

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

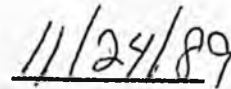
4213 SLAB HB 295 - HB 305 1693



# RECORDS CERTIFICATION

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Signature of Camera Operator

  
Date

HPB

2095

Bill No. House Bill 295

Date March 26, 1985

Title "An Act making a special appropriation to the Department of Labor for Study of Unemployment in Alaska and other issues related to Alaska hire; and providing for an effective date."

Contact: Robert Landau  
465-2700  
Eileen Plate  
465-2700

House Bill 295 makes an appropriation to the Department of Labor for a special study of unemployment and resident hire in Alaska.

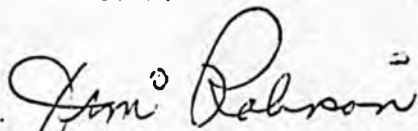
Specifically, under this appropriation measure, the Department would collect and analyze a variety of information on the impact of nonresidents on employment in Alaska. Currently, such information is not available in a form that will withstand legal scrutiny. Although the State's counsel in the pending resident hire lawsuit wove together different kinds of information to show the impact of nonresidents on employment, the Superior Court concluded that there was insufficient evidence to show that the influx of nonresident workers was a "peculiar source" of unemployment in the construction industry in Alaska against which the resident hire law was directed.

The study which this bill provides for was also recommended by a recent legal analysis prepared by Attorney Robert Goldberg. This analysis, "Legislative Remedies for Rural Unemployment," specifically recommends that the State collect a substantial body of specific, reliable data on unemployment, income, population trends, etc. and that specific legislative and/or administrative findings be made on the basis of the data.

The Department expects that the study will support the State's contention that nonresidents are a primary cause of high unemployment in Alaska, and that it will also show that the resident hire law is necessary to remedy the problem.

The Department strongly supports this proposal to fund a study of unemployment and resident hire in Alaska.

APPROVED:



Jim Robison, Commissioner  
Department of Labor

Alaska Department of Labor

Budget Detail for Continuing Research  
on Local Hire Related Issues

HB 295

<hr/>	
PERSONAL SERVICES	
Labor Economist II (6 Mo.)	21,400
Statistical Tech. I (4 Mo.)	11,100
Total Personal Services	32,500
TRAVEL	
Juneau-Anchorage (4 trips) *	1,800
Per Diem (8 3/4 days)	700
Total Travel	2,500
CONTRACTUAL	
Data Entry **	33,000
Printing	2,000
Programming	6,000
Data Processing Operations	20,000
Maint., Postage, Phone, Misc.	3,000
Total Contractual	64,000
COMMODITIES	
Office supplies	1,000
Total Commodities	1,000
<hr/>	
TOTAL	100,000

\* Meetings with the State's legal counsel.

\*\* Costs for HB 295 relate to data entry of the 1984 Certified Payrolls of State funded construction.

Chairman's Information:

1) HB 295: "An act making a special appropriation to the Department of Labor for study of unemployment in Alaska and other issues related to Alaska hire; and providing for an effective date."

a) Introduced: Boucher + 21 other House members

b) Co-Sponsors:

2) INTENT: This bill makes a special appropriation (\$100,000) to the Department of Labor for a study of unemployment and Alaska hire related issues.

FISCAL NOTE: Fiscal Note: \$100,000 (special appropriation)

NOTE:

3) ADDITIONAL REFERRALS: Finance

4) PUBLIC HEARINGS:

a) Sponsor:

b) Public witnesses:

5) BILL ACTION:

a) Hold in committee?

b) Assign to sub committee for further review?

c) Move from Committee?

d) close public hearings?

6) COMMITTEE ACTION:

a) amendments?

b) CS adoption?

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: HB 295  
 Title: "An Act making special appropriation for study of unemployment"  
 Sponsor: Boucher et. al.  
 Requestor: House Labor & Commerce  
 Date of Request: 4/10/85

FISCAL DETAIL

Agency Affected: Labor  
 Program Category Affected: Public Protection  
 BRU, Program or Subprogram(s) Affected: Commissioner's Office

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		100.0				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	100.0	0	0	0	0
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

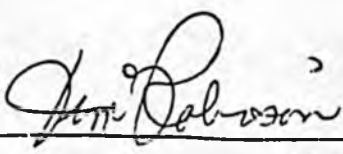
GENERAL FUND		100.0				
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	100.0	0	0	0	0

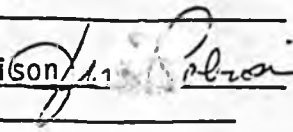
POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

See Attached

Prepared By: Jim Robison  Phone: 465-2700  
 Division: Commissioner Date: 4/10/85

Approved by Commissioner: Jim Robison  Date: 4/10/85  
 Agency: Labor

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget

Fiscal note

## FISCAL NOTE ANALYSIS

THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE

BILL/RESOLUTION NO.: HB 295

TITLE: "An Act making special appropriation for study of unemployment"

AGENCY AFFECTED: Department of Labor

This bill makes a special appropriation to the Alaska Department of Labor to study the affect of employment of nonresidents on unemployment among residents of Alaska and other issues related to Alaska hire.

### Assumptions:

1. The Alaska Department of Labor will assign a Labor Economist II for six months and a Statistical Technician I for four months to research and provide this information.
2. Approximately one third of the funds will be used to key enter Alaska's certified payrolls from state funded construction projects.
3. \$26,000 will be spent to complete crossmatches of the workers on the certified payroll with wage items on the unemployment insurance wage file, the unemployment insurance claimant file and permanent fund dividend recipients.
5. The project will begin immediately after the effective date of this legislation with a written summary to be presented to the Alaska Legislature by the first day of the next session.



# RECORDS CERTIFICATION



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James O. Smith  
Signature of Camera Operator

11/24/89  
Date

HPB

305

A PERFORMANCE REPORT  
ON THE  
BOARD OF BARBERS AND HAIRDRESSERS

July 1, 1980 to April 29, 1983

Audit Control Number  
08-1114-53-83-R

Commissioner, Department of  
Commerce and Economic Development

Richard A. Lyon

Deputy Commissioners, Department of  
Commerce and Economic Development

Vincent O'Reilly  
Terry Elder

Members of the Board  
of Barbers and Hairdressers

President  
Member  
Member  
Member  
Member

Maurice Smith  
Wilma Raduege  
Irene Roberts-Erickson  
Marse Kueber  
Vacant

# STATE OF ALASKA

AUDIT DIVISION  
POUCH W  
JUNEAU, ALASKA 99811

## THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

April 29, 1983

Members of the  
Legislative Budget and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the  
Alaska Statutes (sunset), the attached report is submitted  
for your review.

