was modeled. However, AS 08.-13.100(b) provides that a person who is qualified to perform hair design may be designated as a "hairdresser" on his license. Therefore, it seems clear that "hairdressing" involves the practice of "hair design." "Hair design" is defined in this bill. However, for the sake of clarity, I would recommend that the word "hairdressing" which appears only once in this bill, in section 08.13.030(c)(2) be replaced by the words "hair design."

3. Mr. Rose suggests that "hairstresser" should be defined. I believe that section 08.13.100(b) which provides that a person licensed to perform hair design may be designated as a "hairstresser" on his license is an adequate definition of the term.

4. Mr. Rose objects to the fact that no standards are set for schools, for teachers, or for curricula. HB 978 provides that the board may set by regulation, standards for curriculum, minimum hours of instruction, physical condition of the facilities, and financial responsibility of the owner. Mr. Rose is correct that the board is given complete discretion in this matter and not provided with any legislative guidelines. The Oregon bill also leaves these matters to the discretion of the occupational board but it also provides that the board must consult with the Health Division and an advisory committee on vocational training exists in Oregon to offer suggestions for standards to the board. Since this bill requires that health and sanitary conditions in schools are to be supervised by the Department of Health and Social Services, I see no need to require the board to consult with that department in adopting regulations for standards applicable to schools. A policy decision must be made as to whether the board should continue to have the discretion to regulate standards for schools and for teaching. If the legislature wishes to impose particular standards, these can be included within this bill.

5. Mr. Rose objects also to the fact that no legislative standards have been provided for the licensing and operation of shops. AS 08.13.070(3) requires that a shop be under the direct supervision of a licensed practitioner. AS 08.13.200 provides that health and sanitary conditions in shops shall be supervised by the Department of Health and Social Services. The Oregon statute provides for licensing of shops but imposes, essentially, only these two standards also. It would seem that requiring a shop to be under the direct supervision of a licensed practitioner would be adequate to protect the public; however, this bill could be changed to incorporate additional standards for shops and to require the licensing of shops.

6. Mr. Rose suggests that the bill is deficient because no inspection of shops or schools is provided for except through the Department of Health and Social Services. The

April 16, 1980

board currently has no staff to conduct inspections. The Department of Commerce and Economic Development is authorized to conduct investigations for all occupational boards upon its own motion. If the legislature feels that this is not adequate protection for the public, an investigator could be assigned to the Board of Barbers and Hairdressers.

7. Mr. Rose raises questions concerning the composition of the Board of Barbers and Hairdressers. This is essentially a policy issue not a legal issue to be considered by the legislature.

8. Mr. Rose objects to the fact that grandfather rights are provided for barbers but not for cosmetologists. He is correct in this observation, and grandfather rights could also be provided for cosmetologists. This is a matter of policy. However, it is my understanding that cosmetologists were specifically excluded from the clause dealing with grandfather rights because current licensure requirements for cosmetologists substantially meet those set out in HB 978 and, therefore, cosmetologists would presumably have no difficulty in meeting the licensure requirements of this act.

9. Mr. Rose objects to the fact that there is no definition set out for the term "barber" and that barbers licensed originally under AS 08.12 would continue to be subject to that chapter even after it is repealed, which Mr. Rose considers to be unfair. HB 978 contains no definition of "barber" but AS 08.13.100(b) provides that a person licensed under this bill to perform "hair design" may be designated as a "barber" on his license if he chooses. The Oregon statute also provides that a person may choose whether to be designated as "barber", "hairdresser" or as both. Under this act a person who is licensed as a "barber" under the grandfather section is limited to performing those procedures he was licensed to perform under the original requirements, whereas the "barber" licensed under this act is allowed to perform any of the procedures which a "hairdresser" may perform because he has met that more stringent licensure requirement. If the legislature feels that the public needs to be informed of the different standards applied to "barbers", it could simply require that all persons licensed under this act be designated as "hairdressers" on their licenses.

April 16, 1980

10. Mr. Rose objects to the fact that there is no licensing provided for "barbers" or for teachers. "Barbers" are licensed according to the provisions applied to "hairdressers" under this act. There is no requirement that teachers obtain any special teachers' license, but 08.13.180 requires that a person have a license, temporary permit, or student permit in order to teach. If this does not adequately protect the public, an additional licensing requirement can be imposed on teachers.

11. Mr. Rose feels that AS 08.13.080 is ambiguous. I agree and would recommend the section be changed to read:

(1) have successfully completed all courses that a school of hair design is required to teach to be licensed under AS 08.13.110, if applying for a license to practice hair design; or

(2) have successfully completed all courses that a school of cosmetology is required to teach in order to be licensed under AS 08.13.110, if applying for a license to practice cosmetology;

12. Mr. Rose objects to allowing licensed practitioners to work outside a place of business or shop with no criteria for these facilities. He points out that it would be virtually impossible to inspect this type of operation. It occurs to me that requiring that people who practice outside of a shop be licensed at least provides the board with a chance to take action upon the receipt of consumer complaints. If this is not considered adequate protection for the public, this provision could be eliminated.

13. Mr. Rose objects to excluding practitioners in communities having less than 1,000 people from the requirements of licensure. This is strictly a policy decision. I feel that there is no question that a person who is practicing without a license under this section who moves to a more populated area would be required to obtain a license in order to continue practicing. Likewise, if the population of the area increased over time so that it was no longer a community of less than 1,000 people, persons who have been practicing without a license would be required to obtain a license.

14. Mr. Rose suggests that 08.13.180 be clarified to reflect the fact that certain persons may practice without a license under the terms of this bill. This could be done by wording the section to read

A person who practices hair design or cosmetology or operates a school of hair design or cosmetology, or teaches in a school of hair design or cosmetology, without a license, temporary permit, or student permit required under AS 08.13 is guilty of a class B misdemeanor.

15. Mr. Rose points out that the word "affect" at page 8, line 10 should be "effect." This should be changed.

16. Mr. Rose again appears to be objecting to the definition of "cosmetology". This problem has been addressed in item 1.

17. Mr. Rose objects to the requirement which establishes a maximum period of time within which an apprentice may acquire the necessary training. This is a policy question, rather than a legal question; but as I understand it, the statute was specifically designed to preclude people from dabbling over an indefinite period of time and to require a serious commitment towards obtaining a license.

18. Mr. Rose suggests that the bill contain a provision requiring continuing professional education. This is a policy rather than a legal issue, and the bill can be changed to incorporate this suggestion.

19. Mr. Rose objects to the fact that only suspension or revocation of licenses is specifically mentioned as disciplinary powers of the board. AS 08.13.030(c)(3) provides that the board may "do any act necessary to carry out the provisions of this chapter." Under this section the board is given broad authority to censure or reprimand a licensee or to adopt regulations setting fines. I believe that this "catch-all" provision provides the board with an adequate range of disciplinary power; however, possible disciplinary actions open to the board could be specifically itemized. Mr. Rose particularly requests that the board be given the power to issue show cause.

Please contact me regarding any changes which you would like to have made to HB 978.

TBC:ljb

HOUSE RESEARCH AGENCY
Pouch Y - State Capitol
Juneau, Alaska 99811
465-3991

MEMORANDUM

March 4, 1980

TO: Representative Fred Brown

FROM: Elaine Mitchell, Research Analyst

RE: Oregon's Combined Board of Hairdressers and Barbers
Research Request No. 89

Background

In 1977, the Oregon Legislature, under sunset provisions, was considering the activities of various boards and commissions. At that time, there were separate boards of examiners for barbers and for hairdressers. There had been for a number of years, according to one contact, fighting between the two associations over "turf" i.e., which profession would prevail over what services of the industry. There was also a belief among some of the industry that if they didn't come up with a viable proposal, the legislature would "do it for them."

Opposition to the combination of the two boards was voiced strongly by organized barbers. Through the barbers' union, the traditional entry into the profession was via the apprentice-journeyman route. The barbers were opposed to any change in the system and mounted a labor-intensive campaign in an attempt to defeat the legislation to combine the boards.

An organization was formed for the specific purpose of lobbying for a combined board of examiners--to place the hairdressers and the barbers under one examining board. The organization, still in existence, is named The Professional Hair Industry, Inc.

Interview Comments

According to a spokesman for that organization, Wayne Beinert, who is head of the Executive Barbers School in Portland, the combined board is a positive move for the industry in general. It has simplified the licensing procedure by (a) providing for a "one-stop" examination and licensing procedure; (b) eliminating the practical demonstration type examination; and (c) providing for an on-going licensing procedure schedule. Exams are scheduled once a month at designated areas throughout the state; are written exams only; and cover five categories: chemistry, safety, sanitation, use of implements, and state laws.

Representative Fred Brown
March 4, 1980
Page 2

The administrator of the combined boards, Virginia Honeywell, discussed positive results: reduced paperwork within the administration and reduced cost. The latter will result this year in reduced cost to license applicants from \$50 to \$30, effective July 1, 1980; examination fees will be reduced from \$15 to \$10.

Individual licensed shop owners were also contacted. A barber (Eddie Gustamente) was a licensed barber at the time of the combination of the two boards, and is now a licensed hairdresser and barber. He related a positive reaction to the combined boards; and stated that objections by barbers at the time of the legislative consideration were voiced "probably because they were not prepared to get into 'hairdressing.'"

A hairdresser (Ilene Copeland) was a licensed hairdresser at the time of legislative consideration of the combination of the two boards, and is a member of the above named organization which lobbied for the change. She also related a positive attitude for the change, pointing out, in addition to the above comments, that it "has made life simpler for the licensed shop owner."

If you would like additional information, please let us know.

EM/dp

SB

544

~~2200~~

Frustration plus.

League JW
CSHB 230
note (am)



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Parad Home
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HOUSE CS FOR CS FOR SENATE BILL 544
THE BOARD OF BARBERS AND HAIRDRESSERS

The following changes were made by the house regarding
CSSB 544:

- (1) P. 2, LS. 7-12 - The house deleted these lines in the
(CSSB 544) Senate Bill which removes the regulation
of fees by the board. The house inserted
a fee schedule into statute which we can
go along with. In the HCS the fee schedule
is added on P. 8/9, Ls. 5/1.

- (2) P. 5, LS. 7-10 - The house added a section (c) which allows
(HCSCSSB 544) the board to create limited areas of prof-
fessional licensing of cosmetology by re-
gulation.
The board may not restrict or regulate the
fields of manicure or pedicure. Initially the
Senate didn't realize that there were only
4 (four) manicurirts in the state. All their
equipment and materials can be purchased over
the counter and there is no need to regualte
these fields. We can go along with this change.
Section (c) in the senate bill was changed to
(d) in the HCS to allow for this change.

