



BOARD OF BARBERING AND COSMETOLOGY
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
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**Department of Consumer Affairs
1625 North Market Boulevard
First Floor Hearing Room – S102
Sacramento, California 95834**

MEETING OF THE COMMITTEES OF THE BOARD OF BARBERING AND COSMETOLOGY

MINUTES OF APRIL 22, 2007

BOARD MEMBERS PRESENT

Jerry Tyler, President
Richard Hedges
Marlene Gadinis
Frank Lloyd
Ken Williams
DeeDee Carlson

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Denise Johnson, Asst. Executive Officer
Gary Duke, Staff Counsel
Theresa Rister, Board Analyst
Janene Mayberry, Admin. Asst.
Stacy Meza, Board Analyst
Jim Jacobs & Joe Brown, Inspectors

1. Agenda Item #1, CALL TO ORDER/ROLL CALL

Mr. Tyler called the meeting to order at 10:00 a.m. The board members and staff members present introduced themselves.

2. Agenda Item, #2, President's Report

Chair Tyler welcomed DeeDee Carlson and Ken Williams, the two newest members of the Board. Ms. Carlson and Mr. Williams gave a brief synopsis of their backgrounds and goals on the board.

Mr. Tyler reported he and staff have been attending numerous tradeshows. Opportunities for outreach were provided to have discussions with top industry personnel to discuss consumer and industry concerns. Positive feedback was received and was very encouraging for the Board's outreach goals.

Mr. Tyler announced this week is the Beauty Industry Week in California. To celebrate, the Professional Beauty Federation of California is sponsoring a legislator event, on April 23 on the steps of the Capitol to offer services to the legislators. Another good opportunity for legislative outreach.

Mr. Tyler reported he has visited over 20 beauty schools, big and small, in the southern area, in the last quarter. He hopes to visit schools in Northern California in the near future.

3. Executive Officers Report

Ms. Underwood updated the board on the sunset of the Bureau of Private Postsecondary and Vocational Education (BPPVE). Legislative language has not been provided as of yet. It is probable schools will maintain their approval through a six month period when the BPPVE is sunset July 1. It will be brought back January 1, 2008, as a yet undetermined body. Ms. Underwood has been working with the Department to provide input. Mr. Duke clarified the current process will not allow for certification of any new schools and instructors from July 1 through January 1.

Ms. Underwood has been working with the department on options to address unlicensed activity in California. The taskforce will be brainstorming on all unlicensed activity in various professions. Monthly meetings have been scheduled to address this ongoing problem. Mr. Lloyd noted most unlicensed shops have a city business license. Cities should be discouraged from giving these licenses. This would great dual enforcement.

Ms. Underwood reported board members Angela Reddock and Bonnie La Chappa have been termed out of their seats. Ms. Underwood read a letter from Ms. Reddock addressed to the board, staff and public.

4. Department of Consumer Affairs Report

Antoinette Sorrick reported Cari Lopez will be the new director of DCA starting tomorrow. The board was invited to the reception.

A DCA flagship website has begun. Agencies have been encouraged to make websites more user friendly and ADA compliant. THE DCA has revised their website along these guidelines and other agencies will follow. The upgrade includes less scrolling, less text, more icons. She welcomed the board to visit dca.ca.gov to view the changes. Mr. Hedges was interested in the changes for the site impaired; Ms. Sorrick will get some information. Mr. Williams asked about the size comparison of this board; Ms. Sorrick indicated this board is one of the biggest.

5. Approval of Board Meeting Minutes

January 22, 2007: Upon a motion by Mr. Hedges, seconded by Ms. Gadinis, the minutes were approved by a 6-0 vote.

February 28, 2007: Upon a motion by Mr. Tyler, seconded by Ms. Gadinis, the minutes were approved by a 6-0 vote.

6. Review of the Board's Disciplinary Process

Ms. Underwood reported staff is developing a manual for board members for enforcement terms and definitions. They will be mailed to board members within the next week. Ms. Johnson highlighted and discussed certain terms. She directed members to call Mr. Duke if they have questions regarding ballots received by mail. However, Mr. Duke indicated he could only answer questions about process and procedures; he could not comment on a

specific case. Ms. Johnson indicated the manual will include definitions and explanations of enforcement terms, and samples of mail ballots. She advised board members to contact her after they receive their manuals if they have any questions.