A PERFORMANCE REPORT  
ON THE  
BOARD OF BARBERS AND HAIRDRESSERS

July 1, 1980 to April 29, 1983



Gerald L. Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit

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## PURPOSE AND SCOPE OF THE REPORT

### PURPOSE

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Barbers and Hairdressers for the past three fiscal years. Our examination was conducted to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Board of Barbers and Hairdressers should be reestablished. The law now specifies that the Board will terminate June 30, 1984, and have one year from that date to conclude its affairs.

### SCOPE

The major areas of our examination were the licensing, examination, administration, complaint, and affirmative action functions of the Board. We reviewed and evaluated the following:

1. Applicable statutes and regulations.
2. Interviews with the licensing examiners.
3. Tests of files and documents of licensees.
4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, Attorney General's Office, and the Office of the Ombudsman.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General Opinions applicable to professional boards.
8. Discussions with the United States Food and Drug Administration.

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## ORGANIZATION AND FUNCTION

The Board of Barbers and Hairdressers was created in 1980. This Board is the result of the Legislature combining the Board of Barbers and the Board of Hairdressing and Beauty Culture Examiners. The membership of the Board consists of two licensed barbers, two licensed hairdressers, and one public member. Each member is appointed by the Governor for a three year term, but can serve no more than two consecutive full terms.

The Board regulates the vocations of barbering, hairdressing, and cosmetology. The Board has been given the authority to examine applicants, issue licenses and permits, suspend or revoke licenses and permits, and investigate complaints. The Board issues the following licenses: beauty or barber schools, school owners, shop owners, instructors, barbers, hairdressers, and cosmetologist practitioners. They also issue temporary and student permits.

The Board is organized under the Department of Commerce and Economic Development, Division of Occupational Licensing (OL). OL provides the Board with licensing and investigative support. The licensing section processes applications, maintains license files, answers inquiries and provides other administrative help to the Board.

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## REPORT CONCLUSION

### Policy Issues

This report contains policy issues raised as a result of our evaluation of Board practices. The final policy decisions affecting these practices are not within the scope of this report but require legislative consideration. In debating these issues, the oversight committee should take into consideration the Findings and Recommendations presented in this report so the potential impact of policy changes can be evaluated.

### Report Conclusion

The primary purpose of a regulatory board with a licensing function is to protect the public. The questions that have to be evaluated to determine if licensing is needed are:

1. Does the unlicensed practice pose a serious risk to the consumers' life, health, safety, or economic well-being?
2. Can the potential users be expected to possess the knowledge needed to properly evaluate the qualifications of those offering services?
3. Do the benefits to the public clearly outweigh any potential harmful effects, such as a decrease in the availability of practitioners, higher costs of services, and restriction on optimum utilization of personnel?

During our review to determine if the Board's licensing function is required and meets the previously mentioned criteria, we examined existing complimentary statutes, complaints, and various Board functions. As a result of our examination we found:

1. The Department of Environmental Conservation (DEC) is required by Alaska Statute 44.46.020 to adopt regulations for a standard of cleanliness and sanitation in connection with the construction, operation, and maintenance of barber shops, hairdressing, or cosmetology establishments. DEC has codified regulations to fulfill their statutory responsibility in 18 AAC 30.700-760. These statutes and regulations provide adequate protection for public sanitation.
2. Postsecondary Education, under the Department of Education, issues Certificates of Registration to postsecondary institutions (of which barber and beauty schools are) that meet minimum standards concerning quality of education, ethical and business practices, health and safety, and fiscal responsibility as required by AS- 14.48.010. These statutes provide protection to those students who wish to attend beauty college or barber school.

3. The Department of Revenue, as required by AS 43.70.020, issues business licenses to individuals engaging in business in this State.
4. Included in OL investigation/complaint files were complaints against Board members for their conduct during the State examination. They included asking improper questions, such as where the student went to school, not adequately examining the work performed by the student, changing final grades, including the grade of a Board member's apprentice, and holding the examination only in Fairbanks and Anchorage (see Recommendation No. 1).

As a result of our examination, we conclude that there is not sufficient reason to support the licensing of schools, school owners, shop owners, and instructors. The licensing of practitioners can be done by the Division of Occupational Licensing by licensing those individuals who have met predetermined educational or experience qualifications.

An alternative to licensing of practitioners would be certification. Certification is a form of State regulation that recognizes individuals who have met predetermined qualifications established by a state agency. Only those who meet the qualifications may legally use the designated title. Non-certified individuals may offer similar services to the public as long as they do not describe themselves as being "certified."

Therefore, we recommend that the Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

## FINDINGS AND RECOMMENDATIONS

### Recommendation No. 1

The Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

The primary purpose of a regulatory board with a licensing function is to protect the public. The questions that have to be evaluated to determine if licensing is needed are:

1. Does the unlicensed practice pose a serious risk to the consumers' life, health, safety, or economic well-being?
2. Can the potential users be expected to possess the knowledge needed to properly evaluate the qualifications of those offering services?
3. Do the benefits to the public clearly outweigh the potential harmful effects, such as a decrease in the availability of practitioners, higher costs of services, and restriction on optimum utilization of personnel?

During our review to determine if the Board's licensing function is required and meets the previously mentioned criteria, we examined existing complimentary statutes, complaints, and various Board functions. As a result of our examination we found:

- A. In two instances after the practical examination was given and grades were calculated, Board members and examination proctors reviewed the grades and changed six individuals' failing grades to passing grades (see Recommendation No. 4).
- B. For the past two and a half years, State examinations have been held exclusively in Anchorage and Fairbanks. Of the last 12 exams, 9 have been in Anchorage and 3 have been in Fairbanks. This presents an economic hardship to those students who wish to take the examination from other parts of the State, because they must pay travel and living expenses for themselves and their model for up to three days.
- C. There have been numerous complaints made to the Division of Occupational Licensing concerning the Board's conduct during the State examination.
- D. The Board issues duplicative and unnecessary licenses which only provide another layer of licensing without providing any additional public protection (see Recommendation No. 2).