- (3) P. 6. LS. 8-10 - The house added a sentence requiring a person
(HCSCSSB 544) holding a student permit or temporary permit
to have his permit available for inspection
when engaged in practice. This goes along with
the requirement for display of license of
other practitioners as well.

- (4) P. 7, LS. 8 - - The house deleted [a manacurist] from this
(CSSB 544) section since there is no need for regulation
of manacurists. (see (2) above).

- (5) P. 9, LS. 9-13 - The definition of manacurist was deleted.
(see (2) above)

Original sponsor: Commerce Committee

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of the practice of
7 barbering, hairdressing, and cosmetology; terminating
8 the existence of the Board of Barber Examiners and the
9 Board of Hairdressing and Beauty Culture Examiners;
10 establishing the Board of Barbers and Hairdressers; and
11 providing for an effective date."

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

13 * Section 1. AS 08 is amended by adding a new chapter to read:

14 CHAPTER 13. BARBERS AND HAIRDRESSERS.

15 ARTICLE 1. BOARD OF BARBERS AND HAIRDRESSERS.

16 Sec. 08.13.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is
17 created the Board of Barbers and Hairdressers consisting of five members
18 appointed by the governor.

19 (b) The board consists of

- 20 (1) two persons licensed as barbers under this chapter;
21 (2) two persons licensed as hairdressers under this chapter;

22 and

- 23 (3) one public member.

24 Sec. 08.13.020. TERM OF OFFICE AND REMOVAL OF MEMBERS. Members
25 serve staggered terms of three years at the pleasure of the governor.
26 Members of the board may be appointed to serve no more than two consecu-
27 tive full terms.

28 Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board
29 shall exercise general control over the vocations of barbering, hair-

1 dressing, and cosmetology.

2 (b) The board shall

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

5 (2) authorize the issuance of licenses for schools of barber-
6 ing, hairdressing, and cosmetology;

7 (3) set fees for licensing, issuing permits, license and
8 permit renewal, examining applicants and other charges as necessary to
9 cover the operating expenses of the board;

10 (4) prepare an annual budget to be submitted to the legisla-
11 ture and request appropriations from the general fund, not exceeding the
12 income generated from fees, to cover operating expenses.

13 (c) The board may

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

15 (2) on its own motion or upon receipt of a written complaint,
16 conduct hearings and request the department to investigate the practices
17 of a person, shop, or school involved in the practice or teaching of
18 barbering, hairdressing, or cosmetology;

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

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

28 Sec. 08.13.050. RECORDS OF THE BOARD. The board shall keep a
29 record of its proceedings related to the issuance, refusal, suspension

1 and revocation of licenses and permits. The record shall contain the
2 name, place of business, and date of each license and permit issued and
3 shall be open to inspection by the public at all reasonable times. The
4 board shall submit an annual report on its operations to the governor.

5 ARTICLE 2. EXAMINATION AND LICENSING.

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

7 (1) practice barbering, hairdressing, or cosmetology without
8 a license, temporary permit, or student permit unless exempted under
9 AS 08.13.160(c);

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

12 (3) operate a shop in violation of AS 08.13.120;

13 (4) permit a person in his employ or under his supervision
14 who is not exempted under AS 08.13.160(c) to practice barbering, hair-
15 dressing, or cosmetology without a license, temporary permit, or student
16 permit;

17 (5) permit the use of his license, temporary permit, or
18 student permit by another person;

19 (6) obtain or attempt to obtain a license, temporary permit,
20 or student permit by fraudulent means.

21 Sec. 08.13.080. QUALIFICATIONS OF APPLICANTS. An applicant for
22 examination must

23 (1) have successfully completed all courses that a school
24 with a program in barbering is required to teach in order to be licensed
25 under AS 08.13.110 if applying for a license to practice barbering;

26 (2) have successfully completed all courses that a school
27 with a program in hairdressing is required to teach to be licensed under
28 AS 08.13.110 if applying for a license to practice hairdressing;

29 (3) have successfully completed all courses that a school

1 with a program in cosmetology is required to teach in order to be li-
2 censed under AS 08.13.110 if applying for a license to practice cosme-
3 tology; or

4 (4) have served an apprenticeship under AS 08.13.082.

5 Sec. 08.13.082. APPRENTICESHIP. (a) The period of apprenticeship
6 required to qualify an applicant for a license to practice barbering is
7 1,500 hours. The apprenticeship must be served in a shop approved by
8 the board. The apprenticeship may not be completed in less than nine
9 months from the date of its commencement and must be completed in not
10 more than two years from the date of its commencement.

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

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

23 Sec. 08.13.090. EXAMINATIONS AND OTHER REQUIREMENTS. (a) A
24 written examination shall be given to each applicant for examination at
25 a time and place determined by the board. The board may delegate the
26 power of examination to a committee of the board or a board member.

27 (b) The written examination shall cover subjects designated by the
28 board and shall test the applicant's knowledge of sanitary practices,
29 safety of all procedures, and use of instruments, equipment and chemi-

1 cals permitted within the field of practice for which the applicant is
2 seeking a license.

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

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

9 (b) A license shall state the areas of practice (barbering, hair-
10 dressing, cosmetology, or any combination) which the practitioner is
11 qualified to perform.

12 (c) A person holding a current valid license from a board of
13 barbering, hairdressing, or cosmetology in another state or country is
14 entitled to a license under this chapter without examination. An appli-
15 cation shall include:

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

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

20 (3) payment of a credential investigation fee.

21 Sec. 08.13.110. SCHOOL LICENSE. The board shall adopt regulations
22 for the licensing of schools of barbering, hairdressing, and cosmetology.
23 The regulations shall include details of the curriculum, minimum hours
24 of instruction, physical condition of the facilities, and financial
25 responsibility of the owner.

26 Sec. 08.13.120. SHOP LICENSE. The board shall adopt regulations
27 for the licensing of shops. A shop owner will be licensed to operate a
28 shop without examination, but unless he is a practitioner he may not
29 conduct business without employing a manager who is a practitioner.

1 This section does not apply to a shop located in a community having a
2 population of less than 1,000 people which is not within 25 miles of a
3 community of more than 1,000 people.

4 Sec. 08.13.130. DISPLAY OF LICENSE. A practitioner shall display
5 his license in a conspicuous location in his place of business. Each
6 shop owner is responsible for the display of the licenses of employees.
7 A practitioner who practices outside of a place of business shall carry
8 his license with him to be shown to persons upon whom work is performed.

9 Sec. 08.13.140. LAPSED LICENSE. A lapsed license may be rein-
10 stated if the license has not been lapsed for a period of more than
11 three years, and all renewal and delinquent fees for the period during
12 which the license has been lapsed are paid.

13 Sec. 08.13.150. GROUNDS FOR REFUSAL, SUSPENSION OR REVOCATION OF A
14 LICENSE OR PERMIT. The board may refuse, suspend, or revoke a license,
15 student permit, or temporary permit for failure to comply with this
16 chapter, with a regulation adopted under this chapter, or with an order
17 of the board.

18 Sec. 08.13.160. APPLICATION OF LICENSE REQUIREMENTS. (a) A
19 person holding a valid license to practice barbering under AS 08.12 is
20 licensed under this chapter, and may continue to practice barbering
21 under the conditions imposed by AS 08.12 and the regulations issued
22 under AS 08.12 until the license expires, at which time the provisions
23 of this chapter apply and a license issued under AS 08.12 cannot be
24 renewed.

25 (b) A person holding a valid license under AS 08.28 may continue
26 to practice under the conditions imposed under AS 08.28 and the regula-
27 tions issued under AS 08.28 until the license expires, at which time the
28 provisions of this chapter apply and a license issued under AS 08.28
29 cannot be renewed.

1 (c) The licensing and permit provisions of this chapter do not
2 apply to

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

7 (2) a shampoo person;

8 *help* (3) a manicurist.

9 Sec. 08.13.170. TEMPORARY PERMITS. (a) A person not licensed
10 under this chapter who wishes to practice and teach barbering, hair-
11 dressing, or cosmetology temporarily and primarily for educational
12 purposes who is otherwise qualified to practice barbering, hairdressing,
13 or cosmetology as determined by the board shall first obtain a temporary
14 permit.

15 (b) The temporary permit shall specify

16 (1) the purpose for which it is granted;

17 (2) the period during which the holder of the temporary
18 permit may practice;

19 (3) the place or places the holder of the temporary permit
20 may practice.

21 Sec. 08.13.180. STUDENT PERMITS. A person attending a licensed
22 school of barbering, hairdressing, or cosmetology, and a person appren-
23 ticed to a practitioner in a shop approved by the board shall obtain a
24 student permit. A student permit to practice barbering or hairdressing
25 is valid for two years. A student permit to practice cosmetology is
26 valid for one year. A student permit may not be renewed, but, upon
27 application, the board may issue a new permit to the same person, or
28 extend an expired permit to the date of the next scheduled examination.
29 Credit earned under an expired student permit may be transferred to a new

1 permit as determined by the board.

2 Sec. 08.13.190. FAILURE TO POSSESS A LICENSE OR PERMIT. A person
3 who practices barbering, hairdressing, or cosmetology, or operates a
4 shop, or operates a school of barbering, hairdressing, or cosmetology,
5 or teaches in a school of barbering, hairdressing, or cosmetology,
6 without a license, temporary permit, or student permit and who is not
7 exempt under AS 08.13.120 or under 08.13.160(c) is guilty of a class B
8 misdemeanor.

9 ARTICLE 3. GENERAL PROVISIONS.

10 Sec. 08.13.200. DEPOSIT OF RECEIPTS. Money received by the board
11 from the payment of fees shall be paid into the general fund of the
12 state.

13 Sec. 08.13.210. HEALTH AND SANITARY CONDITIONS. Health and sani-
14 tary conditions in shops and schools of barbering, hairdressing, and
15 cosmetology shall be supervised by the Department of Health and Social
16 Services.

