

Dear Senators ANDREASON, McKague and Stennett, and
Representatives BLACK, Henderson, and Elaine Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Bureau of Occupational Licenses - Idaho Board of Cosmetology:

IDAPA 24.04.01 - Rules of the Idaho Board of Cosmetology (Fee Rule) (Docket No. 24-0401-1101)

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 08/17/2011. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 09/14/2011.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address or FAX
number indicated on the memorandum enclosed.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee
FROM: Brooke Murdoch - Principal Legislative Research Analyst
DATE: July 29, 2011
SUBJECT: Bureau of Occupational Licenses - Idaho Board of Cosmetology

IDAPA 24.04.01 - Rules of the Idaho Board of Cosmetology (Fee Rule) (Docket No. 24-0401-1101)

The Bureau of Occupational Licenses submits notice of proposed fee rulemaking at IDAPA 24.04.01 - Rules of the Idaho Board of Cosmetology. The proposed rule reduces original license and annual license renewal fees, reduces an endorsement fee and eliminates a temporary permit to demonstrate and teach fee.

Negotiated rulemaking was not conducted because the rule changes were discussed in a noticed open meeting with interested parties in attendance.

The proposed rule is within the authority granted to the Board in Sections 54-818 and 54-821, Idaho Code.

cc: Bureau of Occupational Licenses
Tana Cory, Bureau Chief
Cherie Simpson

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.04.01 - RULES OF THE IDAHO BOARD OF COSMETOLOGY

DOCKET NO. 24-0401-1101

NOTICE OF RULEMAKING - PROPOSED FEE RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-831, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 17, 2011.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Cosmetology operates on fees paid by its licensees. This change would decrease the application fee, endorsement fee, original license fee, apprentice fee, and annual renewal fee for licensure.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Rule 125 is being amended to reduce fees for original licenses, annual renewals and permits for all people and entities licensed pursuant to Title 54, Chapter 8, Idaho Code. Specifically this change would decrease original license fees and renewal fees for cosmetologists, nail technicians, estheticians, haircutters, and electrologists from \$20 to \$15; decrease cosmetology establishment, retail cosmetic dealers and glamour photography original licenses from \$50 to \$30; decrease cosmetology establishment, retail cosmetic dealers, and glamour photography renewals from \$35 to \$25; decrease cosmetology school original license from \$500 to \$400; decrease cosmetology school renewal from \$150 to \$75; decrease endorsement fee from \$100 to \$85; decrease apprentice fee from \$20 to \$15; and eliminate the \$10 fee for a temporary permit to demonstrate or teach.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

These fee changes would reduce the amount of fees collected for the Board of Cosmetology by approximately \$124,015 per year based on the number of licensees.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule changes were discussed in a noticed open meeting with interested parties in attendance.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 24, 2011.

DATED this 7th day of July, 2011.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W State Street
PO Box 83720, Boise, ID 83720-0063
Ph: (208) 334-3233; Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-0401-1101

125. FEES (RULE 125).

Fees are established in accord with Section 54-818, Idaho Code, as follows: (7-1-97)

- 01. Original Permits, Licenses, and Annual Renewals.** (3-30-01)
 - a. Cosmetological establishment, original license - ~~Fifty thirty~~ dollars (~~\$530~~). (~~3-30-01~~)()
 - b. Cosmetological establishment, annual renewals - ~~Thirty twenty-five~~ dollars (~~\$325~~). (~~3-18-99~~)()
 - c. Retail cosmetics Dealer, original license - ~~Fifty thirty~~ dollars (~~\$530~~). (~~3-30-01~~)()
 - d. Retail cosmetics dealer, annual renewals - ~~Thirty twenty-five~~ dollars (~~\$325~~). (~~3-18-99~~)()
 - e. Makeover or glamour photography business, original license - ~~Fifty thirty~~ dollars (~~\$530~~). (~~3-30-01~~)()
 - f. Makeover or glamour photography business, annual renewals - ~~Thirty twenty-five~~ dollars (~~\$325~~). (~~3-18-99~~)()
 - g. Domestic school of cosmetology, original license - ~~Five four~~ hundred dollars (~~\$5400~~). (~~3-30-01~~)()
 - h. Domestic school of cosmetology, annual renewals - ~~One hundred fifty seventy-five~~ dollars (~~\$15075~~). (~~7-1-97~~)()
 - i. Registered cosmetologist, original license/annual renewals - ~~Twenty fifteen~~ dollars (~~\$2015~~). (~~4-9-09~~)()
 - j. Nail technician, original license/annual renewals - ~~Twenty fifteen~~ dollars (~~\$2015~~). (~~4-9-09~~)()
 - k. Apprentice, original license (no renewal fees required) - ~~Twenty fifteen~~ dollars (~~\$2015~~). (~~7-1-97~~)()
 - l. Instructor, original license/annual renewals - ~~twenty-five~~ dollars (~~\$250~~). (~~4-9-09~~)()
 - m. Electrologist, original license/annual renewals - ~~Twenty fifteen~~ dollars (~~\$2015~~). (~~4-9-09~~)()
 - n. Esthetician, original license/annual renewals - ~~Twenty fifteen~~ dollars (~~\$2015~~). (~~4-9-09~~)()
 - o. Haircutter, original license/annual renewals - ~~Twenty fifteen~~ dollars (~~\$2015~~). (~~4-9-09~~)()
 - p. Endorsement fee - ~~One hundred eighty-five~~ dollars (~~\$10085~~). (~~3-30-01~~)()
 - q. ~~Temporary permit to demonstrate and teach - Ten dollars (\$10)~~. (~~3-30-01~~)
- 02. Examination Fees.** The fee for those examinations administered by a third party administrator shall be that fee determined by the administrator and shall be paid directly to the administrator by the applicant. (4-9-09)
- 03. Fees Shall Not Be Prorated or Returnable.** Fees shall not be prorated or returnable. (7-1-97)

COST/BENEFIT ANALYSIS FORM
Idaho Bureau of Occupational Licenses

Docket Number: 24-0401-1101

Agency Contact: Tana Cory
Phone: (208) 334-3233

Date Analysis Completed: 7/22/11

IDAPA Chapter Number and Title: IDAPA 24.04.01, "Rules of the Idaho Board of Cosmetology"

Fee Rule Status: Proposed

Instructions:

Section 67-5223(3), Idaho Code, adopted by the 2010 Legislature, requires that all proposed rules in which a fee or charge is imposed or increased must include a cost/benefit analysis of the rule change at the time the rule text is submitted for publication. This analysis needs to include an estimated cost to the agency to implement the rule and an estimated cost to be borne by citizens, or the private sector, or both. This statute change is effective July 1, 2010, and must be completed for fee rules published in the Idaho Administrative Bulletin after that date.

Cost/Benefit Analysis For This Rule Change:

Reduction in Fees

Section 54-818, Idaho Code allows for the setting of fees collected for licenses, renewals, establishment applications, and permits. Rule 125 is being amended to reduce fees for original licenses, annual renewals, and permit for all people and entities licensed pursuant to Title 54, Chapter 8, Idaho Code. These fee changes would reduce the amount of fees collected for the Board of Cosmetology by approximately \$124,015 per year based on the number of licensees.