The licensing of practitioners could be done by the Division of Occupational Licensing by licensing those individuals who have met predetermined education and experience qualifica-

tions. These qualifications could be obtained from either schooling or apprenticeship at the hourly requirement already established in the regulations.

An alternative to the licensing of practitioners would be certification. Certification grants recognition to individuals who have met predetermined qualifications. Only those who have met these qualifications may legally use the designated title, however, noncertified individuals may offer similar services to the public as long as they do not describe themselves as being certified. This would assist the public in identifying competent practitioners.

Because the public can be adequately protected through either licensing or certifying practitioners, we recommend that the Board of Barbers and Hairdressers be allowed to terminate on June 30, 1984.

However, in the event that the Board is reestablished we recommend the following changes be made in their operations.

Recommendation No. 2

The Board should seek legislation that would reduce and restrict its various licensing functions.

The Board, in addition to testing individual practitioners to determine their minimum qualifications for licensure, also issues four other categories of licenses. These other categories are schools, school owners, shop owners, and instructors. Each of these additional categories represent an extra unnecessary layer of licensing, specifically:

- A. Schools - AS 08.13.185 establishes the fee and 12 AAC-09.125 establishes the requirements for school licenses and in summary they are:
1. An initial fee of \$700 and biennial renewal fee of \$400.
  2. A Certificate of Registration issued by the Department of Education.
  3. The name of the school owner.
  4. The location of the school with an exact description of the floor plan that meets the Board's specifications.

In addition to the license issued by the Board, a school has to obtain a business license issued by the Department of Revenue which also requires the owner's name, school location, and a \$25.00 fee. In order to obtain a Certificate of Registration from the Department of Education, the school has to meet the minimum standards set out in AS 14.48.060. Among these are, the school can operate so that "the quality and content of each course or program of instruction, train-

ing or study are such as may reasonably and adequately achieve the stated objective for which the course or program is offered," and, that "the institution has, or has access to adequate space, equipment, instructional materials, and personnel where applicable to achieve the stated objective of the course or program of study." There is an initial \$100 fee with additional renewal fees for the Certificate of Registration.

B. School Owner - AS 08.135 establishes the fee and 12-AAC 09.120 establishes the requirements for a school owner's license and in summary they are:

1. An initial fee of \$70 with a biennial renewal fee of \$60.
2. The names of all parties having financial interest in the school.
3. A copy of the valid bond filed with the Department of Education.

Again, a business license requires the names of the owners, and the bond is already required to be filed with the Department of Education.

C. Shop Owner - AS 08.13.185 establishes the fee and 12 AAC 09.110 establishes the requirements for a shop owner's license and in summary they are:

1. An initial fee of \$45 with a biennial renewal fee of \$40.
2. The business name, physical location, and addresses of all shops owned.
3. A report of a sanitary health inspection by the Department of Environmental Conservation.
4. The license number of the practitioner employed as a manager of the shop if the owner is not a licensed practitioner.

The Department of Environmental Conservation has independent statutory authority in AS 44.46.020 to adopt regulations for "standard of cleanliness and sanitation in connection with the construction, operation, and maintenance of . . . barber-shops, hairdressing or cosmetology establishments." Again, a business license requires the name and location information. The fourth requirement is unnecessary; there is no additional protection gained from having a licensed practitioner as owner or manager when all the employees have to be licensed practitioners.

D. Instructors - The statutory authority for licensing instructors is construed from AS 08.13.185, which

establishes an instructor's license fee of \$70 and a \$60 biennial renewal fee. Using that as authority, the Board adopted regulations for licensing of instructors. The licensing requirements established in the regulation are summarized as follows:

1. A current practitioner's license.
2. Three years of practice or one year of practice and six-hundred hours of student instructor training.
3. Passing the written and practical portions of the instructor's examination given by the Board.

The licensing of these instructors is not necessary since the third minimum standard required by the Department of Education for their Certificate of Registration in AS 14.48-.060 is that "the education or experience qualifications of directors, administrators, supervisors, and instructors are such as may reasonably insure that the students will receive education consistent with the objectives of the course or program of study."

As we have seen, each of the four categories represent an unnecessary and duplicative licensing function.

The Board tests each individual to determine if they have the minimum qualifications to practice all phases of their profession. Therefore, the additional categories of licensing provide no additional public protection.

### Recommendation No. 3

The Board should review existing statutes and regulations and seek appropriate revision where necessary.

During our examination, we reviewed the Board's statutes and regulations to determine if any were obsolete, vague, or unduly restrictive. Examples of what we found are as follows:

- A. The Board has promulgated considerable regulations for the licensing of instructors when the only statutory authority to issue instructors' licenses is implied by AS 08.13.185 which defines license fees.
- B. AS 08.13.120 authorizes and 12 AAC 09.110(b) provides the criteria for the licensing of shops, however, the Board does not license shops.
- C. AS 08.13.120 also requires that either the shop owner be a licensed practitioner, or employ a licensed practitioner as the manager. Since all practitioners in the shop must be licensed, that requirement is not necessary.

AS 08.13.030 provides that the Board shall exercise general control over the vocations of barbering, hairdressing, and cosmetology. This cannot be done effectively without clear and concise statutes and regulations. Therefore, the Board should review their statutes and regulations for obsolescence, vagueness, and restrictiveness, and propose appropriate changes where necessary.

Recommendation No. 4

The Board should improve their procedures for the administration of the State examination.

We reviewed the examination function of the Board and noted problems and complaints concerning the Board's administration of the examination, specifically:

- A. The State examination is currently given only in Anchorage and Fairbanks. While we recognize that these locations represent the residence of a large majority of students taking the examination, there remains a high economic cost to students from other parts of the State who have to pay travel and living expenses for themselves and their model for the duration of the examination. We suggest that the Board administer the examination periodically statewide with the possible use of examination proctors.
- B. After two separate examinations, the Board members and proctors met after the practical examination had been completed. They reviewed the score sheets and in six cases, changed failing grades to passing grades. The Division of Occupational Licensing has notified the Board that grades cannot be changed at a post-examination review session.
- C. The Division of Occupational Licensing has received numerous complaints from students concerning Board members' behavior during the practical examination. The complaints included Board members asking students questions such as where they went to school, and not adequately checking the work done by the students. Again, Occupational Licensing sent a letter to the Board addressing these and other problems and offered suggestions for their possible resolution.