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

18 (1) "apprentice" means a person who receives on-the-job
19 training under the direct supervision of a practitioner, who does not
20 receive a wage or commission before he has completed 350 hours of train-
21 ing, and for whose work no charge is made before he has completed 350
22 hours of training;

23 (2) "barbering" means shaving, trimming, or cutting the beard
24 or hair of a living person for a fee and for cosmetic purposes;

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

26 (4) "cosmetology" means the use of the hands, mechanical or
27 electric apparatus or appliances, cosmetic preparations, antiseptics, or
28 lotions in massaging, cleansing, stimulating, or similar work on the
29 human body for cosmetic purposes for a fee;

1 (5) "hairdressing" means performing, for a fee, the following
2 services for cosmetic purposes:

3 (A) shaving, trimming, or cutting the beard of a living
4 person; and

5 (B) arranging, styling, dressing, curling, temporary
6 waving, permanent waving, cutting, singeing, bleaching, coloring,
7 cleansing, conditioning, or similar work on the hair of a living
8 person;

9 (6) "manicurist" means a person who uses the hands, mechanical
10 or electric apparatus or appliances, cosmetic preparations, antiseptics,
11 or lotions in massaging, cleansing or similar work on the human hands or
12 trims, shapes or polishes the nails of the human hands for cosmetic
13 purposes for a fee;

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

16 (8) "shampoo person" means a person who, for a fee and under
17 the supervision of a practitioner of barbering or hairdressing, cleanses
18 or conditions the hair of the human head with products which have no
19 effect other than cleaning or conditioning the hair;

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

22 * Sec. 2. AS 08.03.010(c) is amended by adding a new paragraph to read:

23 (2) Board of Barbers and Hairdressers (AS 08.13.010) --
24 June 30, 1984.

25 * Sec. 3. AS 18.05.040(a)(9) is amended to read:

26 (9) standards of cleanliness and sanitation in connection
27 with the construction, operation and maintenance of a camp, cannery,
28 food handling establishment, food manufacturing plant, mattress manufac-
29 turing establishment, industrial plant, school, barber shop, hairdressing

1 or cosmetology [COSMETOLOGICAL] establishment, soft drink establishment,
2 beer and wine dispensaries, and for other similar establishments in
3 which insanitation may create a condition causative of disease.

4 * Sec. 4. AS 44.62.330(a) is amended by adding a new paragraph to read:

5 (47) Board of Barbers and Hairdressers (AS 08.13.010).

6 * Sec. 5. AS 08.03.010(b)(2) and (4); AS 08.12; AS 08.28; and AS 44.62.-
7 330(a)(1) and (7) are repealed.

8 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-
9 070(c).

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 2, 1980

SUBJECT: Section-by-section analysis CS for SB 544
(Work Order Number 8541)

TO: Senator Brad Bradley
Chairman, Senate Commerce Committee

FROM: Tamara Brandt Cook *TBC*
Legislative Counsel

You have asked for a section-by-section analysis of CS for Senate Bill 544 entitled: "An Act relating to the regulation of the practice of barbering, hairdressing, and cosmetology; terminating the existence of Board of Barber Examiners and the Board of Hairdressing and Beauty Culture Examiners; establishing the Board of Barbers and Hairdressers; providing for an effective date."

Section 1. A new chapter is created in Title 8 covering the combined professions of barbering and hairdressing.

Sec. 08.13.010. The Board of Barbers and Hairdressers is composed of five persons appointed by the governor, two barbers, two hairdressers, and one public member.

Sec. 08.13.020. The board members serve staggered terms of three years and may serve no more than two consecutive terms.

Sec. 08.13.030. The board has the following duties:

(1) to exercise general control over the vocations of barbering, hairdressing, and cosmetology;

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

(3) to approve the issuance of licenses for schools of barbering, hairdressing, and cosmetology;

(4) to set fees as necessary to cover the operating expenses of the board;

(5) to submit a budget to the legislature and request appropriations from the general fund which may not exceed income generated from fees collected by the board.

The board has the following powers:

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

(2) to conduct hearings and request the Department of Commerce and Economic Development to investigate the practices of the occupations being regulated;

(3) to carry out the provisions of this chapter through adopting regulations or doing any required act.

Sec. 08.13.040. The board is free to meet as often as required. It shall hold examinations in the fields of barbering, hairdressing, and cosmetology at least twice each year. An applicant for licensure may choose the field of practice he wishes to enter, or may choose to be examined in more than one field of practice.

Sec. 08.13.050. The board is obligated to keep records of permits and licenses issued or revoked and to report on its operations to the governor annually.

Sec. 08.13.060. This section prohibits

(1) the practice of barbering, hairdressing or cosmetology without a license or permit unless exempted under this act;

(2) conducting a school of barbering, hairdressing, or cosmetology without a license;

(3) operating a shop without a license unless specifically exempted by statute;

(4) allowing an employee or person being supervised to practice without a license or a permit unless specifically exempted by statute;

(5) permitting the use of a license or permit by another person;

(6) obtaining a license or permit by fraudulent means.

Sec. 08.13.080. There are three separate occupational fields which an applicant may seek licensure in. To qualify for licensure an applicant must have finished the courses that a school with a program in the particular field is required to teach in order to be licensed under this chapter. It is left up to the board to establish by regulation the standards for the licensing of schools. So, the educational requirements set out in this section are not specific, but rather, shall match the requirements which the board sets for schools. In this way, if a person attends a licensed occupational school, he will be assured of meeting the state educational requirements. In addition, an applicant must pass an examination in order to be licensed in a particular field. Separate examinations shall be given for the fields of barbering, hairdressing, and cosmetology. It is also possible for an applicant to qualify for examination through serving an apprenticeship, rather than by attending a licensed occupational school.

Sec. 08.13.082. This section describes the accepted apprenticeship program, which may only be conducted in a shop approved by the board. A person wanting to become a barber is required to receive 1,500 hours of apprenticeship training. The program must last at least nine months and may not be extended past two years. A person who wishes to become a hairdresser must complete 2,000 hours of apprenticeship training in not less than one year and not over two years. A person who wishes to practice cosmetology must receive 350 hours of apprenticeship training over a period of six months but within one year.

Sec. 08.13.090. Each applicant for licensure must pass a written examination covering sanitary practices, safety of procedures used in a particular field, and the use of instruments, equipment and chemicals pertinent to the particular field. The board has discretion to require a practical examination as well through regulation.

Sec. 08.13.100. A license is valid for two years and shall state the field or fields of practice which a person is qualified to perform. A person who is licensed in another

state or country is automatically entitled to a license in this state upon payment of required fees if he has training and work experience which the board finds meets the minimum requirements of this state.

Sec. 08.13.110. Schools of barbering, hairdressing, and cosmetology shall be licensed if they meet standards set by the board. The board must adopt regulations setting standards for licensing, including curriculum requirements, hours of instruction, physical condition of school facilities, and financial responsibility of the owner. Under the broad provision of AS 08.13.030(c)(3) granting the board power to adopt regulations needed to carry out its duties, the board has the discretion to adopt regulations setting standards for school licensure.

Sec. 08.13.120. The board is required to adopt regulations for licensing barber, hairdressing, and cosmetology shops. An owner will be licensed to operate a shop without an examination, however, unless he himself is licensed to practice, he must employ a manager who is. No licensure requirement is imposed upon shops located in communities having a population of less than 1,000 people as long as there is not a community of over 1,000 people within 25 miles.

Sec. 08.13.130. A person licensed under this act is required to display his license or to keep it with him if he is going to work outside of a regular place of business. A shop owner is affirmatively obligated to display the licenses of his employees.

Sec. 08.13.140. A license which has not been renewed for three years may be reinstated after payment of any required fees.

Sec. 08.13.150. The board has discretion to refuse, suspend, or revoke a license or permit for failure to comply with this chapter, with a regulation, or with an order of the board.

Sec. 08.13.160. Persons with valid licenses under existing law are allowed to continue to practice until their licenses expire. At that time, they will be required to comply with the provisions of this chapter and to obtain new licenses. The grandfather clause applies to persons who hold licenses

to practice barbering, and to persons holding any license under AS 08.28, which includes persons involved in the practice of hairdressing and beauty culture, managers, owners, instructors, and schools. Under AS 08.28 managers manicurists were licensed; but since they are no longer required to obtain a special license, the grandfather provision has no practical effect on them. The licensing requirements of this act also do not apply shampoo persons, persons who wash hair while under the supervision of a licensed practitioner. Additionally, no license is required to practice in a community having a population of less than 1,000 people so long as it is not within 25 miles of a community which is larger.

Sec. 08.13.170. A permit is available to a person who wishes to practice on a temporary basis in the state for educational purposes, and who is otherwise qualified. The board determines whether or not an applicant is qualified and a permit must specify the purpose for which the permit is granted, the period during which the holder may practice, and the place or places which the holder may practice.

Sec. 08.13.180. A person attending a school or serving an apprenticeship must hold a student permit. A permit to practice barbering or hairdressing is valid for two years, while one to practice cosmetology is valid for one year. A student permit may not be renewed; but the board has the discretion to issue a new permit to the same person or to extend an expired permit to the date of the next scheduled examination so that a person may continue training while waiting to be tested. If a person applies for a new student permit, the board has the discretion to transfer credit earned under the expired permit.

Sec. 08.13.190. A person who practices barbering, hairdressing, or cosmetology, operates a shop, operates a school, or teaches in a school without a license or permit commits a class B misdemeanor. This criminal penalty does not apply to a person practicing in or a shop located in a community of less than 1,000 people which is not within 25 miles of a larger community.

Sec. 08.13.200. Money generated through fees imposed under this chapter shall be deposited into the general fund.

Sec. 08.13.210. The Department of Health and Social Services is responsible for supervising sanitary conditions in shops and schools.

Sec. 08.13.220. This section defines terms.

(1) "Apprentice" is a person receiving on the job training under the supervision of someone licensed under this chapter. An apprentice may not receive a wage or commission until he has completed 350 hours of training, and no charge may be made for his work until that time.

(2) "Barbering" is shaving, trimming, cutting the beard or hair of a living person for a fee. A person practices barbering only when this is done for cosmetic, rather than for medical, purposes.

(3) "Board" refers to the Board of Barbers and Hairdressers.

(4) "Cosmetology" involves work upon the human body for cosmetic purposes for a fee.

(5) "Hairdressing" differs from "barbering" in that it includes temporary waving, permanent waving, singeing, bleaching, and coloring hair as well as shaving, trimming, or cutting the beard or hair.

(6) "Manicurist" is a person who works upon hands and nails for cosmetic purposes for fee. Manicurists are exempted from licensure.

(7) "Practitioner" is broadly defined to include all persons licensed to practice under this chapter.

(8) "Shampoo person" is a person who cleans or conditions hair under the supervision of a person who is licensed. A shampoo person is exempted from licensure.

(9) "Shop" includes barbering, hairdressing, and cosmetology establishments.

Section 2. The termination date of the Board of Barbers and Hairdressers is June 30, 1984.

Senator Brad Bradley

Page 7

May 2, 1980

Section 3. In order to include hairdressing establishments this section amends a provision which requires the commissioner of the Department of Health and Social Services to adopt regulations setting standards of cleanliness.

