

☞ **13hr_AC-GOSL_ab0291_pt01**



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2013-14

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on...

Government Operations and State Licensing
(AC-GOSL) (Repealed 10-17-13)

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (December 2014)

Assembly

Record of Committee Proceedings

Committee on Government Operations and State Licensing

Assembly Bill 291

Relating to: requirements concerning barbering and cosmetology licensure.
By Representatives Kooyenga, Krug, Murphy, A. Ott, Honadel, Pope, Spiros,
Craig and Doyle; cosponsored by Senators Grothman, L. Taylor, Kedzie,
Petrowski and Olsen.

August 20, 2013 Referred to Committee on Government Operations and State
Licensing

October 03, 2013 **Public Hearing Held**

Present: (9) Representative
August; Representatives
Craig, Knodl, Kooyenga,
Hutton, Neylon, Sinicki,
Hulsey and Ringhand.
Absent: (0) None.
Excused: (2) Representatives Nass
and Kessler.

Appearances For

- Dale Kooyenga - Representative - 14th Assembly District
- Greg Gasper - Department of Safety and Professional Services

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

October 09, 2013 **Executive Session Held**

Present: (11) Representative August; Representatives Craig, Knodl, Kooyenga, Hutton, Nass, Neylon, Sinicki, Hulsey, Ringhand and Kessler.
Absent: (0) None.
Excused: (0) None.

Moved by Representative Craig, seconded by Representative Nass that **Assembly Amendment 1** be recommended for adoption.

Ayes: (11) Representative August; Representatives Craig, Knodl, Kooyenga, Hutton, Nass, Neylon, Sinicki, Hulsey, Ringhand and Kessler.

Noes: (0) None.

ASSEMBLY AMENDMENT 1 ADOPTION RECOMMENDED,
Ayes 11, Noes 0

Moved by Representative Craig, seconded by Representative Knodl that **Assembly Bill 291** be recommended for passage as amended.

Ayes: (11) Representative August; Representatives Craig, Knodl, Kooyenga, Hutton, Nass, Neylon, Sinicki, Hulsey, Ringhand and Kessler.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 11, Noes 0

Luke Bacher
Committee Clerk



STATE OF WISCONSIN

Department of Safety and Professional Services
1400 E Washington Ave.
Madison WI 53703

Governor Scott Walker

Secretary Dave Ross

Mail to:
PO Box 8935
Madison WI 53708-8935

Email: dsps@wisconsin.gov
Web: <http://dsps.wi.gov>
Phone: 608-266-2112

Testimony to the Assembly Committee on Government Operations and State Licensing
Greg Gasper, Assistant Deputy Secretary
Department of Safety and Professional Services
Assembly Bill 291
October 3, 2013

Chairman August and committee members, on behalf of Secretary Dave Ross, thank you for taking up Assembly Bill 291 and for the opportunity to appear before you today.

As you know, 2011 Wisconsin Act 190 separated the professions of barbering and cosmetology and transferred regulatory authority over barbers from the Barbering and Cosmetology Examining Board to the Department of Safety and Professional Services. When Act 190 became effective on July 1, 2012, the department began to develop, in partnership with the Barbering Advisory Committee, emergency and permanent rules needed for enactment of this law. This six-member Committee consisted of a mix of barbers and barbering instructors, as well as a representative from the Department of Workforce Development Bureau of Apprenticeship Standards.

In the process of developing the rules, a few things came to light that department staff identified as having the potential to make the barbering license easier to attain and administer without jeopardizing public health and safety. These items were rolled into AB 291:

- First, to accommodate a new and smaller-scale scope of practice for barbers, Act 190 affected a 1,000-classroom hour course of instruction in barbering (which was a change from the 1,800 required under the previous combined barbering and cosmetology license). However, the law still requires the 1,000 classroom hours to be spread over no fewer than ten months. AB 291 eliminates this as a hard requirement, giving schools the option of keeping their current ten-month program or moving to something shorter that would help prospective licensees to finish their education sooner.
- Related to the first item, today, a barbering or cosmetology education course offered by a school may not exceed eight hours in length in one day or 48 hours in one week. This inflexibility can lead to difficulty for students, especially those who need to make up missed class time or who travel long distances to get to their school. AB 291 removes this restraint, providing flexibility for schools and students alike.
- Third, while Act 190 reduced the requirement for classroom education hours to accommodate a more limited barbering scope of practice, it did not reduce the hours required for a barbering apprenticeship. AB 291 addresses that detail, lowering required apprenticeship hours from 3,712 practical hours and 288 classroom hours to 1,712 and 288 while also providing flexibility with the timeframe for completion.

October 3, 2013

Page 2

- Finally, the bill as introduced would have removed certain chemically-related practices from the barbering scope of practice. As you know, there is an amendment pending that would delete this provision of the bill while adding waxing under the barbering scope of practice. The department is comfortable with this amendment and believes, after further discussions with stakeholders and the bill's authors, this better reflects the statewide barbering marketplace.

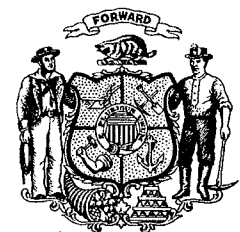
The Senate version of the bill – along with this amendment – was passed unanimously by the Senate Committee on Health and Human Services this morning.