According to AS 08.13.030, it is the Board's duty to examine applicants and approve the issuance of licenses and permits to practice. We, therefore, recommend the Board improve their procedures for administering the State examination.

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## ANALYSIS OF PUBLIC NEED

### Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas we were able to cover during our review.

- I. The extent to which the board, commission or program has operated in the public interest.
  - A. The Board issues licenses to schools, school owners, shop owners, and instructors that are unnecessary (see Recommendation No. 2).
  - B. The Board has only held the State examinations in Fairbanks and Anchorage. Of the last 12 examinations, 9 have been in Anchorage and 3 in Fairbanks. This can cause an economic hardship to individuals from other parts of the State who have to travel to take the examination (see Recommendation No. 4).
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
  - A. The Board is not issuing shop licenses as required by Alaska Statute 08.13.120 (see Recommendation No. 3).
- III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.
  - A. The Board proposed various statutory changes to definitions of a cosmetician, an instructor, and other statutory areas. None of these changes have been submitted to the Legislature from the Executive Branch.
- IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.
  - A. Board meetings are announced to the public. Comments on regulation changes are solicited by announcement in public newspapers. The Board does not actively solicit comments on its effectiveness.

- V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.
- A. The Board has published notices of its meetings in Anchorage, Fairbanks, and Juneau. However, such notices have not always been published in a consistent and timely manner as required by statute.
- VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board, or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved.
- A. During our review, we found the average case length for complaints and investigations filed with the Office of the Ombudsman to be approximately 1 month; with the Division of Occupational Licensing, approximately 7 months, and; with the Attorney General's Office, Consumer Protection Agency was approximately 1 month.
- VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.
- A. In two instances after the practical examination was completed and the final grades were calculated, the Board members and examination proctors reviewed the grades and changed six individuals' grades in various sections of the examination from failing to passing (see Recommendation Nos. 1 and 4).
- B. According to the Division of Occupational Licensing's records for the Fiscal Year 1982, there were a total of 464 new licenses issued. Of these new licenses, 181 were issued by credentials.
- VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.
- A. Applications for licensure as a practitioner require information and photographs which the Division of Equal Employment Opportunity (EEO) believes may not be necessary to determine the qualifications of the applicant.

- IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the recommendations section of this report.

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APPENDIX A

BOARD OF BARBERS AND HAIRDRESSERS  
REVENUES COMPARED WITH EXPENDITURES  
 For the Fiscal Year Ended June 30, 1982

(UNAUDITED)  
 (Note 1)

Average Revenues (Note 2)	\$75,697
Less: Expenditures (Note 3)	<u>70,713</u>
Excess of Expenditures Over Revenues	<u>\$ 4,984</u>

<u>Revenue Type</u>	<u>Amount</u>	<u>Collection Time</u>
School	\$ 700	With license issuance
School Renewal	400	Biennially
School Owner	70	With license issuance
School Owner Renewal	60	Biennially
Instructor	70	With license issuance
Instructor Renewal	60	Biennially
Shop Owner	45	With license issuance
Shop Owner Renewal	40	Biennially
Barber Practitioner	:	With license renewal
Barber Practitioner Renewal	40	Biennially
Hairdresser Practitioner	55	With license issuance
Hairdresser Practitioner Renewal	40	Biennially
Cosmetology Practitioner	45	With license issuance
Cosmetology Practitioner Renewal	30	Biennially
Temporary Permit	30	With permit issuance
Student Permit	20	With permit issuance
Examination	25	With application
Investigation	25	With application
Delinquent Fee for Late Renewal	20	With application

Note 1

This revenue/expenditure comparison was prepared from available records and discussions with Occupational Licensing personnel. The records were not audited by us and accordingly we do not express an opinion on the Board's Revenues Compared with Expenditures.

Note 2

The majority of the revenues collected are composed of license renewal fees. These fees are collected by most boards once every two or four years and causes revenues in one year to be much greater than the revenues collected in the next year. Therefore, we calculated and reported an average of the revenues collected in Fiscal Years 1981 and 1982 in order to obtain a more accurate representation of revenues collected.

Note 3

Expenditures include those made by board members, such as travel and per diem, and an allocated percentage (estimated) of total administrative expenses of the Division of Occupational Licensing. They do not include expenditures for efforts of other departments (such as the Department of Law) assisting the boards and the Division.

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# STATE OF ALASKA

## DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH D  
JUNEAU, ALASKA 99811  
PHONE: 465-2500

August 12, 1983

Mr. Gerald Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit  
Legislative Affairs Agency  
Pouch W  
Juneau, Alaska 99811



Dear Mr. Wilkerson:

Re: Preliminary Audit Report  
Board of Barbers and Hairdressers

Thank you for the opportunity to comment on the Preliminary Audit Report of the Board of Barbers and Hairdressers. We have reviewed your recommendations and, based on information you supplied and information in our files, at this time we concur that the Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

Opposition to this position will come from licensed professionals. The consuming public has indicated neither support for continuing nor dissolving the board. Complaints have been made that the board was not acting in the best interests of hairdresser students.

### RECOMMENDATION #1

The Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

We would concur. However, we will respond to those individual items your report has listed as A, B, C, and D.

Item A. We concur. This problem did occur. The division has attempted to correct this type of action by requiring the Licensing Examiner to place the score sheets in a sealed envelope.

Item B. Your assessment is correct. However, Anchorage and Fairbanks are the only locations where there are schools with sufficient facilities that can accommodate the number of applicants who must be tested.

Item C. This statement is correct. Complaints have been discussed with the board.

Item D. Response follows (see Recommendation #2).

RECOMMENDATION #2

The board should seek legislation that would reduce and restrict its various licensing functions.

We disagree with the general assumption that the additional categories of licensure represent an unnecessary layer of licensing. Each category evaluates and identifies separate functions. We would agree to eliminate the school owner license, but would strongly support continued licensing of the facility. Students are able to obtain State student loans to attend beauty and/or barbering schools. The school should be responsible for an accurate and legitimate course of training or instructions. We would not be opposed to having all fees paid to one State agency, be it Department of Education or the Department of Commerce and Economic Development.

We support some registration or recording of the shop owner, for public protection. It would be necessary to identify a responsible party for redress of damages in the event of public harm.