Section 4. The Board of Barbers and Hairdressers is added to the list of boards and agencies required to following the adjudicatory procedures of the Administrative Procedure Act.

Section 5. Provisions establishing a termination date of June 30, 1980 for the Board of Barber Examiners and the Board of Hairdressing and Beauty Culture Examiners are repealed; the chapters dealing with those boards are repealed entirely; and those two boards are removed from the list of boards and agencies required to comply with the adjudicatory provisions of the Administrative Procedure Act.

Section 6. The act becomes immediately effective.

If you have any further questions, please contact me.

TBC:ljb

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

POUCH H-07
JUNEAU, ALASKA 99811

March 31, 1980

The Honorable Glenn Hackney
Chairman, Senate HESS Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Document# 59-80

Dear Senator Hackney:

House Bill 447 proposes terminating the existence of the Board of Nursing Home Administrators on January 1, 1981 and reassigns its responsibilities to the Department of Commerce and Economic Development.

At the time various Boards and Commissions were being considered for "sunsetting" by the Legislature in 1979, it was found that the existence of the Board of Nursing Home Administrators or some similar type of "peer review" system was, by federal law, (U.S. Code 42 Sub-Chapter XIX S. 1396 a(29)) necessary if the State of Alaska was to continue to receive federal fund participation for Medicaid nursing home services.

Federal fund participation is an essential part of the Medicaid nursing home services funding. Nursing home services comprise 70% of the total Alaska Medicaid budget (twenty-nine million dollars) and therefore, approximately fourteen million dollars (50% matching) could be lost in federal fund participation if some type of "peer review" licensing function is not provided for in Alaska Statute.

When viewed superficially, it is difficult to justify the need for, and cost of a statewide, regionally represented, five member Board of Nursing Home Administrators when only approximately 35 licenses have been issued since 1976. However, with approximately fourteen million dollars in federal fund participation dependent upon the state having "either a Board of Nursing Home Administrators or an agency of the state responsible for licensing under the Healing Arts Act of the state" the cost and need is easier rationalized.

What seems needed is a method of administrating the issuance of Nursing Home Administrators licensured through the Department of Commerce and Economic Development while at the same time providing a method of inexpensive "peer review." Some alternatives that we have considered are as follows:

- I. Establish the Long Term Care Division of the Alaska State Hospital Association as the board the Department of Commerce and Economic Department must consult with regarding:

March 31, 1980

- a. Promulgating of regulations.
- b. Revocation of licenses.
- c. Establishment of procedures to insure that licenses uphold standards.
- d. Adoption of criteria for educational requirements.

The Long Term Care Division of the Alaska State Hospital Association meets at least bi-annually and at no expense to the State could provide the professional support needed to fulfill federal statute requirements. The Long Term Care Division of the Alaska State Hospital Association is composed of all the nursing home administrators in the State of Alaska.

- II. Establish a Board, for federal purposes, composed of state employees who's offices are in Juneau. This type of board should meet during regular working hours and therefore, should be no added expense to the State
 - a. Director of Occupational Licensing.
 - b. Director of Public Assistance.
 - c. Director of Public Health.
 - d. Director of Nursing Board.
- III. The development of a comprehensive healing arts act, which would encompass all healing professions.
- IV. Reinstatement of the existing Board of Nursing Home Administrators with appropriate funding and staffing in the Division of Occupational Licensing to accomplish the tasks required.

The Division of Public Assistance opposes House Bill 447 and support the reinstatement of the Board of Nursing Home Administrators. We feel the cost of supporting the operation of such a board are justified when compared to the amount of federal fund participation involved.

Sincerely,


Rod Betit
Director

MARCH 21, 1950

SENATE HESS COMMITTEE
ASSEMBLY BUILDING, Room 106
JUNEAU, ALASKA

REF: ~~HOUSE BILL~~ No. 447

SENATE HACKNEY AND MEMBERS OF THE HESS COMMITTEE:

WE HAVE NO BASIC DISAGREEMENT WITH THE APPARENT INTENT OF H.B. #447. HOWEVER, THERE ARE SOME RELATIONSHIPS WITH FEDERAL REGULATIONS THAT MUST BE CONSIDERED SO AS TO PROTECT THE ABILITY OF NURSING HOMES TO SERVE THE ELDERLY AND THE ILL. THE FOLLOWING IS A BRIEF STATEMENT SETTING FORTH THE PROBLEMS AND SUGGESTING A CURE THRU MODEST CHANGES TO THE BILL,

FOUR "KEY" PHRASES DOMINATE OUR DISCUSSION RELATIVE TO ALASKA'S ELDERLY AND ILL CITIZENS:

HEALING ARTS ACT
BOARD OF NURSING HOME ADMINISTRATORS

PROGRAM COMPLIANCE CONTINUANCE
PROGRAM SUPPORT CONTINUANCE

UNDER THE TERMS OF THE FEDERAL SOCIAL SECURITY RULE NO NURSING HOME MAY OPERATE UNLESS IT IS LICENSED - A REQUIREMENT OF THE "HOME'S" LICENSE IS THAT IT BE ADMINISTERED BY A PERSON LICENSED AS A NURSING HOME ADMINISTRATOR.

ONLY TWO OPTIONS ARE AVAILABLE FOR THE LICENSING OF NURSING HOME ADMINISTRATORS:

- A- LICENSED UNDER TERMS OF A HEALING ARTS ACT.
- B- LICENSED BY A BOARD OF NURSING HOME ADMINISTRATORS.

ALASKA DOES NOT HAVE A "HEALING ARTS ACT". ALASKA HAS A "BOARD OF NURSING HOME ADMINISTRATORS" ABOUT TO BE SUNSETTED.

WHAT ARE SOME OF THE CONSEQUENCES OF NOT HAVING A "BOARD"?

MARCH 30, 1980

PAGE 2

FIRST, THE MINUTE THE "BOARD" NO LONGER EXISTS, THE LICENSES OF THE ADMINISTRATORS BECOME INVALID -- THUS THE NURSING HOMES ARE NOT IN COMPLIANCE AND THE PATIENTS MUST BE MOVED ALMOST IMMEDIATELY, RETURNED TO THEIR HOMES OR BE PLACED IN NON-EXISTING FACILITIES.

SECONDLY, MEDICAID HAS THE RIGHT AT THAT POINT TO STOP PAYMENT OF THE FIFTY (50%) PERCENT SUPPORT.

THE OBVIOUS RESULT OF ONE AND TWO IS THE REMOVAL OF MEDICAL CARE FROM APPROXIMATELY 500 ILL AND ELDERLY PATIENTS -- NONE OF WHOM HAVE A PLACE TO GO -- SOME OF WHOM ARE COMATOSE -- ALL OF WHOM ARE UNABLE TO CARE FOR THEMSELVES -- NONE OF WHOM HAVE FAMILIES ABLE TO CARE FOR THEM OR THEY WOULD NOT BE IN NURSING HOMES -- MOST OF WHOM ARE WARM, CARING, LOVING PEOPLE DOING THEIR VERY BEST UNDER VERY TRYING STATES OF HEALTH.

WHAT CAN BE DONE TO STOP THE POTENTIAL SERIOUS DANGER TO THE PRESENT AND PROSPECTIVE RESIDENTS OF NURSING HOMES; THE AGED, AND THE ILL, BOTH YOUNG AND OLD?

RETAIN THE BOARD OF NURSING HOME ADMINISTRATORS. THE LEGISLATURE MAY WELL DESIRE TO CHANGE THE MANNER IN WHICH THE BOARD IS CONSTITUTED, AND WE WOULD APPLAUD ANY CHANGE THAT BROUGHT ABOUT COST SAVING WITHOUT DESTROYING EFFECTIVENESS. THE SIZE OF THE BOARD MAY BE AS SMALL AS THREE MEMBERS; ONE COULD WELL BE FROM THE STAFF OF HEALTH AND SOCIAL SERVICES, ONE FROM THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT AND THE OUTSIDE MEMBER COULD BE THE ADMINISTRATOR OF A JUNEAU-BASED NURSING HOME. THUS, THE ONLY COST INVOLVED WOULD BE CLERICAL AS RELATED TO THE SCHEDULED MEETINGS AND EXAMINATIONS. NO TRAVEL AND NO PER DIEM. AND THIS SYSTEM COMPLIES WITH FEDERAL REQUIREMENTS.

MARCH 30, 1980

PAGE 3

AS AN ASIDE, I WOULD MENTION THAT IN MY MIND THE CONSIDERATION OF DOING AWAY WITH A BOARD MUST INCLUDE DEEP AND CAREFUL THOUGHT UPON THE TOTAL RELATIONSHIPS INVOLVED AND NOT ONLY THE APPARENT COST AND PRODUCTIVITY OF A BOARD. MUCH WORK MUST BE DONE ON A NATIONAL LEVEL TO CHANGE FEDERAL RULES IF ALASKA TRULY WISHES TO LESSEN EXTERNAL CONTROLS. LET'S LET THAT BE A SEPERATE CONCERN.

FOR NOW WE SHOULD ALL WORK TOGETHER TO RETAIN ANACCEPTABLE, TO US AND TO FEDERAL AUTHORITIES, "BOARD OF NURSING HOME ADMINISTRATORS" AND RETAIN OUR ABILITY TO PROVIDE PROPER MEDICAL HELP FOR OUR ELDERLY AND OUR ILL. SECONDARILY, LET US MAINTAIN OUR ABILITY TO SHARE THE COST WITH THE FEDERAL GOVERNMENT.

REMEMBER, NO "BOARD OF NURSING HOME ADMINISTRATORS" COULD MEAN AN ALMOST IMMEDIATE CLOSURE OF THE NURSING HOMES THROUGH NON-COMPLIANCE----AND, AN ULTIMATE LOSS OF FEDERAL FUNDING.

THE COMPLIANCE WITH FEDERAL STANDARDS AND THE CURE OF THE PROBLEM ARE SIMPLE MATTERS. COMPOSE THE BOARD FROM THE REPRESENTATIVE OF APPROPRIATE STATE AGENCIES PLUS A REPRESENTATIVE OF THE NURSING HOME INDUSTRY AND CONTINUE TO OPERATE UNDER THE PRESENT RULES

SINCERELY YOURS,

JIM L. BUCK

CSSB 544

BOARD OF BARBERS AND HAIRDRESSERS

MR. PRESIDENT, I MOVE THE ADOPTION OF CSSB 544 WHICH TERMINATES THE EXISTING BOARD OF BARBER EXAMINERS AND THE EXISTING BOARD OF HAIRDRESSING AND BEAUTY CULTURE EXAMINERS, AND ESTABLISHES A NEW BOARD ENTITLED: THE BOARD OF BARBERS AND HAIRDRESSERS. THE BARBERS, HAIRDRESSERS, AND COSMETOLOGISTS ARE BROUGHT UNDER THE ONE BOARD. IT IS FELT THAT THE REGULATION OF THESE PROFESSIONS WILL OPERATE MORE EFFECTIVELY AND ECONOMICALLY UNDER THE NEW BOARD SINCE THESE PROFESSIONS ARE SIMILAR IN NATURE.

