

Committee Report

REGULAR CALENDAR

March 15, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 575,

AN ACT relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Tony Lekas

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 575
Title:	relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs.
Date:	March 15, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill would permit an applicant for a license as a cosmetologist, manicurist, or esthetician to complete the training requirement either in an apprenticeship program or a school. While current statute does permit an applicant to complete the training requirement through an apprenticeship it requires twice as many hours in an apprenticeship program than in a school. If this bill is adopted, the number of training hours would be the same for a school or apprenticeship program. The bill also makes it clear that the apprenticeship program must be one approved by the board. In current statute, approval is not required for apprenticeship programs for cosmetologists although it is required for manicurists and estheticians. In either case, the applicant must pass an examination conducted by the board. This would especially benefit those who must work and/or raise a family while training for a new career. It is often not possible for such people to put their lives on hold in order to attend a school full time. An apprenticeship program can offer more schedule flexibility and changing the hours required in such a program the same as those required in a school would reduce the burden on such people. Another potential benefit to an apprenticeship program is that the applicant is likely to receive more hands on practical training than in a school.

Vote 10-9.

Rep. Tony Lekas
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Executive Departments and Administration

HB 575, relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would permit an applicant for a license as a cosmetologist, manicurist, or esthetician to complete the training requirement either in an apprenticeship program or a school. While current statute does permit an applicant to complete the training requirement through an apprenticeship it requires twice as many hours in an apprenticeship program than in a school. If this bill is adopted, the number of training hours would be the same for a school or apprenticeship program. The bill also makes it clear that the apprenticeship program must be one approved by the board. In current statute, approval is not required for apprenticeship programs for cosmetologists although it is required for manicurists and estheticians. In either case, the applicant must pass an examination conducted by the board. This would especially benefit those who must work and/or raise a family while training for a new career. It is often not possible for such people to put their lives on hold in order to attend a school full time. An apprenticeship program can offer more schedule flexibility and changing the hours required in such a program the same as those required in a school would reduce the burden on such people. Another potential benefit to an apprenticeship program is that the applicant is likely to receive more hands on practical training than in a school. **Vote 10-9.**

Original: House Clerk

Cc: Committee Bill File

Archived: Tuesday, April 20, 2021 9:30:57 AM
From: Carol McGuire
Sent: Sunday, March 21, 2021 12:59:01 PM
To: Miriam Simmons; Pam Smarling; Tony Lekas
Subject: Re: Committee Report on HB 575
Response requested: No
Importance: Normal

On Sun, Mar 21, 2021 at 12:55 PM Tony Lekas <rep.tony.lekas@gmail.com> wrote:

HB 575 relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs

Committee Motion: OTP

This bill would permit an applicant for a license as a Cosmetologist, Manicurist, or Esthetician to complete the training requirement either in an apprenticeship program or a school. While current statute does permit an applicant to complete the training requirement through an apprenticeship it requires twice as many hours in an apprenticeship program than in a school. If this bill is adopted the number of training hours would be the same for a school or apprenticeship program. The bill also makes it clear that the apprenticeship program must be one approved by the board. In current statute approval is not required for apprenticeship programs for Cosmetologists although it is for Manicurists and Estheticians. In either case the applicant must pass an examination conducted by the board. This would especially benefit those who must work and/or raise a family while training for a new career. It is often not possible for such people to put their lives on hold in order to attend a school full time. An apprenticeship program can offer more schedule flexibility and making the hours required in such a program the same as in a school would reduce the burden on such people. Another potential benefit to an apprenticeship program is that the applicant is likely to receive more hands on practical training than in a school.

Representative Tony Lekas
Hillsborough 37 (Hudson and Pelham)
Committee: Executive Departments and Administration
[30 Barretts Hill Rd](mailto:rep.tony.lekas@gmail.com)
[Hudson, NH 03051](mailto:rep.tony.lekas@gmail.com)
603-305-5726

On 3/19/2021 8:49 AM, Carol McGuire wrote:

Tony,
apprenticeships are allowed now. rewrite OK?