7. Discussion on Allowing Written Exams to be Taken Prior to Graduation

Ms. Carlson reported students are allowed to begin externships when they have completed 960 hours. She noted in other states students are allowed to take the written exam prior to graduation, after a certain number of hours are completed. The practical test would be taken after graduation. If this process is used, it could be required that students pass the written exam before they take their practical, thus eliminating the bottleneck. This could also help prepare the student to be successful in passing the practical. Ms. Underwood indicated the statute requires a person be admitted to the examination when they've completed their schooling. It would take a statutory change to allow students to take the written exam prior to graduation. Ms. Gadinis agreed with the proposal, stating it builds confidence in the student if they're able to pass the written test prior to the practical. It would streamline the licensing process. Mr. Duke indicated it would take amendments to five separate statutes, but it can be done simultaneously; it would need to be done through the legislature with a bill sponsor. Mr. Williams agreed the proposal is good for the industry and offered to help write the statute. The change will discourage illegal workers. The board should be proactive in doing positive things for the industry, no matter how long it takes. Mr. Hedges wondered if more people would have to retake the test if they don't wait until their schooling/externship is completed; would this create a backlog? Mr. Lloyd wondered if it would affect the testing contract. Ms. Underwood stated no but it may affect internal processes. In examining the pass/fail rate, Mr. Tyler noted of 2300 examinees, the practical exam had an 82% pass rate while the written exam had a 69% pass rate. This proposal would allow students to retest while they are still in school. This would also allow schools to coach and tutor students to take the exam.

Public Comment

Ms. Sorrick of DCA indicated the dental and medical boards also have this process.

Kirby Morris, of NIC, indicated other states are using this process. It is very pro ADA.

Fred Jones, PBFC, spoke in support of this proposal. A bill would not be introduced to the legislature until January-February. He recommended reviewing the practical exam as well "cook the ideas together."

Upon a motion by Mr. Hedges, seconded by Ms. Carlson, the item was referred to the Licensing and Examination Committee for review and recommendations.

Public Comment

Mr. Morris noted there are approximately 10 states that issue a work permit after a written exam is passed, within certain guidelines. However, he indicated this process could put the consumer at risk without the student passing the practical examination. He recommended the current proposal. Mr. Tyler clarified a work permit is offered in

New Jersey, but the student must be supervised by a licensee and can only work after school, on weekends or breaks. The student must also continue to be enrolled in school.

The motion was approved by a 6-0 vote.

At this time, there was a motion made and seconded to adjourn the full Board meeting.

According to Bagley, Keene Open Meetings laws, Board members who were not part of each specific committee were excused and sat in the audience as observers.

8. Agenda Item #8, LEGISLATION AND BUDGET COMMITTEE

a) Call to Order/Roll Call:

Members include Jerry Tyler, Richard Hedges, and Marlene Gadinis. All members were in attendance.

b) Approval of January 21, 2007 Committee Meeting Minutes

Upon a motion by Mr. Hedges, seconded by Ms. Gadinis, the minutes were approved by a 3-0 vote.

c) Budget Update

Budget projections as of February 28, 2007, were provided by staff. Staff does not foresee any budget problems through the fiscal year. Mr. Tyler questioned the over budget of printing and mailing. Ms. Underwood indicates several regulation packages have been printed and mailed, including the footspa regulations (approximately \$300,000). Mr. Tyler expressed his concerns about future unfunded mandates. Projections of income include fine increases.

d) Proposed Regulations Update

The following proposed regulations and their status were reviewed by staff and discussed by the committee: Apprentice Multiple Locations (currently with Office of Administrative Law for review; should be hearing from them very soon); Apprentice Transfer of Hours (Currently in the internal department process); Examination Fee (Public hearing scheduled for 5/21 in Sacramento); Fine Increase (Implemented; additional package to establish fine for 980.2 and 980.3, footspa regulations, and section 982); Cleaning and Disinfecting Footspa (Final regulation package recently filed with OAL); Reciprocity and Initial License Fee (Submitted to OAL, 30 days to review and approve, effective within 60 days. Staff is ready to implement immediately); Threading (To define, incidental trimming is by use of scissors); Summary of Suspension (emergency regulations, will be filed with OAL, should be effective very shortly); Removal of Extern Curriculum (currently being worked on by staff)

e) Proposed Legislation Update

Updates were provided for the following Legislation. The committee was encouraged to take a position on these bills and forward to the full board:

AB 105 - Tanning Facilities: This bill would have minimal impact to the board. Few salons in California have tanning facilities. The committee agreed to support this bill and forward the recommendation to the full board.

AB 265 - Threading: The latest version before the committee extends the permanent exemption to 2009. Mr. Tyler expressed his concerns and suggested a curriculum be developed for threading. The expansion into hair removal brings concern to everyone. Mr. Hedges made a motion to oppose the current legislation or any continuing extension or expansion of this practice. Mr. Tyler seconded the motion. However, Ms. Gadinis noted if the board does not support this extension, threading will be automatically exempt. This bill will extend the exemption to 2009 and removes threading from the practice of cosmetology. Mr. Hedges recommended opposing the bill and telling the author the board requests it be revised for future regulations. Ms. Underwood recommended language be given to the bill author's office that the board would like it to become part of the practice of cosmetology. Ms. Gadinis noted threading goes against sanitation. Staff will prepare for in-depth future discussions. It will be referred to licensing.