(Sec. 08)

P. 1, Ls. 13-15

SEC. 1 CREATES A NEW CHAPTER IN TITLE 8

COVERING THE COMBINED PROFESSIONS OF BARBERING AND HAIRDRESSING.

(Sec. 08.13.010)

P. 1, Ls. 16-23

CREATES THE BOARD OF BARBERS AND

HAIRDRESSERS CONSISTING OF 5 MEMBERS APPOINTED BY THE GOVERNOR. THE BOARD CONSISTS OF 2 BARBERS, 2 HAIRDRESSERS AND 1 PUBLIC MEMBER.

(Sec. 08.13.020)

P. 1, Ls. 24-27

PROVIDES FOR MEMBERS OF THE BOARD TO

SERVE STAGGERED TERMS OF 3 YEARS AND MEMBERS MAY SERVE NO MORE THAN TWO CONSECUTIVE TERMS.

(Sec. 08.13.030)

P. 1/2, Ls. 28/12

SPELLS OUT THE DUTIES OF THE BOARD,

WHICH ARE THE FOLLOWING:

(1) THE BOARD SHALL EXERCISE GENERAL

CONTROL OVER THE VOCATIONS OF BARBERING,
HAIRDRESSING AND COSMETOLOGY.

(2) THE BOARD SHALL EXAMINE APPLICANTS AND
APPROVE THE ISSUANCE OF LICENSES AND PERMITS.

(3) THE BOARD SHALL APPROVE THE ISSUANCE OF
LICENSES FOR SCHOOLS OF BARBERING, HAIR-
DRESSING AND COSMETOLOGY.

(4) THE BOARD WILL SET FEES FOR LICENSING,
ISSUING PERMITS, LICENSE AND PERMIT RENEWAL,
AND OTHER CHARGES AS NECESSARY TO COVER THE
OPERATING EXPENSES OF THE BOARD.

(5) THE BOARD SHALL SUBMIT A BUDGET TO THE
LEGISLATURE AND REQUEST APPROPRIATIONS FROM
THE GENERAL FUND, NOT TO EXCEED THE INCOME
GENERATED FROM FEES TO COVER OPERATING
EXPENSES.

(SEC. 08.13.030)

P. 2, Ls. 13-20

SPELLS OUT THE POWERS OF THE BOARD, WHICH
ARE AS FOLLOWS:

(1) THE BOARD HAS THE POWER TO SUSPEND
OR REVOKE A LICENSE OR PERMIT;

(2) THE BOARD HAS THE POWER TO CONDUCT
HEARINGS AND REQUEST THE DEPARTMENT OF
COMMERCE AND ECONOMIC DEVELOPMENT TO
INVESTIGATE THE PRACTICES OF A PERSON OR
SHOP OR SCHOOL WHICH IS INVOLVED IN THE
PRACTICE OF TEACHING BARBERING, HAIRDRESSING,

OR COSMETOLOGY.

(3) THE BOARD HAS THE POWER TO ADOPT REGULATIONS OR DO ANY ACT TO CARRY OUT THE PROVISIONS OF THIS CHAPTER.

(Sec. 08.13.040)
P. 2, Ls. 21-27

GIVES THE BOARD THE POWER TO MEET AS OFTEN AS NECESSARY TO CONDUCT ITS BUSINESS. THE BOARD SHALL CONDUCT SEPARATE EXAMINATIONS COVERING THE FIELDS OF BARBERING, HAIRDRESSING, AND COSMETOLOGY. THE EXAMINATIONS SHALL BE GIVEN AT LEAST TWICE IN EVERY YEAR FOR EACH FIELD OF PRACTICE FOR WHICH APPLICATIONS FOR LICENSURE ARE PENDING. AN APPLICANT MAY TAKE AN EXAMINATION IN MORE THAN ONE FIELD DURING THE SAME TESTING SESSION. HE MAY CHOOSE TO ENTER MORE THAN ONE FIELD OF PRACTICE.

(Sec. 08.13.050)
Ps. 2/3, Ls. 28/4

REQUIRES THE BOARD TO KEEP RECORDS OF THE ISSUANCE, REFERRAL, SUSPENSION AND REVOCATION OF LICENSES AND PERMITS. THEIR RECORDS SHALL CONTAIN THE NAME, PLACE OF BUSINESS AND DATE OF EACH LICENSE AND PERMIT ISSUED AND THEIR RECORDS ARE OPEN TO INVESTIGATION BY THE PUBLIC. THE BOARD IS ALSO REQUIRED TO SUBMIT AN ANNUAL REPORT ON ITS OPERATIONS TO THE GOVERNOR.

PAGE 4

(SEC. 08.13.070)

P. 3, Ls. 6-20

PROHIBITS:

- (1) THE PRACTICE OF BARBERING, HAIRDRESSING OR COSMETOLOGY WITHOUT A LICENSE OR PERMIT UNLESS EXEMPT UNDER AS 08.13.160(c);
- (2) OPENING OR CONDUCTING A SCHOOL OF BARBERING, HAIRDRESSING OR COSMETOLOGY WITHOUT A LICENSE;
- (3) OPERATING A SHOP WITHOUT A LICENSE UNLESS SPECIFICALLY EXEMPTED BY STATUTE;
- (4) ALLOWING AN EMPLOYEE OR PERSON BEING SUPERVISED TO PRACTICE BARBERING, HAIRDRESSING OR COSMETOLOGY WITHOUT A LICENSE OR A PERMIT UNLESS EXEMPTED BY AS 08.13.160(c);
- (5) PERMITTING THE USE OF A LICENSE OR PERMIT BY ANOTHER PERSON;
- (6) OBTAINING OR ATTEMPTING TO OBTAIN A LICENSE OR PERMIT BY FRAUDULENT MEANS.

(SEC. 08.13.080)

Ps. 3/4, Ls. 21/4

SPELLS OUT THE QUALIFICATIONS OF APPLICANTS FOR EXAMINATION. THERE ARE THREE SEPARATE OCCUPATIONAL FIELDS WHICH AN APPLICANT MAY SEEK LICENSURE IN -- BARBERING, HAIRDRESSING, OR COSMETOLOGY. TO QUALIFY FOR LICENSURE, AN APPLICANT MUST HAVE FINISHED THE COURSES AND PASS THE EXAMINATION THAT A SCHOOL WITH A PROGRAM IN THE PARTICULAR FIELD IS REQUIRED TO TEACH. SEPARATE EXAMINATIONS SHALL

BE GIVEN FOR THE FIELDS OF BARBERING, HAIR-
DRESSING, AND COSMETOLOGY. IT IS ALSO
POSSIBLE FOR AN APPLICANT TO QUALIFY FOR EXAMINA-
TION THROUGH SERVING AN APPRENTICESHIP, RATHER
THAN BY ATTENDING A LICENSED OCCUPATIONAL SCHOOL.

(Sec. 08.13.082)

P. 4, Ls. 5-22

DESCRIBES THE ACCEPTED APPRENTICE-
SHIP PROGRAM, WHICH MAY ONLY BE CONDUCTED IN
A SHOP APPROVED BY THE BOARD. A PERSON WANTING
TO BECOME A BARBER IS REQUIRED TO RECEIVE 1,500
HOURS OF APPRENTICESHIP TRAINING. THE PROGRAM
MUST LAST AT LEAST NINE MONTHS AND MAY NOT BE
EXTENDED PAST TWO YEARS. A PERSON WHO WISHES TO
BECOME A HAIRDRESSER MUST COMPLETE 2,000 HOURS OF
APPRENTICESHIP TRAINING IN NOT LESS THAN ONE
YEAR AND NOT OVER TWO YEARS. A PERSON WHO WISHES
TO PRACTICE COSMETOLOGY MUST RECEIVE 350 HOURS
OF APPRENTICESHIP TRAINING OVER A PERIOD OF
SIX MONTHS BUT WITHIN ONE YEAR.

(Sec. 08.13.090)

Ps. 4/5, Ls. 23/4

REQUIRES THAT EACH APPLICANT FOR
LICENSURE MUST PASS A WRITTEN EXAMINATION
COVERING SANITARY PRACTICES, SAFETY OF ALL

PROCEDURES USED IN A PARTICULAR FIELD, AND THE CARE OF INSTRUMENTS, EQUIPMENT AND CHEMICALS PERTINENT TO THE PARTICULAR FIELD. THE BOARD HAS THE DISCRETION TO REQUIRE A PRACTICAL EXAMINATION AS WELL THROUGH REGULATION.

(Sec. 08.13.100)

P. 5, Ls. 5-20

SIMPLY STATES THAT A LICENSE IS VALID FOR 2 YEARS AND IT SHALL STATE THE FIELD OR FIELDS OF PRACTICE WHICH A PERSON IS REQUIRED TO PERFORM. A PERSON WHO IS LICENSED IN ANOTHER STATE OR COUNTRY IS AUTOMATICALLY ENTITLED TO A LICENSE IN THIS STATE WITHOUT EXAMINATION UPON PAYMENT OF THE REQUIRED FEES AND PROOF OF COMPLETED TRAINING AND WORKING EXPERIENCE WHICH THE BOARD FINDS MEETS THE MINIMUM REQUIREMENTS OF THIS STATE.

(Sec. 08.13.110)

P. 5, Ls. 21-25

PROVIDES THAT SCHOOLS OF BARBERING, HAIRDRESSING, AND COSMETOLOGY SHALL BE LICENSED IF THEY MEET STANDARDS SET BY THE BOARD. THE BOARD MUST ADOPT REGULATIONS SETTING STANDARDS FOR LICENSING, INCLUDING CURRICULUM REQUIREMENTS, HOURS OF INSTRUCTION, PHYSICAL CONDITION OF SCHOOL FACILITIES, AND FINANCIAL RESPONSIBILITY OF THE OWNER.