On Thu, Mar 18, 2021 at 9:55 PM Tony Lekas <rep.tony.lekas@gmail.com> wrote:

HB 575 relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs

Committee Motion: OTP

This bill would permit an applicant for a license as a Cosmetologist, Manicurist, or Esthetician to complete the training requirement **either** in an apprenticeship

program **or** a school, **with the number of hours of training required the same.** In either case the training program must be one approved by the board and the applicant must pass an examination conducted by the board. This would especially benefit those who must work and/or raise a family while training for a new career. It is often not possible for such people to put their lives on hold in order to attend a school full time. An apprenticeship program can offer more schedule flexibility. Another potential benefit to an apprenticeship program is that the applicant is likely to receive more hands on practical training than in a school.

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Representative Tony Lekas
Hillsborough 37 (Hudson and Pelham)
Committee: Executive Departments and Administration
[30 Barretts Hill Rd](#)
[Hudson, NH 03051](#)
603-305-5726

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 575

BILL TITLE: relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs.

DATE: March 15, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: **OUGHT TO PASS**

Moved by Rep. T. Lekas

Seconded by Rep. Bailey

Vote: 10-9

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk



2021 SESSION

Executive Departments and Administration

Bill #: HB 575 Motion: OTP AM #: _____ Exec Session Date: 3-15-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.		X	
Schuett, Dianne E.		X	
Judy, Jean L.		X	
Schmidt, Peter B.		X	
Schultz, Kristina M.		X	
Fellows, Sallie D.		X	
Fontneau, Timothy J.		X	
Grote, Jaci L.		X	
O'Brien, Michael B.		X	
TOTAL VOTE:			

10-9

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 575

BILL TITLE: relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs.

DATE: February 11, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 1:55 p.m.

Time Adjourned: 2:00 p.m.

(please circle if present)

Committee Members: *all present* Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, Lekas, Alliegro, Bailey, Lanzara, Santonastaso, P. Schmidt, Schultz, Goley, Jevdy, Schuett, Fellows, Fontneau, Grote, M. O'Brien

Bill Sponsors:

Rep. Cordelli

Rep. Spillane

Rep. Ammon

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

HB 575 relative to licensure for applicants for cosmetology, esthetics, and manicuring through apprenticeship programs. (1:55/2:00)

Rep. Alliegro introduced the bill since the sponsor was not present.

Jeanne Chappell, school owner member of the Board of Barbering, Cosmetology and Esthetics, spoke in opposition.

She said that it was widely accepted that an apprentice in a shop is not the primary interest of the instructor which is to take care of the clientele. This means more hours are needed since the apprentice is not getting undivided attention. Also, the person doing the instruction may not be a licensed instructor which she described at a dangerous situation. She is not opposed to an apprenticeship program. She described the ratio of instructors to apprentices.

Question / Answer - She contrasted this with a school setting where the priority is education and, in fact, instructors are prohibited from working on their own clientele during school hours. In response to a question concerning the appropriateness of the number of hours,

Ms. Chappell went through the number of hours required for each area licensed by the Board contrasting for each the number of school hours versus apprentice hours. The opposition is to the reduction of in-shop apprentice hours.

Public hearing adjourned at 2:00 p.m.

Respectfully submitted by,
Rep. John Sytek
Committee Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS & ADMINISTRATION

PUBLIC HEARING on Bill # HB 575

BILL TITLE: RELATIVE TO LICENSURE FOR COSMETOLOGY ESTHETICS, AND MANICURING THROUGH APPRENTICESHIP PROGRAMS

DATE: 2-11-21
ROOM: 306-308

Time Public Hearing Called to Order: 1:55

Time Adjourned: 2:00

(please circle if present)

all present
Committee Members: Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, Lekas, Alliegro, Bailey, Lanzara, Santonastaso, P. Schmidt, Schultz, Goley, Jevdy, Schuett, Fellows, Fontneau, Grote, M. O'Brien