Because instructor fees are addressed in statutory language, it is assumed the legislative intent was another level of competency. It also substantiates a licensee just out of beauty school could not begin teaching others. We would support a position of graduation from a licensed school and a specified number of years in practical experience to qualify for an instructor's license.

The additional licensing does offer additional public protection by insuring competent practitioners.

RECOMMENDATION #3

The board should review existing statutes and regulations and seek appropriate revision where necessary.

We would concur with this recommendation in substance. The board has continually worked on regulations. Efforts were made for statutory change.

RECOMMENDATION #4

The board should improve their procedures for the administration of the State examination.

We agree. Responses to the items listed as A, B, and C were provided on previous pages of this response.

Division records will reflect that efforts were made to address these problems and assist the board. They recently began training licensed professionals to serve as proctors. With the division's assistance, extra examinations were conducted to reduce the expense to a number of applicants from the Kenai area.

Mr. Gerald Wilkerson, CPA

-3-

August 12, 1983

The division is currently polling the licensed professionals as to the attitude toward the existing State examination process. The survey asks if there is a need for State examinations.

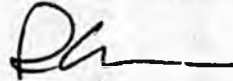
We would encourage schools to assume responsibility of graduating competent, qualified professionals and to set graduation standards to ensure only those meeting professional criteria would receive diplomas or certificates.

Should the survey indicate a desire to eliminate State exams, we would look toward higher requirements in courses and for graduation.

Persons entering the profession by apprenticeship could be required to pass a school examination before licensure.

Again, thank you for the opportunity to respond to your Preliminary Audit Report.

Sincerely,



Richard A. Lyon  
Commissioner

RAL/mc5/3  
812a



# Senate Finance Committee

Senator Jan Falks, Co-Chairman    Senator John Sackett, Co-Chairman

---

JCS:

Hairdressers/barbers:

Aside from the fact that I think it's dumb that the state has to regulate who cuts your hair the amendments requested by the Board (through John Melvin) do provide for a greater degree of flexibility in determining who shall be licensed to cut hair in Alaska.

Largely, they want to make sure that people who provide hair dressing services are properly trained and know what they're doing.

The amendments make sense and would, in my opinion, add to the bill.

Thur. May 8th

JCS:

Attached is a copy of the BARBERS/HAIRDRESSERS bill, SCS CSHB 305 (L&C), which was held till today.

John Melvin called and wanted additions to the bill.

I have drafted the two amendments (attached).

Amendment #1 adds a new phrase to existing law which would give the board more discretionary authority when deciding to reinstate a license.

Amendment #2 would add a new subsection to the Qualifications of Applicants chapter of existing statutes, broadening the requirements of applicants for licensure and giving the board flexibility in deciding an applicants qualifications for licensure.

The reason these amendments were not added in committee is because the board just held a meeting following labor and commerce's committee issuance of the CS for HB-305.

Proposed Statutory Changes to AS 08.13,

Barbers and Hairdressers

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

Section 08.13.080. Qualifications of Applicants. An applicant for examination must

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

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

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

(4) have served an apprenticeship under AS 08.13.032 [(Sec. 1 Ch 159 SLA 1980)]; or

(5) have completed a combination of coursework and apprenticeship acceptable to the board. (Sec. 1 Ch 154 SLA 1980)

ND/dg15258D  
043086b

Amendment #1  
SACKETT

AMENDMENT to SCS CSIB 305(L&C), relating to barbers, hairdressers,  
and cosmetologists,

*add new Sec. 8 A 508.13.140 is amended to read:*

Page 4, line 9, ~~ADD a new section to read:~~

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

Renumber remaining sections accordingly

AMENDMENT #2

by Sackett

SCS CSHB 305(L&C), relating to barbers, hairdressers, and  
cosmetologists,

Page 3, line 6: following the word "instructor" delete the  
period, add a semi-colon and the word or, and  
on line 7, add a new subsection to read:

(6)have completed a combination of coursework and  
apprenticeship acceptable to the board. (Sec. 1 Ch 159  
SLA 1980).

WORK DRAFT

WORK DRAFT

WORK DRAFT

Cramer  
4/28/86

Original sponsors: Sund, Taylor,  
Jenkins and Collins

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

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

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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7 metologists; and providing for an effective date."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15           Sec. 13.080. QUALIFICATIONS OF APPLICANTS. An applicant for  
16 examination must

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

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

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

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

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

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

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

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

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

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

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

24                   (3) payment of a credential investigation fee.

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

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

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

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

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

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

16 (2) a shampoo person;

17 (3) a licensed health care professional;

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

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

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

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

28 (2) care of clients with limited mobility;

29 (3) participation in charitable events; and

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

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

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

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

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16 permit to practice cosmetology is valid for one year. A student  
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18 a new permit to the same person, or extend an expired permit to the  
19 date of the next scheduled examination. Credit earned under an ex-  
20 pired student permit may be transferred to a new permit as determined  
21 by the board.

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

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

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29 training under [THE] direct supervision [OF A PRACTITIONER, WHO DOES

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

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

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

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

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

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

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

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

*Cramer*

*Sund*  
*Nancy Pennington*  
*Dorie Hutish*

*Title Change*

WORK DRAFT

WORK DRAFT

WORK DRAFT

Original sponsors: Sund, Taylor,  
Jenkins and Collins

*Set Fee!*

Cramer  
4/28/86

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BY THE LABOR AND  
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15 for a fee;

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

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

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

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

Offered: 3/3/86  
Referred: Rules

Original sponsors: Sund, Taylor  
and Jenkins

1 IN THE HOUSE BY THE FINANCE COMMITTEE  
2 CS FOR HOUSE BILL NO. 305 (Finance)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to barbers, cosmetologists, and  
7 estheticians; and providing for an effective date."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. AS 08.01.010(24) is amended to read:  
10 (24) Board of Barbers and Cosmetologists [HAIRDRESSERS]  
11 (AS 08.13.010).  
12 \* Sec. 2. AS 08.03.010(c)(16) is amended to read:  
13 (16) Board of Barbers and Cosmetologists [HAIRDRESSERS]  
14 (AS 08.13.010) -- June 30, 1989 [1986].  
15 \* Sec. 3. AS 08.13.010 is amended to read:  
16 Sec. 08.13.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is  
17 created the Board of Barbers and Cosmetologists [HAIRDRESSERS] con-  
18 sisting of five members appointed by the governor.  
19 (b) The board consists of  
20 (1) two persons licensed as barbers under this chapter;  
21 (2) two persons licensed as cosmetologists [HAIRDRESSERS]  
22 under this chapter; and  
23 (3) one public member.  
24 \* Sec. 4. AS 08.13.030 is amended to read:  
25 Sec. 08.13.030. POWERS AND DUTIES OF THE BOARD. (a) The board  
26 shall exercise general control over the vocations of barbering, cosme-  
27 tology, esthetics, and manicure and pedicure [HAIRDRESSING, AND COSME-  
28 TOLOGY].  
29 (b) The board shall

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

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

5 (c) The board may

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (3) payment of a credential investigation fee.