PAGE 7

(SEC. 08.13.120)

Ps. 5/6, Ls. 26/3

REQUIRES THE BOARD TO ADOPT REGULATIONS FOR LICENSING BARBER, HAIRDRESSING, AND COSMETOLOGY SHOPS. AN OWNER WILL BE LICENSED TO OPERATE A SHOP WITHOUT AN EXAMINATION; HOWEVER, UNLESS HE IS LICENSED TO PRACTICE, HE MUST EMPLOY A MANAGER WHO IS. NO LICENSURE REQUIREMENT IS IMPOSED UPON SHOPS LOCATED IN COMMUNITIES HAVING A POPULATION OF LESS THAN 1,000 PEOPLE AS LONG AS THERE IS NOT A COMMUNITY OF OVER 1,000 PEOPLE WITHIN 25 MILES.

(SEC. 08.13.130)

P. 6, Ls. 4-8

REQUIRES A PERSON LICENSED UNDER THIS ACT TO DISPLAY HIS LICENSE OR TO KEEP IT WITH HIM IF HE IS GOING TO WORK OUTSIDE OF A REGULAR PLACE OF BUSINESS. A SHOP OWNER IS ALSO AFFIRMATIVELY OBLIGATED TO DISPLAY THE LICENSES OF HIS EMPLOYEES.

(SEC. 08.13.140)

P. 6, Ls. 9-12

STATES THAT A LICENSE WHICH HAS NOT BEEN RENEWED FOR THREE YEARS MAY BE REINSTATED AFTER PAYMENT OF ANY REQUIRED RENEWAL AND DELINQUENT FEES.

(SEC. 08.13.150)

P. 6, Ls. 13-17

GIVES THE BOARD THE DISCRETION TO REFUSE, SUSPEND, OR REVOKE A LICENSE OR PERMIT FOR FAILURE TO COMPLY WITH THIS CHAPTER, WITH A REGULATION, OR WITH AN ORDER OF THE BOARD.

(Sec. 08.13.160)

Ps. 6/7, Ls. 18/8

IS THE GRANDFATHER CLAUSE WHICH ALLOWS A PERSON WITH VALID LICENSES UNDER EXISTING LAW TO CONTINUE TO PRACTICE UNTIL THEIR LICENSES EXPIRE. AT THAT TIME, THEY WILL BE REQUIRED TO COMPLY WITH THE PROVISIONS OF THIS CHAPTER. ADDITIONALLY, NO LICENSE IS REQUIRED TO PRACTICE IN A COMMUNITY HAVING A POPULATION OF LESS THAN 1,000 PEOPLE SO LONG AS IT IS NOT WITHIN 25 MILES OF A COMMUNITY WHICH IS LARGER.

(Sec 08.13.170)

P. 7, Ls. 9-20

THIS SECTION STATES THAT A TEMPORARY PERMIT IS AVAILABLE TO A PERSON WHO WISHES TO PRACTICE ON A TEMPORARY BASIS IN THE STATE FOR EDUCATIONAL PURPOSES, AND WHO IS OTHERWISE QUALIFIED.

(Sec. 08.13.170)

Ps. 7/8, Ls. 21/1

DEALS WITH STUDENT PERMITS AND STATES THAT A PERSON ATTENDING A SCHOOL OR SERVING AN APPRENTICESHIP MUST HOLD A STUDENT PERMIT. A PERMIT TO PRACTICE BARBERING OR HAIRDRESSING IS VALID FOR TWO YEARS, WHILE ONE TO PRACTICE COSMETOLOGY IS VALID FOR ONE YEAR. A STUDENT PERMIT MAY NOT BE RENEWED; BUT THE BOARD HAS THE DISCRETION TO ISSUE A NEW PERMIT TO THE SAME PERSON OR TO EXTEND AN EXPIRED PERMIT TO THE DATE OF THE NEXT SCHEDULED EXAMINATION SO THAT A PERSON MAY CONTINUE TRAINING WHILE WAITING TO BE TESTED. IF A PERSON APPLIES FOR A NEW STUDENT PERMIT, THE BOARD HAS THE DISCRETION

TO TRANSFER CREDIT EARNED UNDER THE EXPIRED PERMIT.

(SEC. 08.13.190)
P. 8, Ls. 2-8

SPECIFIES THAT FAILURE OF A PERSON PRACTICING TO POSSESS A LICENSE OR PERMIT WHO IS NOT EXEMPT UNDER AS 08.13.120 (COMMUNITY OF LESS THAN 1,000 PEOPLE) IS GUILTY OF A CLASS-B MISDEMEANOR.

(SEC. 08.13.200)
P. 8, Ls. 11-12

STATES THAT MONEY GENERATED THROUGH FEES IMPOSED UNDER THIS CHAPTER SHALL BE DEPOSITED INTO THE GENERAL FUND.

(SEC. 08.13.210)
P. 8, Ls. 13-16

SIMPLY STATES THAT IT IS THE RESPONSIBILITY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO SUPERVISE SANITARY CONDITIONS IN SHOPS AND SCHOOLS.

(SEC. 08.13.220)
Ps. 8/9, Ls. 10/21

CONSISTS OF DEFINITIONS.

(SEC. 08.03.010(c))
P 9, Ls. 22-24

SECTION 2 STIPULATES THE TERMINATION DATE FOR THE BOARD OF BARBER AND HAIRDRESSERS AS JUNE 30, 1984.

(Sec. 18.05.040) SECTION 3 IS SIMPLY AMENDED TO
Ps. 9/10, Ls. 26/3 INCLUDE HAIRDRESSING AND COSMETOLOGY
ESTABLISHMENTS IN THE EXISTING REQUIREMENT OF
THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES
TO ADOPT REGULATIONS SETTING STANDARDS OF
CLEANLINESS FOR THESE ESTABLISHMENTS.

(Sec. 44.62.330(A)) SECTION 4 ADDS THE BOARD OF BARBERS
P. 10, Ls. 4-5 AND HAIRDRESSERS TO THE EXISTING LIST OF
BOARDS REQUIRED TO FOLLOW THE ADJUDICATORY
PROCEDURES OF THE ADMINISTRATIVE PROCEDURES
ACT.

P. 10, Ls. 6-7 SECTION 5 REPEALS THE FOLLOWING:

AS 08.03.010(B)(2) AND (4) - REMOVES
THE BOARD OF BARBER EXAMINERS AND THE
BOARD OF HAIRDRESSING AND BEAUTY CULTURE
EXAMINERS FROM THE LIST OF BOARDS WHICH
HAD A TERMINATION DATE OF JUNE 30, 1980.

AS 08.12 - REPEALS THE BOARD OF BARBER
EXAMINERS.

AS 08.28 - REPEALS THE BOARD OF HAIRDRESSING
AND BEAUTY CULTURE EXAMINERS.

AS 44.62.330(A)(1) AND (7) - REMOVES THE BOARD OF BARBER EXAMINERS AND THE BOARD OF HAIRDRESSING AND BEAUTY CULTURE EXAMINERS FROM THE LIST OF BOARDS REQUIRED TO FOLLOW THE ADJUDICATORY PROCEDURES OF THE ADMINISTRATIVE PROCEDURES ACT.

P. 10, Ls, 8-9

SECTION 6 PROVIDES THAT THIS ACT TAKES EFFECT IMMEDIATELY.

*Regulation of barbers
name - by hand 70' v.*

Introduced: 4/3/80
Referred: Commerce

1 IN THE SENATE BY THE COMMERCE COMMITTEE

2 SENATE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of the practice of
7 *Barbers* hair design and cosmetology; terminating the existence
8 of the Board of Barber Examiners and the Board of
9 Hairdressing and Beauty Culture Examiners; establishing
10 the Board of Barbers and Hairdressers; and providing
11 for an effective date."

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

13 * Section 1. AS 08 is amended by adding a new chapter to read:

14 CHAPTER 13. BARBERS AND HAIRDRESSERS.

15 ARTICLE 1. BOARD OF BARBERS AND HAIRDRESSERS.

16 Sec. 08.13.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is
17 created the Board of Barbers and Hairdressers consisting of five members
18 appointed by the governor.

19 (b) The board consists of

20 (1) three persons licensed as barbers or hairdressers under
21 this chapter;

22 (2) one person licensed to practice cosmetology under this
23 chapter;

24 (3) a public member who has no direct financial interest, and
25 has never had such an interest, in a barber, hairdresser, or beauty
26 culture business.

27 Sec. 08.13.020. TERM OF OFFICE AND REMOVAL OF MEMBERS. Members
28 serve a term of three years and at the pleasure of the governor. Mem-
29 bers of the board may be appointed to serve no more than two full terms.

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board
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Handwritten notes on right margin:
Working on the...

conclude

Terms - stagger terms

2 bar -	1 bar - 3 yr
2 bar -	1 bar - 2 yr
1 perm -	1 bar - 2 yr
	1 bar - 2 yr

1 Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board
2 shall exercise general control over the vocations of hair design and
3 cosmetology.

4 (b) The board shall

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

7 (2) authorize the issuance of licenses for schools of hair
8 design or cosmetology;

9 (3) set fees for licensing, issuing permits, license and
10 permit renewal, examining applicants and other charges as necessary to
11 cover the operating expenses of the board; fees set for licensing and
12 renewing of licenses for barbers under AS 08.13.150 may not exceed fees
13 charged for licensing, and renewing of licenses for practitioners;

14 (4) prepare an annual budget to be submitted to the legisla-
15 ture and request appropriations from the general fund, not exceeding the
16 income generated from fees, to cover operating expenses.

17 (c) The board may

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

19 (2) on its own motion, and shall, upon receipt of a written
20 complaint, conduct hearings and request the department to investigate
21 the practices of a person, shop, or school involved in the practice or
22 teaching of hairdressing or cosmetology;

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

25 Sec. 08.13.040. MEETINGS AND EXAMINATIONS. The board shall meet
26 as often as necessary to conduct its business, but shall hold at least
27 two examinations each year if applications for a license are pending.

28 Sec. 08.13.050. RECORDS OF THE BOARD. The board shall keep a
29 record of its proceedings related to the issuance, refusal, suspension

Sec. 6 - To be issued a
license for a ship ~~the~~
each applicant shall:

68.13.08¹ / Edw

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

4 (b) The period of apprenticeship required to qualify an applicant
5 for a license to practice cosmetology is ⁵⁰⁰1,000 hours. The apprenticeship
6 must be served in a shop approved by the board. The apprenticeship may
7 not be completed in less than six months from the date of its commence-
8 ment and must be completed in not less than one year from the date of
9 its commencement. ~~and~~

10 Sec. 08.13.090. EXAMINATIONS AND OTHER REQUIREMENTS. (a) A
11 written ^{and practical} examination shall be given to each applicant for examination at
12 a time and place determined by the board. The board may delegate the
13 power of examination to a committee of the board or a board member.

