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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Jun Maiquis
Department of Commerce, Community & Economic Development

FROM: Scott Meriwether, Office of the Lieutenant Governor 
465.4081

DATE: May 22, 2018

RE: Filed Permanent Regulations: Board of Barbers and Hairdressers

Board of Barbers and Hairdressers Regulations re: Manicuring Regulations (12 AAC 09.002 -0.990)

Attorney General File:	2017200868
Regulation Filed:	5/22/2018
Effective Date:	6/21/2018
Print:	226, July 2018

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD BARBERS AND HAIRDRESSERS

The attached fifteen pages of regulations, relating to the licensure of manicurists, nail technicians, hairdressers, the practice of manicuring, and advanced manicurist endorsement, are hereby certified to be a correct copy of the regulation changes that the Board of Barbers and Hairdressers adopted at its February 22, 2018 teleconference meeting, under the authority of AS 08.01.062, AS 08.13.030, AS 08.13.040, AS 08.13.070, AS 08.13.080, AS 08.13.082, AS 08.13.090, AS 08.13.100, AS 08.13.110, AS 08.13.120, AS 08.13.180, AS 08.13.190, AS 08.13.210, and AS 08.13.220 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Barbers and Hairdressers paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE:

3/13/18
Fairbanks, Alaska


Kevin McKinley, Chair
Board of Barbers and Hairdressers

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on May 22 2018 at 9:50 A.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Byron Mallott, Lieutenant Governor

Effective: June 21, 2018.

Register: 226, July 2018.

Chapter 09. Board of Barbers and Hairdressers.

The introductory language of 12 AAC 09.002(g) is amended to read:

(g) The following checklist is established by the board for review of an application for a student permit while attending a licensed school of barbering, hairdressing, [MANICURING,] or esthetics. A student permit for an applicant attending an approved school will be issued to an applicant who submits

...

12 AAC 09.002(g)(4) is amended to read:

(4) proof of enrollment in a licensed school of barbering, hairdressing, [MANICURING,] or esthetics.

The introductory language of 12 AAC 09.002(m) is amended to read:

(m) The following checklist is established by the board for review of an application for an advanced manicurist endorsement [A NAIL TECHNICIAN LICENSE] by examination. An advanced manicurist endorsement [A NAIL TECHNICIAN LICENSE] will be issued to an applicant who

...

12 AAC 09.002(m)(1)(B) is amended to read:

(B) for each school [OR APPRENTICESHIP] where the applicant was trained, the name and address of the school [OR APPRENTICESHIP], the dates of the

training, and the number of hours of training completed;

12 AAC 09.002(m)(2)(C) is repealed:

(C) repealed 6 / 21 / 2018 ;

The introductory language of 12 AAC 09.002(n) is amended to read:

(n) The following checklist is established by the board for review of **an application for an advanced manicurist endorsement** [A NAIL TECHNICIAN LICENSE] by waiver of examination. **An advanced manicurist endorsement** [A NAIL TECHNICIAN LICENSE] will be issued to an applicant who submits

...

12 AAC 09.002(n)(2)(A) is amended to read:

(A) holds a current license to practice as a **manicurist** [NAIL TECHNICIAN] in that state; and

12 AAC 09.002(n)(2)(B) is amended to read:

(B) qualified for licensure as a **manicurist** [NAIL TECHNICIAN] by passing a written examination; and

The introductory language of 12 AAC 09.002(t) is amended to read:

(t) The following checklist is established by the board for review of an application for a

student permit for an applicant to obtain training for hairdressing, barbering, [MANICURING,] or esthetics by a licensed instructor in an apprenticeship program in a licensed shop. A student permit to obtain training in hairdressing, barbering, [MANICURING,] or esthetics by a licensed instructor in a licensed shop will be issued to an applicant who submits

• • •

(Eff. 5/10/96, Register 138; am 3/19/99, Register 149; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 1/14/2004, Register 169; am 10/14/2006, Register 180; am 12/24/2006, Register 180; am 4/21/2010, Register 194; am 6/8/2016, Register 218; am 6/21/2018, Register 226)

Authority:	AS 08.01.062	AS 08.13.080	AS 08.13.100
	AS 08.13.030	AS 08.13.082	AS 08.13.120
	AS 08.13.070	AS 08.13.090	AS 08.13.180

The introductory language of 12 AAC 09.005(a) is amended to read:

(a) A completed, notarized application for examination as a barber, hairdresser, **advanced manicurist** [NAIL TECHNICIAN], esthetician, practitioner of body piercing, practitioner of tattooing and permanent cosmetic coloring, or instructor must be received by the division assigned occupational licensing functions at least 30 days before the next examination date and must