Barbering is a gateway profession where someone can get into the business at the ground level and make a good living. Our goal is to help this by making the scope of practice and educational requirements for the profession more closely reflect what is happening in the marketplace. AB 291 makes it easier to become a barber while not jeopardizing the health and safety of the public, and I encourage your support.

Thank you again for the opportunity to testify today, and I would be happy to take any questions at this time.



WISCONSIN STATE LEGISLATURE



October 3, 2013

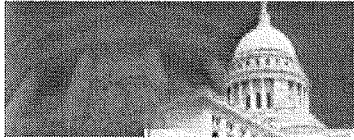
To: Members of the Assembly Committee on Government Operations and State Licensing
From: Senator Glenn Grothman
Re: Assembly Bill 291

Last session Representative Kooyenga and I drafted legislation that separated the professions of barbering and cosmetology. This bill passed both houses and was signed by Governor Walker as 2011 Act 190. This legislation was a great benefit to barber shops that were unable to attract new people into the profession because of the onerous education requirements.

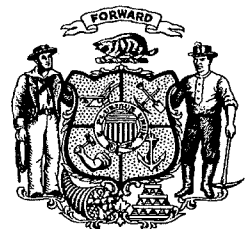
Senate Bill 237 includes suggestions from stakeholders and the Department of Safety and Professional Services (DSPS) to eliminate some of the hurdles of entering the barbering profession that were inadvertently missed in last session's bill.

This legislation gives barbering students more flexibility to determine the length of their schooling by eliminating the requirement that classroom hours be spread out over ten months and by removing the requirement that instruction may not exceed eight hours in one day or forty-eight hours in one week. Also, the bill lowers the number of hours a barbering apprentice must complete from 4,000 to 2,000.

This pro-jobs legislation will open new avenues for individuals to obtain their education requirements in order to be licensed to enter the barbering profession.



WISCONSIN STATE LEGISLATURE





DALE KOOYENGA

STATE REPRESENTATIVE • 14th ASSEMBLY DISTRICT

(608) 266-9180
FAX: (608) 282-3614
Toll-Free: (888) 534-0014
Rep.Kooyenga@legis.wi.gov

P.O. Box 8952
Madison, WI 53708-8952

October 3, 2013

Assembly Committee on Government Operations and State Licensing
Public Hearing
12:00 PM – 415 North West

Chairman August and Members of the Committee:

I want to thank you for the opportunity to testify on behalf of AB 291/SB 237. This legislation updates the professional requirements for barbers and further recognizes the differences in qualifications for barbers and cosmetologists.

This legislation will ensure that barbers are achieving a high level of competency in their field while protecting the health and safety of their customers. I have no doubt that this legislation will allow more Wisconsinites to pursue their passion for barbering and increase competition, thus creating a more vibrant marketplace for consumers.


AB 291/SB 237 removes some of the requirements that delay licensure to those in the fields of barbering. The bill allows greater flexibility for apprentices to finish their schooling by removing a 10 month deadline for completion and that instruction may not exceed 8 hours in one day. This legislation only seeks to increase the workforce without diluting the public's safety.

Thank you again for taking the time to discuss AB 291/SB 237, I am open to any questions the committee may have.

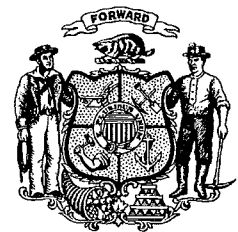
Thank you,

A handwritten signature in black ink, appearing to read "Dale Kooyenga".

Rep. Dale P. Kooyenga



WISCONSIN STATE LEGISLATURE



Assembly

PUBLIC HEARING

Committee on Government Operations and State Licensing

The committee will hold a public hearing on the following items at the time specified below:

Thursday, October 3, 2013
12:00 PM
415 Northwest



Assembly Bill 291

Relating to: requirements concerning barbering and cosmetology licensure.

By Representatives Kooyenga, Krug, Murphy, A. Ott, Honadel, Pope, Spiros, Craig and Doyle; cosponsored by Senators Grothman, L. Taylor, Kedzie, Petrowski and Olsen.

Assembly Bill 297

Relating to: the use of race-based nicknames, logos, mascots, and team names by school boards.

By Representatives Nass, Craig, Kaufert, Jacque, Tittl, Kramer, Knodl, Ballweg, Sanfelippo, Petersen, Loudonbeck, August, Pridemore, Weatherston, Kuglitsch, Ripp, Schraa, Stroebel, Murphy and LeMahieu; cosponsored by Senators Lazich, Kedzie, Farrow, Ellis, Olsen and Grothman.

↳ *smallest complaint must meet same standard as all other discrimination complaints.*

↳ *no evidence that any child has been discriminated against*

Representative Tyler August
Chair

DPI

puts threshold of 10% in statute for discrimination.

MURKOW ATTY - CIVIL RIGHTS ATTY

- *current law is unconstitutional.*
- *U of Penn - Schmittre Poll -> 91% not offensive*
- *Obama Admin even says need actual evidence of discrimination*
- *WI statutes already have racial discrimination law*
- *this bill creates a due process.*

MURKOW

• DPI has used in past (1995) that logo was not discriminatory