14 (b) The ^{WRITTEN} examination shall cover subjects designated by the board
15 and ^{the practical} shall test the applicant's knowledge of sanitary practices, safety
16 of all procedures, and use of instruments, equipment and chemicals
17 permitted within the field of practice for which the applicant is seeking
18 a license.

19 (c) The board may prescribe additional requirements for a license.

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

24 (b) A license shall state the areas of practice the practitioner
25 is qualified to perform. At the request of an applicant who has quali-
26 fied to perform hair design, the board shall issue a license designating
27 its holder as a "barber", "hairstylist", or both.

28 (c) A person holding a current valid license from a board of hair
29 design or cosmetology in another state or country is entitled to a

08.13-130 1 April

+ restored if the Applicant:

(a) satisfactorily passes the
examinations required in Sec
08-13.090.

(b) pays one year's license fee
in advance.

- allow grandfather rights
for all licenses

1 license under this chapter without examination. An application shall
2 include:

- 3 (1) proof of a foreign license;
4 (2) proof of completed training and working experience which
5 the board finds to meet the minimum requirements of the state;
6 (3) payment of an investigation fee.

7 Sec. 08.13.110. SCHOOL LICENSE. The board shall adopt regulations
8 for the licensing of schools of hair design and cosmetology. The regula-
9 tions shall include details of the curriculum, minimum hours of instruc-
10 tion, physical condition of the facilities, and financial responsibility
11 of the owner.

12 Sec. 08.13.120. DISPLAY OF LICENSE. A practitioner shall display
13 his license in a conspicuous location in his place of business. Each
14 shop owner is responsible for the display of the licenses of employees.
15 A practitioner who practices outside of a place of business shall carry
16 his license with him to be shown to persons upon whom work is performed.

17 Sec. 08.13.130. LAPSED LICENSE. A lapsed license may be rein-
18 stated if the license has not been lapsed for a period of more than one
19 year, and all renewal and delinquent fees for the period during which
20 the license has been lapsed are paid.

21 Sec. 08.13.140. GROUNDS FOR REFUSAL, SUSPENSION OR REVOCATION OF A
22 LICENSE OR TEMPORARY PERMIT. The board may refuse, suspend, or revoke a
23 license or temporary permit for failure to comply with this chapter,
24 with a regulation adopted under this chapter, or with an order of the
25 board.

26 Sec. 08.13.150. PREVIOUS LICENSURE. (a) A person holding a valid
27 license to practice barbering under AS 08.12 is licensed under this
28 chapter, and may continue to practice barbering under the conditions
29 imposed by AS 08.12 and the regulations issued under AS 08.12 except

1 that the license renewal fee for a barber licensed under this section
2 shall be the same as for a practitioner licensed under AS 08.13.

3 (b) The licensing and permit provisions of this chapter do not
4 apply to

5 (1) a person practicing hair design or cosmetology in a
6 community having a population of less than 1,000 people which is not
7 within 25 miles of a community of more than 1,000 people; *as long as*
8 *they only use those chemicals available to the general public*

9 (2) a shampoo person.

10 (c) A shop owner may be licensed to operate a shop without examina-
11 tion, but, unless he is a practitioner or exempted from the licensing
12 requirement under (b)(1) of this section, he may not conduct a business
13 of hair design or cosmetology without employing a manager who is a
14 practitioner.

15 Sec. 08.13.160. TEMPORARY PERMITS. (a) A person not licensed
16 under this chapter who wishes to practice and teach hair design or cos-
17 metology temporarily and primarily for educational purposes who is
18 otherwise qualified to practice hair design or cosmetology as determined
19 by the board shall first obtain a temporary permit.

20 (b) The temporary permit shall specify

21 (1) the purpose for which it is granted;

22 (2) the period during which the holder of the temporary
23 permit may practice; *not to exceed 14 days. - 5/1/82*

24 (3) the place or places the holder of the temporary permit
25 may practice.

26 Sec. 08.13.170. STUDENT PERMITS. A person attending a licensed
27 school of hair design or cosmetology, and a person apprenticed to a
28 practitioner in a shop approved by the board shall obtain a student
29 permit. A student permit to practice hair design is valid for two
years. A student permit to practice cosmetology is valid for one year.

**Supra of Jennifer B...*

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A student permit may not be renewed, but the board may issue a new student permit to the same person upon application. Credit earned under an expired student permit may be transferred to the new student permit as determined by the board.

Sec. 08.13.180. FAILURE TO POSSESS A LICENSE OR PERMIT. A person who practices hair design or cosmetology, or operates a school of hair design or cosmetology, or teaches in a school of hair design or cosmetology, without a license, temporary permit, or student permit is guilty of a class B misdemeanor.

ARTICLE 3. GENERAL PROVISIONS.

Sec. 08.13.190. DEPOSIT OF RECEIPTS. Money received by the board from the payment of fees shall be paid into the general fund of the state.

Sec. 08.13.200. HEALTH AND SANITARY CONDITIONS. Health and sanitary conditions in shops and schools of hair design and cosmetology shall be supervised by the Department of Health and Social Services. *Take upon Sanitation Regulation AB Division 10, 819-10-002 - 140. adopted here.*

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

(1) "apprentice" means a person at least 16 years of age who receives on-the-job training under the direct supervision of a practitioner, who does not receive a wage or commission, and for whose work no charge is made before he has received 350 hours of training;

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

→ (3) "cosmetology" means the use of the hands, mechanical or electric apparatus or appliances, cosmetic preparations, antiseptics, or lotions in massaging, cleansing, stimulating, or similar work on the human body for cosmetic purposes for a fee; *500 hours minimum*

(4) "hair design" means performing, for a fee, the following services for cosmetic purposes:

*Adopted on 10/10/02
10/10/02
10/10/02*

1 (A) shaving, trimming, or cutting the beard of a living
2 person; and

3 (B) arranging, styling, dressing, curling, temporary
4 waving, permanent waving, cutting, singeing, bleaching, coloring,
5 cleansing, conditioning, or similar work on the hair of a living
6 person;

7 (5) "practitioner" means a person licensed to practice hair
8 design or cosmetology under this chapter;

9 (6) "shampoo person" means a person who, for a fee, cleanses
10 or conditions the hair with products which have no affect other than
11 cleaning or conditioning under the supervision of a practitioner;

12 (7) "shop" is an establishment operated for the purpose of
13 engaging in hair design or cosmetology.

14 * Sec. 2. AS 08.03.010(c) is amended by adding a new paragraph to read:

15 (2) Board of Barbers and Hairdressers (AS 08.13.010) --
16 June 30, 1984.

17 * Sec. 3. AS 18.05.040(a)(9) is amended to read:

18 (9) standards of cleanliness and sanitation in connection
19 with the construction, operation and maintenance of a camp, cannery,
20 food handling establishment, food manufacturing plant, mattress manufac-
21 turing establishment, industrial plant, school, hair design or cosme-
22 tology [BARBER SHOP, COSMETOLOGICAL] establishment, soft drink estab-
23 lishment, beer and wine dispensaries, and for other similar establish-
24 ments in which insanitation may create a condition causative of disease.

25 * Sec. 4. AS 44.62.330(a) is amended by adding a new paragraph to read:

26 (47) Board of Barbers and Hairdressers (AS 08.13.010).

27 * Sec. 5. AS 08.03.010(b)(2) and (4); AS 08.12; AS 08.28; and AS 44.62.-
28 330(a)(1) and (7) are repealed.

29 * Sec. 6. It is the intention of the legislature that notwithstanding

1 AS 08.13.010 the persons who are serving on the Board of Barber Examiners
2 (AS 08.12.010) on June 29, 1980, shall serve as voting ex officio members of
3 the Board of Barbers and Hairdressers (AS 08.13) for the duration of the term
4 for which they were appointed.

5 * Sec. 7. This Act takes effect June 30, 1980.

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*Add
08.13.170
no word doc*

*5 members
of Board*

Original sponsor: Commerce Committee

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL -

6 For an Act entitled: "An Act relating to the regulation of the practice of
7 hair design and cosmetology; terminating the existence
8 of the Board of Barber Examiners and the Board of
9 Hairdressing and Beauty Culture Examiners; establishing
10 the Board of Barbers and Hairdressers; and providing
11 for an effective date."

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

13 * Section 1. AS 08 is amended by adding a new chapter to read:

14 CHAPTER 13. BARBERS AND HAIRDRESSERS.

15 ARTICLE 1. BOARD OF BARBERS AND HAIRDRESSERS.

16 Sec. 08.13.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is
17 created the Board of Barbers and Hairdressers consisting of five members
18 appointed by the governor.

19 (b) The board consists of

20 (1) four persons licensed under AS 08.13; and

21 (2) one public member.

22 Sec. 08.13.020. TERM OF OFFICE AND REMOVAL OF MEMBERS. Members
23 serve staggered terms of three years at the pleasure of the governor.
24 Members of the board may be appointed to serve no more than two consecu-
25 tive full terms.

26 Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board
27 shall exercise general control over the vocations of hair design and
28 cosmetology.

29 (b) The board shall

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

3 (2) authorize the issuance of licenses for schools of hair
4 design and schools of cosmetology;

5 (3) set fees for licensing, issuing permits, license and
6 permit renewal, examining applicants and other charges as necessary to
7 cover the operating expenses of the board; fees set for licensing and
8 renewing of licenses for barbers under AS 08.13.160(a) may not exceed
9 fees charged for licensing and renewing of licenses for practitioners;

10 (4) prepare an annual budget to be submitted to the legisla-
11 ture and request appropriations from the general fund, not exceeding the
12 income generated from fees, to cover operating expenses.

13 (c) The board may

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

15 (2) on its own motion, and shall, upon receipt of a written
16 complaint, conduct hearings and request the department to investigate
17 the practices of a person, shop, or school involved in the practice or
18 teaching of hair design or cosmetology;

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

21 Sec. 08.13.040. MEETINGS AND EXAMINATIONS. The board shall meet
22 as often as necessary to conduct its business, but shall hold at least
23 two examinations each year covering the field of hair design and two
24 examinations each year covering the field of cosmetology if applications
25 for a license are pending.

26 Sec. 08.13.050. RECORDS OF THE BOARD. The board shall keep a
27 record of its proceedings related to the issuance, refusal, suspension
28 and revocation of licenses and permits. The record shall contain the
29 name, place of business, and date of each license and permit issued and

1 shall be open to inspection by the public at all reasonable times. The
2 board shall submit an annual report on its operations to the governor.