• • •

(Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 8/12/87, Register 103; am 9/30/87, Register 103; am 5/20/88, Register 106; am 10/16/88, Register 108; am 11/28/88, Register 108;

am 5/10/96, Register 138; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/28/2008, Register 188; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.080

12 AAC 09.006 is repealed:

12 AAC 09.006. Transitional provisions for licensees and endorsement holders.

Repealed. (Eff. 6/8/2016, Register 218; repealed 6 / 21 / 2018, Register 226)

12 AAC 09.066(a) is amended to read:

12 AAC 09.066. Content and grading criteria for advanced manicurist endorsement [NAIL TECHNICIAN EXAMINATION]. (a) The examination for an endorsement as an advanced manicurist [A NAIL TECHNICIAN LICENSE] is the written examination entitled the *Nail Technology Examination*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(Eff. 7/23/2000, Register 155; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.090

12 AAC 09.106 is amended by adding a new subsection to read:

(f) An applicant for an advanced manicurist instructor license must apply on a form provided by the department. The application must include

(1) verification of one year of work experience as a manicurist or hairdresser that includes at least 32 hours per week;

(2) proof of passing the

(A) written examination for an advanced manicurist endorsement; and

(B) instructor's written examination; and

(3) payment of the applicable fees established in 12 AAC 02.140. (Eff. 5/20/88,

Register 106; am 5/10/96, Register 138; am 7/23/2000, Register 155; am 7/13/2002, Register

163; am 1/17/2008, Register 185; am 9/24/2014, Register 211; am 6/8/2016, Register 218; am

6 / 21 / 2018, Register 226)

Authority: AS 08.13.030

AS 08.13.080

AS 08.13.100

AS 08.13.070

12 AAC 09.108 is amended to read:

12 AAC 09.108. Advanced manicurist endorsement [NAIL TECHNICIAN

LICENSE] by examination. An application for an endorsement as an advanced manicurist

[A NAIL TECHNICIAN LICENSE] by examination must be submitted in accordance with

12 AAC 09.005, with verification of

[(1)] at least 250 hours of **advanced** manicuring training in a school approved by the board or by another licensing jurisdiction [; OR

(2) AT LEAST 300 HOURS OF MANICURING TRAINING IN AN

APPRENTICESHIP PROGRAM APPROVED BY THE BOARD]. (Eff. 7/23/2000, Register

155; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030

AS 08.13.080

AS 08.13.090

AS 08.13.040

12 AAC 09.109 is amended to read:

12 AAC 09.109. Advanced manicurist endorsement [NAIL TECHNICIAN LICENSE] by waiver. An applicant for **an endorsement as an advanced manicurist** [A NAIL TECHNICIAN LICENSE] by waiver of examination must apply on a form provided by the department. The application must include

- (1) payment of the applicable fees established in 12 AAC 02.140;
- (2) verification of a current license to practice as a **manicurist** [NAIL TECHNICIAN] issued by another state;
- (3) verification of training equivalent to that described in 12 AAC 09.148 [, OR VERIFICATION OF AT LEAST 300 HOURS OF TRAINING IN AN APPRENTICESHIP PROGRAM APPROVED BY THE BOARD]; and

(4) documents verifying that a state in which the applicant was licensed as a **manicurist** [NAIL TECHNICIAN] required the applicant to pass a written examination to qualify for licensure. (Eff. 7/23/2000, Register 155; am 6/8/2016, Register 218; am

6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.040

12 AAC 09.115(4) is amended to read:

(4) a licensed hairdresser, esthetician, barber, [NAIL TECHNICIAN,] body piercing practitioner, or tattooing and permanent cosmetic coloring practitioner who sponsored an apprentice and maintained the required records under 12 AAC 09.190; or

(Eff. 11/2/81, Register 80; am 10/1/93, Register 127; am 4/23/98, Register 146; am 7/23/2000,

Register 155; am 11/27/2002, Register 164; am 8/20/2004, register 171; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09.125(a)(6) is amended to read:

(6) verification from the Alaska Commission on Postsecondary Education that the applicant is

(A) authorized to operate a postsecondary educational institution in the state as described in AS 14.48.070 if the board approves the application for a school under this chapter; or

(B) exempt under AS 14.48.030 from the requirements for an authorization to operate under AS 14.48.070.

The introductory language of 12 AAC 09.125(b) is amended to read:

(b) Except as provided in (j) and (I) of this section, in order to be approved by the board, a school must be a minimum of 1,000 square feet, including at least 15 square feet of instructional areas for each student. Minimum required instructional areas are
...