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

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

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

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

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

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

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

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

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

17 (1) a person practicing barbering, cosmetology, esthetics,  
18 or manicure and pedicure [HAIRDRESSING, OR COSMETOLOGY] in a community  
19 having a population of less than 1,000 people that [WHICH] is not  
20 within 25 miles of a community of more than 1,000 people and who uses  
21 only chemicals available to the general public;

22 (2) a shampoo person;

23 (3) a licensed health care professional;

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

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

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

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

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

5 (2) care of clients with limited mobility;

6 (3) participation in charitable events; and

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

9 \* Sec. 16. AS 08.13.170 is repealed and reenacted to read:

10 Sec. 08.13.170. TEMPORARY PERMITS. The department shall issue a  
11 temporary permit to an applicant for licensing who holds a license to  
12 practice as a barber, cosmetologist, esthetician, manicurist or pedi-  
13 curist in another state. The permit is valid until the board either  
14 issues a permanent license or rejects the application. The board  
15 shall act on an application within six months.

16 \* Sec. 17. AS 08.13.180 is amended to read:

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

1 \* Sec. 18. AS 08.13.180 is amended by adding a new subsection to read:

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

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

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

6 \* Sec. 19. AS 08.13.185 is repealed and reenacted to read:

7 Sec. 08.13.185. FEES. The department shall adopt regulations  
8 under AS 08.01.065 that establish the amount and manner of payment of  
9 fees for examination and investigation, and for initial licenses and  
10 renewals for the following:

11 (1) schools;

12 (2) school owners;

13 (3) instructor;

14 (4) shop owner;

15 (5) practitioner of barbering;

16 (6) practitioner of cosmetology;

17 (7) practitioner of esthetics;

18 (8) practitioner of manicure and pedicure;

19 (9) student permit.

20 \* Sec. 20. AS 08.13.190 is amended to read:

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

1 \* Sec. 21. AS 08.13.210 is amended to read:

2 Sec. 08.13.210. HEALTH AND SANITARY CONDITIONS. Health and  
3 sanitary conditions in shops and schools of barbering, cosmetology,  
4 esthetics, and manicuring and pedicuring [HAIRDRESSING, AND COSMETOL-  
5 OGY] shall be supervised by the Department of Environmental Conserva-  
6 tion [HEALTH AND SOCIAL SERVICES].

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

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

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

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

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

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

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

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

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

5 (C) esthetics; and

6 (D) manicure or pedicure;

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

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

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

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

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

21 Sec. 44.46.020. DUTIES OF DEPARTMENT. The Department of En-  
22 vironmental Conservation shall

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

26 (2) have primary responsibility for the adoption and en-  
27 forcement of regulations setting standards for the prevention and  
28 abatement of all water, land, subsurface land and air pollution, and  
29 other sources or potential sources of pollution of the environment,

1 including by way of example only, petroleum and natural gas pipelines;

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

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

6 (5) adopt regulations for

7 (A) the prevention and control of public health nui-  
8 sances;

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

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

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

22 \* Sec. 24. AS 44.62.330(a)(51) is amended to read:

23 (51) Board of Barbers and Cosmetologists [HAIRDRESSERS]

24 (AS 08.13.010)

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

1           (b) Notwithstanding AS 08.13.090, the Board of Barbers and Cosmetolo-  
2 gists shall issue a license to practice manicure and pedicure to a person  
3 who is a practitioner of manicure and pedicure in the state on the effec-  
4 tive date of this Act without examination.

5           \* Sec. 26. This Act takes effect immediately in accordance with AS 01.-  
6 10.070(c).

## NOTES TO DECISIONS

**Practice of law not defined.** — There is no rule defining the practice of law. Nor is there a statute defining the term except in the context of the requirements of active

practice of law as a qualification for justices. In re Robson, Sup. Ct. Op. No. 1573 (File No. 3448), 575 P.2d 771 (1978).

**Sec. 08.08.240. Suspension upon conviction of certain crime.**

Repealed by § 11 ch 181 SLA 1976.

**Editor's notes.** — The repealed section derived from § 13, ch. 196, SLA 1955.

**Article 5. General Provisions.**

**Section**

245. [Repealed]  
250. Short title

**Sec. 08.08.245. Definitions.**

Repealed by § 3 ch 135 SLA 1967.

**Editor's notes.** — The repealed section derived from § 3, ch. 47, SLA 1965.

**Sec. 08.08.250. Short title.** This chapter may be cited as the Alaska Integrated Bar Act. (§ 1 ch 196 SLA 1955)

**Chapter 13. Barbers and Hairdressers.**

**Article**

1. Board of Barbers and Hairdressers (§§ 08.13.010 — 08.13.050)
2. Examination and Licensing (§§ 08.13.070 — 08.13.190)
3. General Provisions (§§ 08.13.200 — 08.13.220)

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**Collateral references.** — 10 Am. Jur. 2d, Barbers and Cosmetologists, §§ 1-15.  
53 C.J.S., Licenses, §§ 1-3.