3 ARTICLE 2. EXAMINATION AND LICENSING.

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

5 (1) practice hair design or cosmetology without a license,
6 temporary permit, or student permit unless exempted under AS 08.13.-
7 160(c);

8 (2) organize, open or conduct a school of hair design or
9 cosmetology without a license;

10 (3) operate a shop in violation of AS 08.13.120;

11 (4) permit a person in his employ or under his supervision
12 who is not exempted under AS 08.13.160(c) to practice hair design or
13 cosmetology without a license, temporary permit, or student permit;

14 (5) permit the use of his license, temporary permit, or
15 student permit by another person;

16 (6) obtain or attempt to obtain a license, temporary permit,
17 or student permit by fraudulent means.

18 Sec. 08.13.080. QUALIFICATIONS OF APPLICANTS. An applicant for
19 examination must

20 (1) have successfully completed all courses that a school of
21 hair design is required to teach in order to be licensed under AS 08.-
22 13.110 if applying for a license to practice hair design;

23 (2) have successfully completed all courses that a school of
24 cosmetology is required to teach in order to be licensed under AS 08.13.-
25 110 if applying for a license to practice cosmetology; or

26 (3) have served an apprenticeship under AS 08.13.082.

27 Sec. 08.13.082. APPRENTICESHIP. (a) The period of apprenticeship
28 required to qualify an applicant for a license to practice hair design
29 is 2,000 hours. The apprenticeship must be served in a shop approved by

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

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

10 Sec. 08.13.090. EXAMINATIONS AND OTHER REQUIREMENTS. (a) A
11 written examination shall be given to each applicant for examination at
12 a time and place determined by the board. The board may delegate the
13 power of examination to a committee of the board or a board member.

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

19 (c) The board may require a practical examination for licensure.

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

24 (b) A license shall state the areas of practice (hair design,
25 cosmetology, or both) which the practitioner is qualified to perform.
26 At the request of an applicant who has qualified to perform hair design,
27 the board shall issue a license designating its holder as a "barber",
28 "hairdresser", or both.

29 (c) A person holding a current valid license from a board of hair

1 design or cosmetology in another state or country is entitled to a
2 license under this chapter without examination. An application shall
3 include:

- 4 (1) proof of a foreign license;
- 5 (2) proof of completed training and working experience which
6 the board finds to meet the minimum requirements of the state;
- 7 (3) payment of an investigation fee.

8 Sec. 08.13.110. SCHOOL LICENSE. The board shall adopt regulations
9 for the licensing of schools of hair design and cosmetology. The regula-
10 tions shall include details of the curriculum, minimum hours of instruc-
11 tion, physical condition of the facilities, and financial responsibility
12 of the owner.

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

20 Sec. 08.13.130. DISPLAY OF LICENSE. A practitioner shall display
21 his license in a conspicuous location in his place of business. Each
22 shop owner is responsible for the display of the licenses of employees.
23 A practitioner who practices outside of a place of business shall carry
24 his license with him to be shown to persons upon whom work is performed.

25 Sec. 08.13.140. LAPSED LICENSE. A lapsed license may be rein-
26 stated if the license has not been lapsed for a period of more than
27 three years, and all renewal and delinquent fees for the period during
28 which the license has been lapsed are paid.

29 Sec. 08.13.150. GROUNDS FOR REFUSAL, SUSPENSION OR REVOCATION OF A

*"Grandfather" for
Barbers*

1 LICENSE OR TEMPORARY PERMIT. The board may refuse, suspend, or revoke a
2 license or temporary permit for failure to comply with this chapter,
3 with a regulation adopted under this chapter, or with an order of the
4 board.

5 Sec. 08.13.160. APPLICATION OF LICENSE REQUIREMENTS. (a) A
6 person holding a valid license to practice barbering under AS 08.12 is
7 licensed under this chapter, and may continue to practice barbering
8 under the conditions imposed by AS 08.12 and the regulations issued
9 under AS 08.12 except that the license renewal fee for a barber licensed
10 under this section shall be the same as for a practitioner licensed
11 under AS 08.13.

12 *Grandfather for "Beauty"*
(b) A person holding a valid license under AS 08.28 may continue
13 to practice under the conditions imposed under AS 08.28 and the regula-
14 tions issued under AS 08.28 until the license expires, at which time the
15 provisions of this chapter apply and a license issued under AS 08.28
16 cannot be renewed.

17 (c) The licensing and permit provisions of this chapter do not
18 apply to

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

23 (2) a shampoo person.

24 Sec. 08.13.170. TEMPORARY PERMITS. (a) A person not licensed
25 under this chapter who wishes to practice and teach hair design or cos-
26 metology temporarily and primarily for educational purposes who is
27 otherwise qualified to practice hair design or cosmetology as determined
28 by the board shall first obtain a temporary permit.

29 (b) The temporary permit shall specify

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

6 Sec. 08.13.180. STUDENT PERMITS. A person attending a licensed

7 school of hair design or cosmetology, and a person apprenticed to a

8 practitioner in a shop approved by the board shall obtain a student

9 permit. A student permit to practice hair design is valid for two

10 years. A student permit to practice cosmetology is valid for one year.

11 A student permit may not be renewed, but, upon application, the board

12 may issue a new student permit to the same person, or extend a permit

13 due to expire to the date of the next scheduled examination. Credit

14 earned under an expired student permit may be transferred to a new

15 student permit as determined by the board.

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

17 who practices hair design or cosmetology, or operates a shop, or operates

18 a school of hair design or cosmetology, or teaches in a school of hair

19 design or cosmetology, without a license, temporary permit, or student

20 permit and who is not exempt under AS 08.13.120 or under 08.13.160(c)

21 is guilty of a class B misdemeanor.

22 ARTICLE 3. GENERAL PROVISIONS.

23 Sec. 08.13.200. DEPOSIT OF RECEIPTS. Money received by the board

24 from the payment of fees shall be paid into the general fund of the

25 state.

26 Sec. 08.13.210. HEALTH AND SANITARY CONDITIONS. Health and sani-

27 tary conditions in shops and schools of hair design and cosmetology

28 shall be supervised by the Department of Health and Social Services.

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

1 (1) "apprentice" means a person who receives on-the-job
2 training under the direct supervision of a practitioner, who does not
3 receive a wage or commission before he has completed 350 hours of train-
4 ing, and for whose work no charge is made before he has completed 350
5 hours of training;

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

7 (3) "cosmetology" means the use of the hands, mechanical or
8 electric apparatus or appliances, cosmetic preparations, antiseptics, or
9 lotions in massaging, cleansing, stimulating, or similar work on the
10 human body for cosmetic purposes for a fee;

11 (4) "hair design" means performing, for a fee, the following
12 services for cosmetic purposes:

13 (A) shaving, trimming, or cutting the beard of a living
14 person; and

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

19 (5) "practitioner" means a person licensed to practice hair
20 design or cosmetology under this chapter;

21 (6) "shampoo person" means a person who, for a fee and under
22 the supervision of a practitioner, cleanses or conditions the hair of
23 the human head with products which have no effect other than cleaning or
24 conditioning the hair;

25 (7) "shop" is an establishment operated for the purpose of
26 engaging in hair design or cosmetology.

27 * Sec. 2. AS 08.03.010(c) is amended by adding a new paragraph to read:

28 (2) Board of Barbers and Hairdressers (AS 08.13.010) --
29 June 30, 1984.

1 * Sec. 3. AS 18.05.040(a)(9) is amended to read:

2 (9) standards of cleanliness and sanitation in connection
3 with the construction, operation and maintenance of a camp, cannery,
4 food handling establishment, food manufacturing plant, mattress manufac-
5 turing establishment, industrial plant, school, barber shop, hair design
6 or cosmetology [COSMETOLOGICAL] establishment, soft drink establishment,
7 beer and wine dispensaries, and for other similar establishments in
8 which insanitation may create a condition causative of disease.

9 * Sec. 4. AS 44.62.330(a) is amended by adding a new paragraph to read:

10 (47) Board of Barbers and Hairdressers (AS 08.13.010).

11 * Sec. 5. AS 08.03.010(b)(2) and (4); AS 08.12; AS 08.28; and AS 44.62.-
12 330(a)(1) and (7) are repealed.


13 * Sec. 6. It is the invention of the legislature that notwithstanding
14 AS 08.13.010 three persons selected by the governor who are serving on the
15 Board of Barber Examiners (AS 08.12.010) on June 29, 1980, shall serve as
16 voting ex officio members of the Board of Barbers and Hairdressers (AS 08.13)
17 for the duration of the term for which they were appointed.

18 * Sec. 7. This Act takes effect June 30, 1980.
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BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT Commerce & Econ. Develop.	SPONSOR (PRINCIPAL) Health, Education and Social Sycs. Committee	BILL NO. SB 215
DEPARTMENT POSITION Support.		
DIVISION DIRECTOR Occupational Licensing	DATE 03-13-79	COMMISSIONER DATE
GOVERNOR'S OFFICE USE		
<input type="checkbox"/> POSITION NOTED <input type="checkbox"/> POSITION APPROVED <input type="checkbox"/> POSITION DISAPPROVED		
BY: _____ DATE: _____		
SUMMARY		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)		
(2) OTHER AGENCIES AFFECTED BY BILL		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL Unknown.		(2) b. ORGANIZATIONAL OPPOSITION TO BILL Unknown.
(3) PROGRAM EFFECTS OF BILL		
Abolishes the Board of Barber Examiners and regulation of the profession.		
(4) FISCAL IMPACT: <input type="checkbox"/> NONE <input checked="" type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		

(6) COMMENTS:

The Division of Occupational Licensing supports SB 215, "An Act abolishing the Board of Barber Examiners." We believe that no public need has been demonstrated to justify a state board or state regulation of this profession. No complaints have been received involving this profession which concern potential harm to the public; most complaints have been directed against the board itself by applicants for licensure. Nine complaints were received in 1977 & 1978: 4 concerned unlicensed activity, 5 were against the Board, and none alleged or involved danger to the public.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 215

Title An act abolishing the Board of Barber Examiners

Requested by the Health, Education and Social Services Commission Date 3/14/79

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development

Program Category Affected Public Protection

Budget Request Unit(s) Affected Regulation and Licensing of Professions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	(3.4)	-0-	-0-	-0-	-0-
300 CONTRACTUAL	-0-	(.8)	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	(4.2)	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	(4.2)	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The above figures represent monies for two board meetings/exams per year and one hearing. Contractual costs include rental charges for the Anchorage Barber College for the examinations and miscellaneous postage and central duplication costs.

IV. DATE 3/14/79

PREPARED BY Don Hostak
AGENCY Occupational Licensing
PHONE 465-2534

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)