12 AAC 09.125(k) is amended to read:

(k) An applicant for renewal of a school license must certify on the renewal application that the applicant still meets the requirements of (a)(6)(A) or (B) [(a)(6)] of this section.

12 AAC 09.125 is amended by adding a new subsection to read:

(I) In order to be approved by the board, a school offering the 12-hour manicurist curriculum described in 12 AAC 09.144⁽¹⁴³⁾ must be a minimum of 300 square feet, including at least 7 square feet of instructional area for each student. (Eff. 11/2/81, Register 80; am 2/28/88, Register 105; am 5/20/88, Register 106; am 10/16/88, Register 108; am 4/23/98, Register 146; am 7/23/2000, Register 155; am 9/15/2002, Register 163; am 7/12/2007, Register 183; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.210
AS 08.13.070 AS 08.13.180

12 AAC 09.127(b)(4) is amended to read:

(4) the theoretical and practical training must meet the requirements of **12 AAC 09.143**, 12 AAC 09.148, 12 AAC 09.160, and 12 AAC 09.163 as applicable for the type of training provided.

(Eff. 7/12/2007, Register 183; am 12/28/2008, Register 188; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.210
AS 08.13.070 AS 08.13.180

12 AAC 09 is amended by adding a new section to read:

12 AAC 09.143. Manicuring school curriculum. (a) A student who is enrolled in a course of manicuring must complete a curriculum that consists of at least 12 hours of instruction or training that includes the following subjects for the minimum number of hours specified:

- (1) bacteria: one hour;
- (2) infectious agents and infection: two hours;
- (3) sanitation: three hours;
- (4) harmful products and protection: two hours;
- (5) anatomy and physiology: two hours;
- (6) nail disorders: two hours.

(b) The curriculum set out in (a) of this section shall be taught from a board approved textbook.

(c) A licensed instructor from a school approved by the board may teach the curriculum in (a) of this section in a location outside of the licensed school upon written notification to the board. (Eff. 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.110

The introductory language of 12 AAC 09.146(a) is amended to read:

12 AAC 09.146. Equipment for schools teaching advanced manicuring. (a) In addition to meeting the requirements of 12 AAC 09.125(b), the classroom for theoretical instruction of the practice of advanced manicuring must be equipped with seating capacity for all students attending the class, and with equipment including

...

12 AAC 09.146(c)(10) is amended to read:

(10) artificial nail supplies, including acetone, acrylic powder and liquid, dappen

dishes, nail forms and tips, natural bristle brushes, fine and heavy grit files, small scissors, buffing blocks, primer, safety glasses and mask, adhesive, glue, three-way buffers, nail oil, professional electric **nail file** [FINGERNAIL DRILLS], and silk wraps;

12 AAC 09.146(c)(12) is amended to read:

(12) chemical agents and **labeled** containers for sanitary purposes.

(Eff. 7/23/2000, Register 155; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.110

The introductory language of 12 AAC 09.148(a) is amended to read:

12 AAC 09.148. Advanced manicurist endorsement [MANICURING] curriculum. (a)

An applicant for an endorsement as an advanced manicurist [A STUDENT WHO IS ENROLLED IN A MANICURING COURSE] must complete a curriculum that consists of at least 250 hours of instruction or training in manicuring that includes the following subjects for the minimum number of hours specified:

...

12 AAC 09.148(a)(3)((F)(v) is amended by to read:

(v) use of professional electric **nail file** [FINGERNAIL DRILLS];

(Eff. 7/23/2000, Register 155; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.110

12 AAC 09.155(c) is amended by adding a new paragraph to read:

(28) manicuring materials.

(Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am 4/23/98, Register 146; am 1/17/2008, Register 185; am 6/8/2016, Register 218; am 6/21/2018, Register 226)

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09.160(a) is amended by adding a new paragraph to read:

(a) A student who is enrolled in a course of barbering or hairdressing must complete a curriculum that consists of at least 1,650 hours of theoretical and practical training. A school shall teach a minimum of 185 hours of theoretical instruction, including five hours in state law, consisting of the provisions of AS 08.13, this chapter, and the Department of Environmental Conservation regulations contained in 18 AAC 23, and the following minimum number of practical operations, during the 1,650 hours of training:

Subject	Minimum	Minimum
	Number of Practical	Number of Practical
	Operations, Hairdressers	Operations, Barbers
...		
(13) manicure	15	0

12 AAC 09.160 is amended by adding a new subsection to read:

(e) In addition to meeting the requirements of (a) of this section, the curriculum required for a hairdresser must include the manicuring curriculum set out in 12 AAC 09.143. (Eff.