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**Article 1. Board of Barbers and Hairdressers.**

**Section**

10. Creation and membership of board  
20. Term of office and removal of members  
30. Powers and duties of the board

**Section**

40. Meetings and examinations  
50. Records of the board

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

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

(4) have served an apprenticeship under AS 08.13.082. (§ 1 ch 159 SLA 1980)

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

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

(c) The period of apprenticeship required to qualify an applicant for a license to practice cosmetology is 350 hours. The apprenticeship must be served in a shop approved by the board. The apprenticeship may not be completed in less than six months from the date of its commencement and must be completed in not more than one year from the date of its commencement. (§ 1 ch 159 SLA 1980)

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

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

(c) The board may by regulation establish requirements for a practical examination for licensure. (§ 1 ch 159 SLA 1980)

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

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

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

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

- (1) proof of a valid license issued by another licensing jurisdiction;
- (2) proof of completed training and working experience which the board finds to meet the minimum requirements of the state;
- (3) payment of a credential investigation fee. (§ 1 ch 159 SLA 1980)

**Sec. 08.13.110. School license.** The board shall adopt regulations for the licensing of schools of barbering, hairdressing, and cosmetology. The regulations shall include details of the curriculum, minimum hours of instruction, physical condition of the facilities, and financial responsibility of the owner. (§ 1 ch 159 SLA 1980)

**Sec. 08.13.120. Shop license.** The board shall adopt regulations for the licensing of shops. A shop owner will be licensed to operate a shop without examination, but unless the shop owner is a practitioner the shop owner may not conduct business without employing a manager who is a practitioner. This section does not apply to a shop located in a community having a population of less than 1,000 people which is not within 25 miles of a community of more than 1,000 people. (§ 1 ch 159 SLA 1980)

**Editor's notes.** — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

**Sec. 08.13.130. Display of license or permit.** Practitioners shall display their license in a conspicuous location in their place of business. Each shop owner is responsible for the display of the licenses of employees. Practitioners who practice outside of a place of business shall carry their license with them to be shown to persons upon whom work is performed. A person holding a student permit or temporary permit shall have that permit available for inspection when engaged in practice. (§ 1 ch 159 SLA 1980)

**Editor's notes.** — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

**Sec. 08.13.140. Lapsed license.** A lapsed license may be reinstated if the license has not been lapsed for a period of more than three years, and all renewal and delinquent fees for the period during which the license has been lapsed are paid. (§ 1 ch 159 SLA 1980)

**Sec. 08.13.150. Grounds for refusal, suspension or revocation of a license or permit.** The board may refuse, suspend, or revoke a license, student permit, or temporary permit for failure to comply with this chapter, with a regulation adopted under this chapter, or with an order of the board. (§ 1 ch 159 SLA 1980)

**Collateral references.** — Cancellation or suspension irrespective of licensee's personal fault, validity of statute or rule making specified conduct or condition the ground for. 3 ALR2d 107.

Bias of members of license revocation board. 97 ALR2d 1210.

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

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

(c) A person holding a valid license issued under former AS 08.12 or former AS 08.28 shall be entitled upon its expiration to a license to practice under this chapter in the field of practice for which the person was originally licensed, without meeting requirements for new licensure.

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

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

(2) a shampoo person. (§ 1 ch 159 SLA 1980)

**Editor's notes.** — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

AS 08.12, referred to in this section, was

repealed by § 5, ch. 159, SLA 1981. AS 08.28, also referred to in this section, was repealed by § 3, ch. 59, SLA 1966, § 3, ch. 46, SLA 1968, § 7, ch. 94, SLA 1978 and § 5, ch. 159, SLA 1980.

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

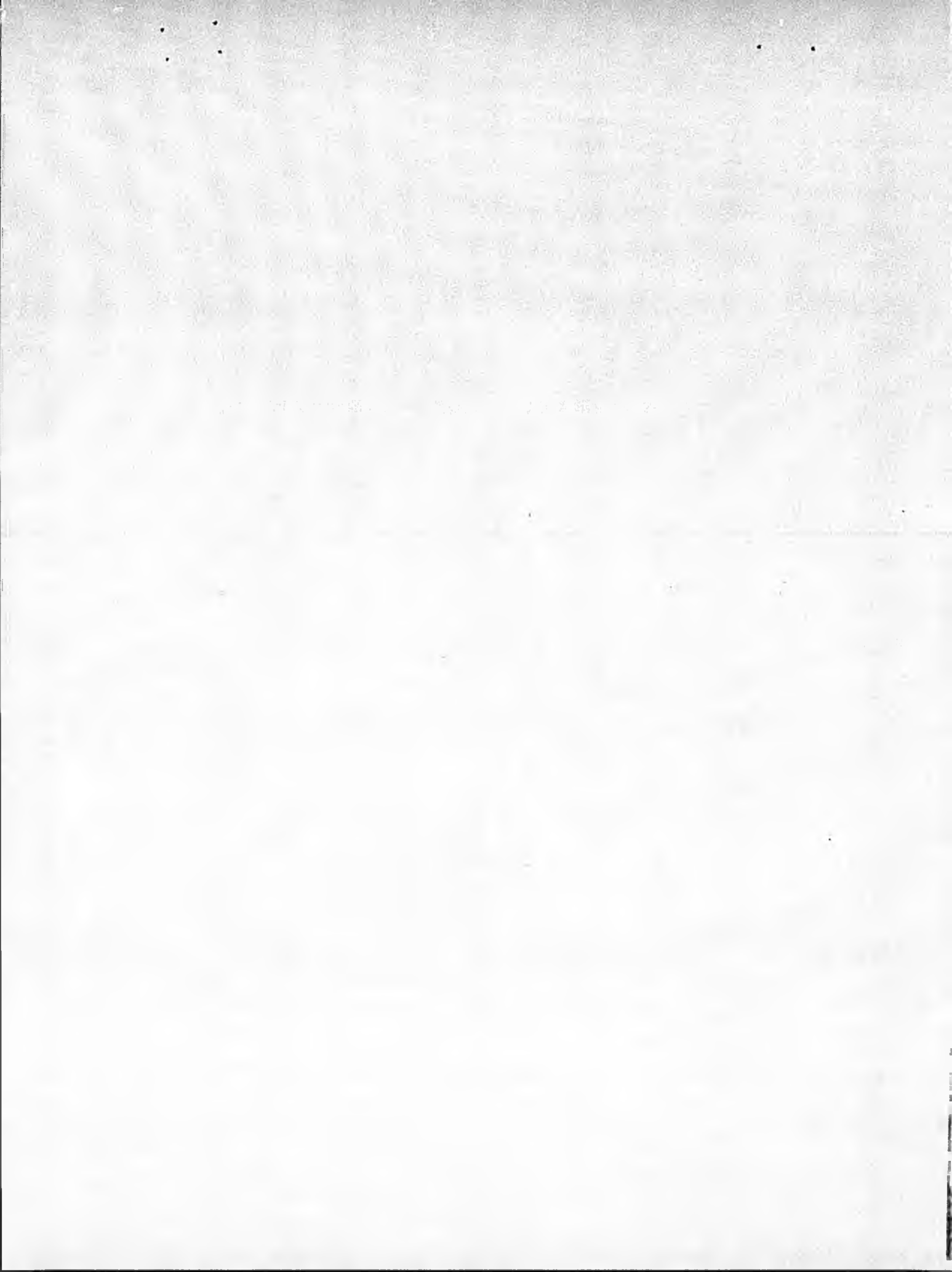
- (b) The temporary permit shall specify
- (1) the purpose for which it is granted;
  - (2) the period during which the holder of the temporary permit may practice;
  - (3) the place or places the holder of the temporary permit may practice. (§ 1 ch 159 SLA 1980)