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted

HB 575 relative to licensure for applicants for cosmetology, esthetics, and manicuring through apprenticeship programs. (1:55/2:00)

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Respectfully submitted

Rep. John Sytek

Committee Clerk


House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB575 on 2

Support: 5 Oppose: 4 Neutral: 0 Total to Testify: 1

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>
Chappell, Jeanne	jeanne@keenebeautyacademy.edu	603.209.4063	An Elected Official	State Board of Cosmetology and Barbering.	Oppose	Yes (5m)
Lekas, Alicia	rep.alicia.lekas@gmail.com	111.111.1111	An Elected Official	Hillsborough 37	Support	No
Rathbun, Eric	ericrathbun@gmail.com	111.111.1111	A Member of the Public	Myself	Support	No
Mennella, Alexandra	amennella1@protonmail.com	111.111.1111	A Member of the Public	Myself	Oppose	No
Le, Hon. Tamara	tamaranle@gmail.com	111.111.1111	A Member of the Public	Myself	Oppose	No
Medina, CJ	claryssa27@yahoo.com	111.111.1111	A Member of the Public	Myself	Support	No
Lingley, Zach	Zachary.Lingley@gmail.com	111.111.1111	A Lobbyist	Opportunity and Solutions Project	Support	No
Hicks, Crystal	Crystal.neshd@gmail.com	111.111.1111	A Member of the Public	Myself	Oppose	No
Spillane, James	james@jamesspillane.org	603.463.5623	An Elected Official	Rockingham 2 - Bill Sponsor	Support	No

Testimony

Archived: Wednesday, April 7, 2021 12:57:07 PM
From: [Zach Lingley](#)
Sent: Thursday, February 11, 2021 9:59:15 AM
To: ~House Executive Departments and Administration
Subject: HB 575-Written Testimony
Importance: Normal
Attachments:
[HB 575 --ExpandedApprenticeships.pdf](#) 

House Executive Departments and Administration Committee,

Good morning. Please find the attached written testimony submission for HB 575.

Best,

Zach Lingley
Opportunity and Solutions Project

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Zach Lingley
207-902-0179 (Cell)
www.PatriotConsultingMaine.com
Zachary.Lingley@gmail.com

Archived: Wednesday, April 7, 2021 12:57:07 PM
From: [Keith Ammon](#)
Sent: Monday, February 15, 2021 6:30:35 PM
To: [~House Executive Departments and Administration](#)
Cc: [Glenn Cordelli](#); [James Spillane](#)
Subject: HB575 Missed Hearing
Response requested: Yes
Importance: Normal

Dear Chair McGuire and Members of the Committee,

On behalf of Rep. Cordelli, Rep. Spillane, and myself we wish to express regret that as sponsors of HB575 we unfortunately missed the hearing that was scheduled last Thursday, Feb. 11. This slipped through the cracks in our schedules.

Both this bill and your time are very important to us. We apologize for the oversight.

As you know, this bill that would expand the use of apprenticeship programs in qualifying for licenses as a cosmetologist, manicurist, or esthetician. Apprenticeship programs allow for on-the-job training and are a proven and time-tested way for people to learn valuable skills.

Rep. Cordelli will be sending a more detailed response when he is able.

Until then, regards,

Rep. Keith Ammon

Archived: Wednesday, April 7, 2021 12:57:08 PM
From: [Glenn Cordelli](#)
Sent: Sunday, February 21, 2021 2:19:42 PM
To: ~House Executive Departments and Administration
Subject: HB575
Importance: Normal

Good afternoon.

I would like to apologize for missing the public hearing on HB575 relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs. With the avalanche of emails regarding a specific education bill, I must have missed the notice of this hearing. Again, I am sorry I was not there to present the bill.