11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am 5/20/88, Register 106; am 7/23/2000, Register 155; am 4/21/2010, Register 194; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09.180(a)(2)(A) is amended to read:

(A) enrollment in a licensed school of barbering, hairdressing,
[MANICURING,] or esthetics, as specified in 12 AAC 09.130;

12 AAC 09.180(b)(2) is amended to read:

(2) proof of a current license to practice as a barber, hairdresser, esthetician, or as a manicurist with an endorsement as an advanced manicurist.

(Eff. 11/2/81, Register 80; am 2/28/88, Register 105; am 5/20/88, Register 106; am 10/1/93, Register 127; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/27/2002, Register 164; am 10/14/2006, Register 180; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.180 AS 08.13.190

The introductory language of 12 AAC 09.190(a) is amended to read:

12 AAC 09.190. Apprentices of barbering, hairdressing, [MANICURING,] and

esthetics. (a) A currently licensed barber, hairdresser, [NAIL TECHNICIAN,] or esthetician instructor in a shop that is licensed by the board under 12 AAC 09.110 may sponsor an apprentice in the instruction of barbering, hairdressing, [MANICURING,] or esthetics if

• • •

12 AAC 09.190(a)(1)(A) is amended to read:

(A) verification that the shop where the training will be provided meets the requirements of 12 AAC 09.155 if the apprenticeship training is for barbering or hairdressing, [12 AAC 09.146 IF THE APPRENTICESHIP TRAINING IS FOR MANICURING,] and 12 AAC 09.162 if the apprenticeship training is for esthetics;

12 AAC 09.190(a)(1)(B) is amended to read:

(B) instruction of the minimum hours of theoretical and practical training specified in 12 AAC 09.160 if the apprenticeship training is for barbering or hairdressing, [12 AAC 09.148 IF THE APPRENTICESHIP TRAINING IS FOR MANICURING,] or 12 AAC 09.163 if the apprenticeship training is for esthetics;

12 AAC 09.190(d) is amended to read:

(d) An instructor must provide training and instruction to the same extent required of a school of barbering, hairdressing, [MANICURING,] or esthetics.

12 AAC 09.190(h) is amended to read:

(h) An apprentice may not perform work in a shop unless the licensed barber, hairdresser, [NAIL TECHNICIAN,] or esthetician instructor responsible for the apprentice's training is on the premises.

12 AAC 09.190(l) is amended to read:

(l) Upon completion of a course of instruction under this section, an apprentice is eligible to take the appropriate examination in the license category of barbering, hairdressing, [MANICURING,] or esthetics. The instructor shall notify the board of an apprentice completing the course of instruction not later than 30 days after the completion by submitting records of apprenticeship in accordance with this section.

(Eff. 10/21/82, Register 84; am 8/12/87, Register 103; am 2/28/88, Register 105; am 5/20/88, Register 106; am 10/1/93, Register 127; am 4/23/98, Register 146; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/16/2004, Register 172; am 10/14/2006, Register 180; am 12/24/2006, Register 180; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am

6 / 21 / 2018, Register 226)

Authority: AS 08.13.030 AS 08.13.082

12 AAC 09.990(a)(7) is amended to read:

(7) "**manicurist**" ["NAIL TECHNICIAN"] includes an individual licensed in any jurisdiction as a **nail technician** [MANICURIST];

(Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 7/12/2007, Register 183; am 4/21/2010, Register 194; am 6/8/2016, Register 218; am 6 / 21 / 2018, Register

226)

Authority: AS 08.13.030 AS 08.13.220

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Byron Mallott
Lieutenant Governor

Date: May 18, 2018

File No.: 2017200868

Tel. No.: 465-3600

From: Susan R. Pollard *SRP*
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Re: Board of Barbers and Hairdressers
Regulations re: Manicuring
Regulations (12 AAC 09.002 - .990)

We have reviewed the attached changes by the Board of Barbers and Hairdressers to these regulations against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulations were adopted by the Board of Barbers and Hairdressers after the close of the public comment period. The regulations concern changes needed to regulations regarding the practice of manicuring due to the changes made by ch. 12, SLA 2017. In short, those legislative changes rolled back legislative changes made by ch. 27, SLA 2015 that created a separate nail technician license. The regulations are amended to remove references to "nail technician" and restore references to "advanced manicurist" and "manicurist." We ask that these be filed simultaneously with related regulation of the department on fees (Department of Law file 2018200869).