**Sec. 08.13.180. Student permits.** A person attending a licensed school of barbering, hairdressing, or cosmetology, and a person apprenticed to a practitioner in a shop approved by the board shall obtain a student permit. A student permit to practice barbering or hairdressing is valid for two years. A student permit to practice cosmetology is valid for one year. A student permit may not be renewed, but, upon application, the board may issue a new permit to the same person, or extend an expired permit to the date of the next scheduled examination. Credit earned under an expired student permit may be transferred to a new permit as determined by the board. (§ 1 ch 159 SLA 1980)

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

- (1) schools:
  - initial two-year license fee . . . . . \$700
  - biennial renewal . . . . . 400
- (2) school owner:
  - initial two-year license fee . . . . . \$ 70
  - biennial renewal . . . . . 60
- (3) instructor:
  - initial two-year license fee . . . . . \$ 70
  - biennial renewal . . . . . 60
- (4) shop owner:
  - initial two-year license fee . . . . . \$ 45
  - biennial renewal . . . . . 40
- (5) practitioner of barbering:
  - initial two-year license fee . . . . . \$ 55
  - biennial renewal . . . . . 40
- (6) practitioner of hairdressing:
  - initial two-year license fee . . . . . \$ 55
  - biennial renewal . . . . . 40
- (7) practitioner of cosmetology:
  - initial two-year license fee . . . . . \$ 45
  - biennial renewal . . . . . 30
- (8) temporary permit . . . . . \$ 30
- (9) student permit . . . . . \$ 20
- (10) examination fee . . . . . \$ 25
- (11) investigation fee . . . . . \$ 25
- (12) delinquent fee for late renewal . . . . . \$ 20

(§ 1 ch 159 SLA 1980)



STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/26/86

**REQUEST**

Bill/Resolution No.: CSHR 305 (FTN)  
 Title: Barbers & Hairdressers  
 \_\_\_\_\_  
 Sponsor: Sund  
 Requestor: House Finance Committee  
 Date of Request: 2/26/86

**FISCAL DETAIL**

Agency Affected: Commerce  
 BRU: Occupational Licensing  
 \_\_\_\_\_  
 Components: \_\_\_\_\_  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		0	0	0	0	0
TRAVEL		0	0	0	0	0
CONTRACTUAL		0	0	0	0	0
SUPPLIES		0	0	0	0	0
EQUIPMENT		0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING		0	0	0	0	0

CAPITAL		0	0	0	0	0
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REVENUE		0	0	0	0	0
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS		0	0	0	0	0
OTHER		0	0	0	0	0
TOTAL		0	0	0	0	0

**POSITIONS :**

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

**ANALYSIS :** Attach a separate page if necessary

Since the bill has been amended to provide for two exams instead of four, no additional funds are needed.

Prepared by: Al Adams, Chair <sup>APA</sup> Phone: 465-3706  
 Division: House Finance Committee Date: 2/26/86

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Agency: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget

SECTIONAL ANALYSIS: CSHB 305

- Section 1) Extends the Board of Barbers and Hairdressers to June 30, 1989.
- Section 2) States that the Department of Commerce and Economic Development will keep a record of license activities.
- Section 3) Adds two new sections to prohibit the practice of barbering, hairdressing or cosmetology outside a licensed shop or school and to require that teachers have an instructor's license.
- Section 4) Specifies that all persons applying for licensure to have completed courses in a school that offers a curriculum approved by the Board. This section is expanded to include requirements for licensure for teachers.
- Section 5) Changes the applicant qualification requirements for licensure from 1,500 hours apprenticeship in not less than nine months to 2000 hours apprenticeship in not less than twelve months.
- Section 6) States that licenses from other countries are not qualified for licensure in Alaska, although licenses from other states are qualified, and changes license application requirements to include proof of tests.
- Section 7) Changes current language to specify a "practitioner" as well as a student or apprentice must display a license or permit in the place of business and removes the requirement that a practitioner who practices outside a place of business carry their license.
- Section 8) Expands the list of exemptions to include health care professionals and persons demonstrating products.
- Section 9) Is expanded to require the Board to adopt regulations to allow practice in situations outside a shop or school.
- Section 10) Repeals current specifications on temporary permits and reinstates that the Board will issue a temporary permit to an applicant until an

Alaska license can be issued.

Section 11) Changes the requirement that an apprentice study with a licensed instructor, rather than a practitioner, to be eligible for a permit.

Section 12) Allows for supervision by the Department of Environmental Conservation instead of the Department of Health and Social Services.

Sections 13, 14, 15, and 16)  
Defines apprentice, barbering, cosmetology, and instructor.

Section 17) States that a person can renew their license without meeting new license requirements.

Section 18) Effective date.

CHAIRMAN'S INFORMATION: SCS CSHB 305(L&C)

- 1) BILL TITLE: "An act relating to barbers, hairdressers, and cosmetologists; and providing for an effective date."
  - a) Introduced: Sund
  - b) Co-sponsors:
  
- 2) INTENT: This measure extends the Board of Barbers and Hairdressers until June 30, 1989, and makes additional amendments to their statutes. The L&C SCS removed those portions in the House bill which concerned the licensure of estheticians.

FISCAL NOTE: 0

- 3) ADDITIONAL REFERRALS: Rules
- 4) PUBLIC HEARINGS:
  - a) Sponsor:
  - b) Public Witnesses:
- 5) BILL ACTION:
  - a) Hold in committee?
  - b) Assign to sub committee for further review?
  - c) Move from committee?
  - d) Close public hearings?
- 6) COMMITTEE ACTION?
  - a) amendments?
  - b) CS adoption? Need to adopt the L&C SCS and the title change.