Public Comment

Fred Jones of PBFC noted his agency opposes the bill. Hair removal is part of the scope of practice of this board's regulatory authority. The board needs to provide flexibility and not micromanage, curricula to allow schools to respond to their market demands. Also, if salons do nothing but threading, they will not be regulated by the board.

Kirby Morris of NIC, indicated other boards are looking at the same issue. He indicated he could ask their textbook companies if they could provide curriculum and educational materials specific to threading. Mr. Hedges asked Mr. Morris to forward the information to Ms. Underwood. Mr. Morris indicated he has observed threading in Ohio, and what is in a threader's mouth never comes into contact with the client. He stated Ohio and Pennsylvania have decided threading is within their scope of practice. Mr. Hedges indicated it can lead to repetitive stress to neck and teeth.

Ms. Johnson indicated she underwent the procedure and was very impressed. Mr. Hedges noted unlicensed activity is created.

Mr. Jones of PBFC clarified the motion before the board is not to approve of threading in a beauty setting. The motion is whether to bring threading into regulatory oversight of the board.

Ms. Gadinis questioned the ramifications of opposing the bill. Mr. Hedges indicated the wishes of the board to regulate threading needs to be sent to the bill's author. Ms. Underwood noted if the bill does not pass, the board would have to implement

regulatory changes. Again, Mr. Hedges made the motion to oppose the bill with the eventuality of regulating it and bringing it into the board's purview. Mr. Tyler seconded the motion and it was approved by a 3-0 vote.

AB 721 – Public Records Requests: This bill requires the board to respond no later than 3 business days if a public record request is received from the legislature. It would be a significant impact to the Board; Ms. Underwood feels it may be impossible. Currently the board is required to respond within 10 days. Ms. Gadinis made the motion to bring the bill to the full board to oppose it. Mr. Hedges seconded the motion and it was passed by a 3-0 vote.

AB 865 – Live Customer Agents: This bill requires the board to answer a telephone call within 10 rings by a live person. Ms. Gadinis made the motion to bring to the full board to oppose this bill. Mr. Tyler seconded the motion and it was passed by a 3-0 vote.

AB 1025 – Denial of Licensure: This bill requires several things of the board; it is directed at all boards and bureaus within the Department of Consumer Affairs. Staff feels it weakens the board's ability to protect the consumer. Mr. Hedges made the motion to bring to the full board to oppose this bill. Ms. Gadinis seconded the motion, and it passed by a 3-0 vote.

AB 1135 – Report Declarations: This bill requires the board president or executive officer to sign stating any legislative report is true. This is done already. However, a penalty will be assessed if not done. Mr. Hedges made the motion to bring to the full board to support this bill. Mr. Tyler seconded the motion, and it passed by a 3-0 vote.

AB 1393 – Public Records: This bill requires posting of Form 700 conflict of interest forms on the internet. Fiscal cost of \$113,000 are projected; another unfunded mandate. Will discourage people from entering public service due to privacy. Mr. Hedges made the motion to bring to the full board to oppose this bill. Mr. Tyler seconded the motion, and it passed by a 3-0 vote.

SB 374 – Military Service-Benefits: This bill requires the board to waive licensing fees for someone serving in the military or their spouses. Ms. Gadinis made the motion to bring to the full board to support this bill. Mr. Tyler seconded the motion, and it passed by a 3-0 vote.

SB 618 - Electronic Records: This bill would require state agencies to maintain all of its records in an electronic format by January 2010. This would be a significant impact to the staff. Staff is requesting to develop supporting economic data. Mr. Tyler made the motion to bring to the full board to oppose this bill. Mr. Hedges seconded the motion, and it passed by a 3-0 vote.

- f) Approval of Administrative Fine Schedule Section 974:
Increase of fine for Section 982:

Language was presented to modify the fine to \$500 for Section 982, the sterilizing electrolysis instruments. It was left out of the first phase. Mr. Tyler made the motion to

approve the increase of the fine for section 982 and send it to the full board. Mr. Hedges seconded the motion and it was approved by a 3-0 vote.

g) Public Comment

The public present did not wish to address the committee.

h) Agenda Items for Next Committee Meeting

Continue to watch progress in the legislation.

i) Adjournment

There being no further business, the meeting of the Legislation and Budget Committee was adjourned.