The December 28, 2017 public notice and the March 13, 2017 certificate of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SRP

cc w/encl: *(via email)*

Kevin McKinley, Chair
Board of Barbers and Hairdressers
Department of Commerce, Community, and Economic Development
(via email through Jun Maiquis)

Janey McCullough, Director
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development

Sara Chambers, Division Operations Manager
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development

Micaela Fowler, Regulations Contact
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development

Harriet Dinegar Milks, Assistant Attorney General
Commercial, Fair Business, and Child Support Section
Department of Law

**NOTICE OF PROPOSED CHANGES RELATING TO THE LICENSURE OF MANICURISTS,
NAIL TECHNICIANS, HAIRDRESSERS, THE PRACTICE OF MANICURING, AND
ADVANCED MANICURIST ENDORSEMENT IN THE REGULATIONS OF
THE BOARD OF BARBERS AND HAIRDRESSERS**

BRIEF DESCRIPTION: The Board of Barbers and Hairdressers proposes to update various regulations including the advanced manicurist endorsement, licensure of nail technicians, and the practice of manicuring, to implement amendments to AS 08.13 enacted under chapter 12, SLA 2017 (SB 51).

The Board of Barbers and Hairdressers (Board) proposes to adopt regulation changes in Title 12, Chapter 09, of the Alaska Administrative Code including the following:

1. **12 AAC 09.002, Review of license applications**, is proposed to be changed to alter the requirements for review of license applications.
2. **12 AAC 09.005, Application for examination**, is proposed to be changed to alter the provisions relating to application for examination by adding advanced manicurist and removing nail technician.
3. **12 AAC 09.006, Transitional provisions for licensees and endorsement holders**, is proposed to be repealed due to obsolete provisions.
4. **12 AAC 09.066, Content and grading criteria for nail technician examination**, is proposed to be changed to amend the section title to read “Content and grading criteria for advanced manicurist endorsement”, and to remove nail technician license examination.
5. **12 AAC 09.106, Instructor license requirements**, is proposed to be changed to add the provisions related to advanced manicurist instructor license requirements.
6. **12 AAC 09.108, Nail technician license by examination**, is proposed to be changed to alter the section title to read “Advanced manicurist endorsement by examination”, and to change the examination provisions to advanced manicurist endorsement license.
7. **12 AAC 09.109, Nail technician license by waiver**, is proposed to be changed to alter the section title to read “Advanced manicurist endorsement by waiver”, and to change the licensure requirement provisions to advanced manicurist endorsement license.
8. **12 AAC 09.115, Verifications**, is proposed to be changed to alter the provisions related to verification of licensed work experience or training by removing licensed nail technician.
9. **12 AAC 09.125, Requirements for school license; renewal requirements**, is proposed to be changed to alter the requirements for a school license.
10. **12 AAC 09.127, License requirements for school offered by a college or university**, is proposed to add a conforming citation.
11. **12 AAC 09.143, Manicuring school curriculum**, is a proposed new section that establishes manicuring school curriculum requirements.
12. **12 AAC 09.146, Equipment for schools teaching manicuring**, is proposed to be changed to alter the section title to read “Equipment for schools teaching advanced manicuring”, and to update the equipment list for the schools’ practical instructional area.
13. **12 AAC 09.148, Manicuring curriculum**, is proposed to be changed to alter the section title to read “Advanced manicurist endorsement curriculum”, and to update the provisions related to

advanced manicurist endorsement curriculum requirements.

14. **12 AAC 09.155, Equipment for barbering or hairdressing schools**, is proposed to be changed to add manicuring materials from the equipment requirements for barbering or hairdressing schools.
15. **12 AAC 09.160, Barber and hairdresser school curriculum** is proposed to be changed to add the manicuring curriculum requirements.
16. **12 AAC 09.180, Student permits**, is proposed to be changed to remove manicuring to enrollment in a licensed school for student permits, and to add an endorsement as an advanced manicurist to enrollment in a licensed school for student-instructor permits.
17. **12 AAC 09.190, Apprentices of barbering, hairdressing, manicuring, and esthetics**, is proposed to be changed to alter the section title to read "Apprentices of barbering, hairdressing, and esthetics", and to amend the apprenticeship and instructor requirements.
18. **12 AAC 09.990, Definitions**, is proposed to be changed to further define terms used in 12 AAC 09 including the term "manicurist."