I authored and sponsored HB575 at the request of a former House member's friend who I believe might have testified at your hearing. The major issue, I believe, is the current requirement that for an apprentice license in any of the professions in the chapter is instruction in a licensed school OR a shop to learn any of the professions. It would seem that a combination of schooling and experience should qualify someone to be an apprentice. I, therefore, made a simple change to RSA 313-A:24, I to read "and/or" instead of just "or". If we want to encourage people to get into these professions and make a good living, we should not erect barriers but establish reasonable requirements that also protect the public.

In looking at the chapter, I made several other changes. In relation to cosmetologists (RSA 313-A:11, I(c)), the statute values the school training at double that of working with a licensed cosmetologist. HB575, modifies the requirement to simply 1,500 hours at a school or working with a licensed cosmetologist. Looking at other professional licensing requirements in the chapter, I believe this is a reasonable requirement.

In RSA 313-A:12 related to manicurists, the bill specifies that 300 hours in an approved school or in a salon as an apprentice with a licensed manicurist would qualify someone for a manicurist's license. Likewise someone should be able to qualify as an esthetician with 600 hours at a training school or working for 600 hours as an apprentice.

We should encourage people in the workforce and provide additional opportunities. HB575 changes are small steps to open doors for people to enter these professions.

Thanks for your consideration of HB575.

State Representative Glenn Cordelli
Carroll 4

Archived: Wednesday, April 7, 2021 12:57:08 PM
From: [Miriam Simmons](#)
Sent: Wednesday, February 24, 2021 7:42:11 AM
To: [Miriam Simmons](#)
Subject: FW: Please support HB575
Response requested: No
Importance: Normal

From: Elliot Axelman <alu.axelman@gmail.com>
Sent: Tuesday, February 23, 2021 11:32 PM
To: ~House Executive Departments and Administration
<HouseExecutiveDepartmentsandAdministration@leg.state.nh.us>
Subject: Please support HB208 and HB575

Dear Representatives,

My family and I would like you to please support HB208 and HB575, two simple bills which would simply make it a little easier for people to conduct business without being controlled and extorted by the government.

Here is [my article](#) mentioning the bills

Thank you.

--

Elliot Axelman, FP-C
Editor-in-chief
LibertyBlock.com



Testimony on House Bill 575

2/11/2021

Zachary S. Lingley

Zachary.Lingley@gmail.com

207-902-0179

Opportunity Solutions Project

Thank you for the opportunity to testify in support of House Bill 575. Opportunity Solutions Project (OSP) is a non-partisan, non-profit organization that develops state and federal policy solutions to advance the power of work so that more people may achieve the American Dream. And this bill will do just that by creating new, debt-free career paths by allowing cosmetologists, manicurists, and estheticians to earn licensure through government-approved apprenticeship programs. Under the apprenticeship model, workers are primarily learning on the job to earn their occupational license, and they are getting paid to do it.

The economic fallout of COVID-19 has been devastating for working families, and Americans are rethinking the traditional path to employment and the student debt that often comes with it.ⁱ But learning a trade to earn a living has its own set of barriers. Occupational licensing isn't exclusive to high-paying jobs, and this is why New Hampshire needs this bill.

Earning an occupational license is a costly upfront investment, especially for those lower on the economic ladder.ⁱⁱ This bill would create an alternative path for people to earn the license they need to work—all while taking home a paycheck. And it does this in three simple steps.

First, a worker must complete an apprenticeship program that meets the standards of the U.S. Department of Labor. Second, they must pass any requisite state-level exams in order to be licensed in the occupation. Third, they must pay any requisite fees and submit to the same background checks as any other applicant.

Right now, apprenticeships offer on-the-job training, mentorship, pay, and an industry-recognized credential. But state-level licensing requirements still prevent some employers from utilizing apprenticeships for apprentice-friendly jobs – this bill begins to eliminate those barriers.

New Hampshire should advance this bill to give workers the opportunity to take home a paycheck while earning a license in their chosen career. Thank you for your time.

