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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sara Chambers, Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: August 27, 2024

RE: Filed Permanent Regulations: Alaska Board of Barbers and Hairdressers

Board of Barbers and Hairdressers regulations re: Courtesy licenses, instructor requirements, use of word "appliances" (12 AAC 09.002, .106, .990)

Attorney General File:	2024200136
Regulation Filed:	8/27/2024
Effective Date:	9/26/2024
Print:	251, October 2024

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Sylvan Robb, Division Director
Stefanie Davis, Regulations Specialist



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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August 26, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *AAC 09.002, .106, .990: Barbers & Hairdressers - Courtesy licenses, instructor requirements, use of word "appliances"*
Our file: 2024200136

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Commerce, Community and Economic Development, Board of Barbers and Hairdressers against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter 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 as adopted concern the deadlines and documentation necessary to obtain a courtesy license to practice body piercing, tattooing, or permanent cosmetic coloring and the standards applicable to receiving an instructor license. As noticed, the regulations also addressed the definition of the word "appliances" for the purposes of AS 08.13.220(5), however, the Board did not adopt the changes related to the definition of "appliances."

The May 28, 2024, public notice and the August 22, 2024, certification of adoption order both state that this action is not expected to require an increased

appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The changes include reducing the number of pages for publication from three pages to two pages due to the Board's decision not to adopt the proposed changes to the definition of the word "appliances." The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: Rebecca C. Polizzotto
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2024.08.26
13:36:23 -08'00'

RCP/kmd

CC w/enclosure: Stefanie Davis, Regulations Specialist 2
Department of Commerce, Community and Economic Development

Harriet Milks, Assistant Attorney General
Department of Law

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

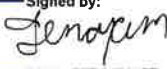
The attached ~~three~~^{two} pages of regulations, dealing with clarifying courtesy license checklist and instructor license requirements, and clarifying the statutory use of the word 'appliances', are certified to be a correct copy of the regulation changes that the Board of Barbers and Hairdressers adopted at its August 8, 2024 meeting, under the authority of AS 08.01.062, AS 08.13.030, AS 08.13.070, AS 08.13.080, AS 08.13.090, AS 08.13.100, AS 08.13.120, AS 08.13.180, 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: 8/22/2024

Signed by:


BSC117720/0477...
Tenaya Miramontes, Chair
Alaska Board of Barbers and Hairdressers

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on August 27, 2024 at 9:48 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


for Nancy Dahlstrom, Lieutenant Governor

Effective: September 26, 2024
Register: 251, October 2024

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

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

(s) The following checklist is established by the board for review of an application for a courtesy license to practice body piercing, tattooing, or permanent cosmetic coloring. A courtesy license to practice body piercing, tattooing, or permanent cosmetic coloring will be issued to an applicant who meets the requirements of AS 08.01.062(a) and who, **not fewer than 90** [AT LEAST 30] days before the applicant plans to begin practicing, 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; am 3/30/2019, Register 229; am 12/6/2020, Register 236; am 11/23/2023, Register 248; am 9 / 26 / 2024, Register 251)

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

12 AAC 09.106(d)(2) is amended to read:

(2) verification of a current barber, hairdresser, manicurist, or esthetician instructor license issued by another licensing jurisdiction **that meets or exceeds the licensing standards of the state;**

12 AAC 09.106(d)(5) is repealed:

(5) repealed 9 / 26 / 2024 [VERIFICATION OF EITHER

(A) AT LEAST THREE YEARS OF PRACTICE AS A LICENSED BARBER, HAIRDRESSER, MANICURIST, OR ESTHETICIAN IN THIS STATE OR IN ANOTHER LICENSING JURISDICTION; OR

(B) ONE YEAR OF PRACTICE AS A LICENSED BARBER, HAIRDRESSER, MANICURIST, OR ESTHETICIAN IN THIS STATE OR ANOTHER LICENSING JURISDICTION FOLLOWED BY 600 HOURS OF STUDENT-INSTRUCTOR TRAINING IN A SCHOOL APPROVED BY THE BOARD OR APPROVED BY ANOTHER LICENSING JURISDICTION].

(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; am 12/6/2020, Register 236; am 11/23/2023, Register 248; am 9 / 26 / 2024, Register 251)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070