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/188255>, and using the comment link. **The comments must be received not later than 5:00 p.m. on February 1, 2018.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofBarbersHairdressers.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov not later than January 25, 2018 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/BAH-0917.pdf>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.062; AS 08.13.030; AS 08.13.040; AS 08.13.070; AS 08.13.080; AS 08.13.082; AS 08.13.090; AS 08.13.100; AS 08.13.110; AS 08.13.120; AS 08.13.180; AS 08.13.190; AS 08.13.210; AS 08.13.220

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.13.030; AS 08.13.040; AS 08.13.070; AS 08.13.080; AS 08.13.082; AS 08.13.090; AS 08.13.100; AS 08.13.110; AS 08.13.120; AS 08.13.180; AS 08.13.190; AS 08.13.210; AS 08.13.220


Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 12/27/17


Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. **Adopting agency:** Board of Barbers and Hairdressers – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Review of license applications, application for examination, transitional provisions for licensees and endorsement holders, content and grading criteria for advanced manicurist endorsement, instructor license requirements, advanced manicurist endorsement by examination and waiver, verifications, requirements for school license, school curriculum, equipment for schools, student permits, apprentices, and definitions.
3. **Citation of regulation:** 12 AAC 09.002 through 12 AAC 09.990.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations, and compliance with new or changed in statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: \$20 advanced manicurist endorsement one-time fee.
Another state agency: None known.
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2018 or in subsequent years.
9. **The name of the contact person for the regulation:**
Cynthia Spencer, Licensing Examiner
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-2547
E-mail: cynthia.spencer@alaska.gov
10. **The origin of the proposed action:** Board of Barbers and Hairdressers.
11. **Date:** 12/27/17 **Prepared by:** 
Jun Maiquis, Regulations Specialist

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss.

**AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS
AND FURNISHING OF ADDITIONAL INFORMATION**

I, Jun Maiquis, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 09.002 through 12 AAC 09.990, relating to the licensure of manicurists, nail technicians, hairdressers, the practice of manicuring, and advanced manicurist endorsement, has been given by being:

1. published in a newspaper or trade publication;
2. furnished to interested persons;
3. furnished to appropriate state officials;
4. furnished to the Department of Law, along with a copy of the proposed regulations;
5. electronically transmitted to incumbent State of Alaska legislators;
6. furnished to the Legislative Affairs Agency, Legislative Legal and Research Services;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
8. furnished electronically, along with a copy of the proposed regulations, to the Legislative Affairs Agency, the chair of the Labor and Commerce Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

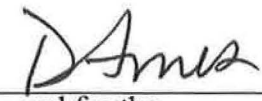
As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on the Alaska Online Public Notice System.

DATE: 3/7/18
Juneau, Alaska


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 7th day of march, 2018.




Notary Public in and for the
State of Alaska
My commission expires: w/o office

FIRST JUDICIAL DISTRICT

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

In compliance with AS 44.62.215, the Board of Barbers and Hairdressers has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Board of Barbers and Hairdressers regulations relating to the licensure of manicurists, nail technicians, hairdressers, the practice of manicuring, and advanced manicurist endorsement.

DATE: 3/7/18
Juneau, Alaska


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 7 day of march, 2018.



Notary Public in and for the
State of Alaska
My commission expires: w/office

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RECEIVED
Juneau

JAN 04 2013

CBPL

AFFIDAVIT OF PUBLICATION

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisa Hartlieb

being first duly sworn on oath deposes and says that he/she is a representative of the Alaska Dispatch News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

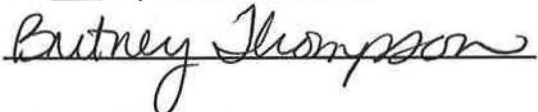
December 28, 2017

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed



Subscribed and sworn to before me
this 28th day of December, 2017



Notary Public in and for
The State of Alaska.