ⁱ SimpsonScarborough, *Higher Ed and COVID-19 National Student Survey* (2020), <https://cdn2.hubspot.net/hubfs/4254080/SimpsonScarborough%20National%20Student%20Survey%20.pdf>.

ⁱⁱ National Conference of State Legislatures, *The State of Occupational Licensing: Research, State Policies and Trends* (2017), https://www.ncsl.org/Portals/1/Documents/employ/Licensing/State_Occupational_Licensing.pdf.

Bill as
Introduced

HB 575 - AS INTRODUCED

2021 SESSION

21-0700

10/05

HOUSE BILL **575**

AN ACT relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs.

SPONSORS: Rep. Cordelli, Carr. 4; Rep. Spillane, Rock. 2; Rep. Ammon, Hills. 40

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill expands the use of apprenticeship programs in qualifying for licensure as a cosmetologist, manicurist, or esthetician by the board of barbering, cosmetology, and esthetics.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Cosmetologists; Qualifications; Training RSA 313-A:11, I(c) is repealed and reenacted to read
2 as follows:

3 (c) Have received training which shall not exceed 1,500 hours under a licensed
4 cosmetologist or at a licensed cosmetology school through an apprenticeship approved by the board,
5 the department of education, or the federal Department of Labor, or as otherwise permitted under
6 state or federal law;

7 2 Manicurists; Qualifications; Training RSA 313-A:12 is repealed and reenacted to read as
8 follows:

9 313-A:12 Qualifications; Manicurists. A person, to be issued a manicurist's license by the board,
10 shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e):

11 I. Have completed a course of at least 300 hours of professional training in manicuring, in a
12 school approved by the board and passed an examination conducted by the board; or

13 II. Have completed an apprenticeship approved by the board, the department of education,
14 or the federal Department of Labor, or as otherwise permitted under state or federal law, which
15 shall not exceed 300 hours in a licensed salon under a licensed manicurist, and passed an
16 examination conducted by the board.

17 3 Estheticians; Qualifications; Training. Amend RSA 313-A:13 to read as follows:

18 313-A:13 Qualifications; Estheticians.

19 I. To be issued an esthetics license by the board, an applicant shall, in addition to satisfying
20 the requirements of RSA 313-A:11, I(a), (b), and (e), have completed a course of at least 600 hours of
21 training in a school approved by the board and have passed an examination conducted by the board.

22 An apprenticeship ~~approved by the board may substitute for the required training.~~ Estheticians
23 ~~who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989,~~
24 ~~and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training~~
25 ~~requirements of this section shall not be required to take the examination provided for in this section~~
26 ~~to be eligible for licensure under this chapter], **which shall not exceed 600 hours, approved by**~~
27 ~~**the board, the department of education, or the federal Department of Labor, or as**~~
28 ~~**otherwise permitted under state or federal law, may substitute for the required training.**~~

29 II. Credit towards the hours requirement for esthetician training may be given to a licensed
30 cosmetologist or barber for equivalent training in the cosmetology or barber program in a school

HB 575 - AS INTRODUCED

- Page 2 -

1 approved by the board upon certification of the training by the school. Credit towards the hours
2 requirement for esthetician training may be given to a licensed massage therapist for massage
3 therapy training deemed equivalent by the board. Cosmetologists licensed by the board may obtain
4 the training hours in subjects required by the board in increments at separate schools but must
5 present certifications to the board for all required hours and curriculum subjects.

6 4 Apprenticeship Registration. Amend RSA 313-A:24, I to read as follows:

7 I. No person shall enter an apprenticeship or enroll in a school under this chapter unless
8 such person has registered with the board as an apprentice and been issued an apprentice license.
9 The board shall have sole authority to regulate apprentices and apprenticeship under this chapter.
10 The board shall issue an apprentice license to any student receiving instruction within a licensed
11 school [~~or~~] **and/or** shop to learn barbering, cosmetology, esthetics, or manicuring.

12 5 Effective Date. This act shall take effect 60 days after its passage.