Third Division

Anchorage, Alaska

MY COMMISSION EXPIRES

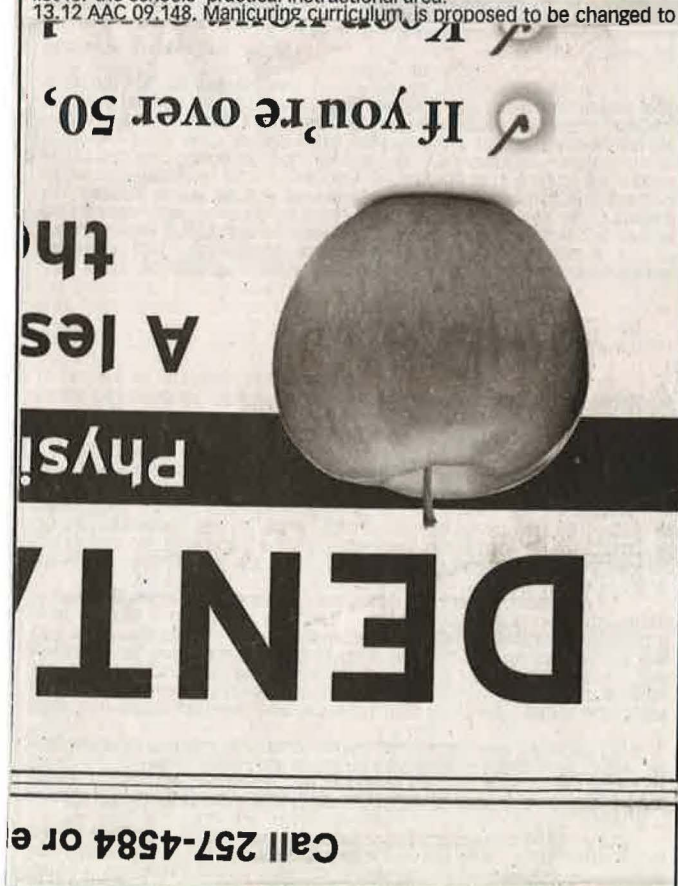
2/23/2019

Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES RELATING TO THE LICENSURE OF MANICURISTS, NAIL TECHNICIANS, HAIRDRESSERS, THE PRACTICE OF MANICURING, AND ADVANCED MANICURIST ENDORSEMENT IN THE REGULATIONS OF THE BOARD OF BARBERS AND HAIRDRESSERS

The Board of Barbers and Hairdressers (Board) proposes to adopt regulation changes in Title 12, Chapter 09, of the Alaska Administrative Code including the following:

- 1.12 AAC 09.002, Review of license applications, is proposed to be changed to alter the requirements for review of license applications.
- 2.12 AAC 09.005, Application for examination, is proposed to be changed to alter the provisions relating to application for examination by adding advanced manicurist and removing nail technician.
- 3.12 AAC 09.006, Transitional provisions for licensees and endorsement holders, is proposed to be repealed due to obsolete provisions.
- 4.12 AAC 09.066, Content and grading criteria for nail technician examination, is proposed to be changed to amend the section title to read "Content and grading criteria for advanced manicurist endorsement", and to remove nail technician license examination.
- 5.12 AAC 09.106, Instructor license requirements, is proposed to be changed to add the provisions related to advanced manicurist instructor license requirements.
- 6.12 AAC 09.108, Nail technician license by examination, is proposed to be changed to alter the section title to read "Advanced manicurist endorsement by examination", and to change the examination provisions to advanced manicurist endorsement license.
- 7.12 AAC 09.109, Nail technician license by waiver, is proposed to be changed to alter the section title to read "Advanced manicurist endorsement by waiver", and to change the licensure requirement provisions to advanced manicurist endorsement license.
- 8.12 AAC 09.115, Verifications, is proposed to be changed to alter the provisions related to verification of licensed work experience or training by removing licensed nail technician.
- 9.12 AAC 09.125, Requirements for school license; renewal requirements, is proposed to be changed to alter the requirements for a school license.
- 10.12 AAC 09.127, License requirements for school offered by a college or university, is proposed to add a conforming citation.
- 11.12 AAC 09.143, Manicuring school curriculum, is a proposed new section that establishes manicuring school curriculum requirements.
- 12.12 AAC 09.146, Equipment for schools teaching manicuring, is proposed to be changed to alter the section title to read "Equipment for schools teaching advanced manicuring", and to update the equipment list for the schools' practical instructional area.
- 13.12 AAC 09.148, Manicuring curriculum, is proposed to be changed to



STATE OF ALASKA

FIRST JUDICIAL DISTRICT

$$\left. \begin{array}{l}) \\) \\) \end{array} \right\} \text{SS.}$$

AFFIDAVIT OF BOARD ACTION

I, Alexa Adelmeyer, Licensing Examiner for the Board of Barbers and Hairdressers, being duly sworn, state the following:


The attached motion relating to the licensure of manicurists, nail technicians, hairdressers, the practice of manicuring, and advanced manicurist endorsement was passed by the Board of Barbers and Hairdressers during its February 22, 2018 teleconference meeting.

Date: March 20, 2018
Juneau, Alaska

Alexa Adelmeyer
Alexa Adelmeyer, Licensing Examiner

SUBSCRIBED AND SWORN TO before me this 20th day of MARCH, 2018.




Notary Public in and for the
State of Alaska
My commission expires: W / OFFICE

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF BARBERS AND HAIRDRESSERS**

**MINUTES OF MEETING
February 22, 2018**

By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of AS 44.62.610(c)(3), Article 6, a teleconference meeting of the Board of Barbers and Hairdressers was held February 22, 2018.

These minutes were drafted by staff of the Board of Barbers and Hairdressers and have not been reviewed or approved by the Board.

Item 1. Call to Order/Roll Call

The meeting of the Board of Barbers and Hairdressers was called to order by Kevin McKinley, Chair at 9:08 a.m. Members present were:

Kevin McKinley, Tattooist/Body Piercer/Permanent Cosmetic Colorist, Chair
Michelle "Mitch" Black, Hairdresser
Mae Canady, Hairdresser/Esthetician
Michelle McMullin, Nail Technician
Jennifer Lombardo, Industry License, Tattooist/Permanent Cosmetic Colorist
Glenda Ledford, Barber
Terriann Shell, Public Member

Present from the Division of Corporations, Business and Professional Licensing were:

Alexa Adelmeyer, Licensing Examiner
Cynthia Spencer, Licensing Examiner
Sher Zinn, Records & Licensing Supervisor
Sara Chambers, Deputy Director
Jun Maquis, Regulation Specialist
Dawn Bundick, Investigator
Greg Francois, Investigator

Item 2. Review/amend agenda

Kevin McKinley asked Board members and staff if there were any changes to the agenda. Mr. McKinley asked the Board to consider an "open agenda" which would allow the Board to move

On a motion duly made by Mae Canady, seconded by Mitch Black, and approved unanimously, it was

RESOLVED to accept Mae Canady changes to the meeting minutes.

Mr. McKinley asked the Board if they would like any further discussion on this motion.

Mr. McKinley suggested that Ms. Canady put in writing what she would like to be corrected and updated in the meeting minutes.

Ms. Canady relayed to Mr. McKinley she has already emailed Ms. Spencer with her corrections, but that she will re-send her request.

Mr. McKinley asked the Board if they would like any further discussion. Hearing no disagreements, Mr. McKinley requested a motion.

Roll Call Vote

NAME	YES	NO ABSTAIN
Mitch Black	X	
Terriann Shell	X	
Michelle McMullin	X	
Jennifer Lombardo	X	
Glenda Ledford	X	
Mae Canady	X	
Kevin McKinley	X	

THE MOTION PASSED BY A UNANIMOUS VOTE.

On a motion duly made by Terriann Shell, seconded by Jennifer Lombardo, and approved unanimously by roll call vote, it was

RESOLVED to adopt the corrected January 22, 2018 meeting minutes.

Mr. McKinley polled the Board, hearing no disagreement the minutes were approved.

Item 5. Review/Adopt Regulations

Mr. McKinley asked the board if they had time to review the draft regulations and if there were any questions or concerns.

On a motion duly made by Glenda Ledford, seconded by Michelle McMullin, and approved unanimously by roll call vote, it was

RESOLVED to adopt the regulations, 12 AAC 09.002, 09.005, 09.006, 09.066, 09.106, 09.108, 09.109, 09.115, 09.125, 09.127, 09.143, 09.146, 09.148, 09.155, 09.160, 09.180, 09.190, 09.990, taking into consideration submitted public comments and the cost to the public.

Mr. McKinley asked the Board if they would like any further discussion on this motion.

Jun Maiquis stated that the board can ask him if they have any questions or concerns regarding the regulation project.

Mr. McKinley asked Mr. Maiquis what happens after the board adopts the regulation project.

Mr. Maiquis stated that after adoption, it goes to Department of Law for final review/approval, and then to the Lieutenant Governor for filing. Mr. Maiquis relayed that if the Board has no changes to the proposed regulations, they can adopt the regulations as written and publicly noticed; unless there are changes or amendments to sections.

Mr. McKinley asked the Board if they had any further discussion. Hearing none, Mr. McKinley requested a roll call vote.

Roll Call Vote

NAME	YES	NO ABSTAIN
Mitch Black	X	
Terriann Shell	X	
Michelle McMullin	X	
Jennifer Lombardo	X	
Glenda Ledford	X	
Mae Canady	X	
Kevin McKinley	X	

THE MOTION PASSED BY A UNANIMOUS VOTE.

❖ Regulation project with Lieutenant Governor's Office

Mr. McKinley asked the Board if they received the email from Ms. Adelmeyer regarding the regulation project that is at the Lieutenant Governor's office.

The Board members responded that they all received and reviewed the email.

Mr. McKinley stated that he had a meeting with a few people regarding the regulation project. Sara Chambers, Sher Zinn, Jun Maiquis, Janey McCullough, and a few staff from Attorney