9. Agenda Item #3, DISCIPLINARY REVIEW COMMITTEE

a) Call to Order/Roll Call

Members include Frank Lloyd (Chair), Richard Hedges, Ken Williams, (Marlene Gadinis, Alternate). All members were present.

b) Approval of January 21, 2007 Committee Meeting Minutes

Upon a motion by Mr. Hedges, seconded by Ms. Gadinis, the minutes were approved by a 4-0 vote.

c) Review of DRC Statistics

DRC statistics as of April 1st were reviewed. Appeals pending: 143 in south, 100 in north (as of April 17th). Mr. Hedges recommended the June meeting be held in Northern California, then have another meeting in June soon thereafter in the southern area to cover outstanding appeals. The process was also reviewed. Mr. Williams suggested a northern and southern California DRC, however the pressure is on staff to prepare all the materials. Ms. Underwood indicated the north can be handled in the June meeting; possibly rescheduled to earlier in June. The southern California cases can then be heard in early August. However, after discussion, the June meeting was kept at June 25 and 26th. Mr. Williams wondered if the appeals will increase with the new fines and regulations. Ms. Underwood indicated the appeals have increased. Mr. Williams suggested an appeals fee but Mr. Duke indicated it is not possible under existing law, may be considered a denial of due process. Mr. Hedges believed keeping the backlog down will decrease frivolous appeals; the committee agreed. Ms. Underwood recommended conducting appeals hearings every six weeks. Staff will research and get back to the committee with a plan.

d) Public Comment

Fred Jones of PBFC indicated he has been receiving a lot of calls about the increased fines. He predicted a spike will occur in appeals. He asked the committee to review the "trivial" fines, such as unmarked water bottle, a \$100 fine. He did not believe this was a good message to send. Ms. Underwood recommended this issue be referred to the Enforcement and Inspections Committee. Mr. Duke recommended looking at the issues on a case-by-case basis.

Jim Edwards expressed his concern about unlicensed activity. He recommended more stringent measures against salons for hiring unlicensed operators, not just the operator themselves. Mr. Lloyd projected this will improve with the addition of more inspectors. Ms. Gadinis indicated reciprocity will also help. Mr. Edwards believed the beauty schools would be able to send in a report of people they know are working without a license.

e) Agenda Items for Next Committee Meeting

Statistics and feedback on new fines.

Mr. Williams reported on his recent ride-along. It was a great opportunity as a committee member. He indicated there are many problems and risks to the consumer in the industry and he hoped the board could take a very proactive and affirmative stand on getting whatever staffing and appropriations necessary to deal with this problem. He was concerned about the inspection process. He recommended continual outreach to the salons.

f) Adjournment

There being no further business, the Discipline Review Committee was adjourned.

(10 minute break)

10. Agenda Item #10, LICENSING & EXAMINATION COMMITTEE

a) Call to Order/Roll Call

Members include Marlene Gadinis (Chair), Jerry Tyler, Richard Hedges, Frank Lloyd. All members were in attendance.

b) Approval of January 21, 2007 Committee Meeting Minutes

Ms. Gadinis noted stylish should be stylist. Upon a motion by Mr. Tyler, seconded by Mr. Hedges, the minutes were approved by a 4-0 vote as corrected.

c) Review of Licensing Statistics.

Staff reviewed the licensing statistics. There is no backlog at this time. (Mr. Jones expressed his approval)

d) Review and Approval of Recommendations to Revise the Electrology Curriculum

Ms. Gadinis requested this item be postponed until the next meeting.

e) Discussion on Cost of National Exam Audit

Staff is continuing to look at the National Exam. They are recommending the audit be approved to be completed this fiscal year; funds are available. Mr. Tyler made the motion to bring this issue to the full board, Mr. Hedges seconded the motion and it was approved by a 4-0 vote. (Mr. Morris said thank you)

f) Computer Based Testing Update

Ms. Underwood reported the computer based testing contract has been awarded to Psychological Services (PSI). The first exam with this new vendor will be conducted on June 5th. Mr. Tyler recommended exploring the use of interactive and video testing in the future with the vendor. It was believed the contract is 5 years; it is a department-wide contract. The cost per exam was reduced from \$39 to \$34.

g) Public Comment

Cheryl McDonald, from Solano College, indicated the schools now receiving pass or fail and not a percentage of each category as in the past. This helped find the weaknesses and strengths of students. Ms. Underwood indicated technical staff is working on that issue and hopefully will be resolved soon.

Fred Jones, PBFC, discussed the need for booth rental licensure. Inspectors need to be able to identify these, as they are individual business entities, and the consumer has the right to know this. They constitute over 75% of operators. He explained the difference between independent contractor (someone you hire to do a specific job) and a booth renter (a separate business entity). Ken Cassidy discussed and explained this difference also. The booth rental license would protect the landlord, the booth renter and the consumer. 99.5% in the industry do not qualify as a true independent contractor, others are employer-employee or landlord-tenant relationship. It would also require the booth renter to obtain a city/county license. The committee agreed the booth rental license should be reviewed. Mr. Hedges however, believed the ultimate responsibility for sanitation, etc in the shop should not be taken away from the landlord. Mr. Duke recommended a motion to have staff work with Mr. Cassidy to obtain more information and include the item on a future agenda. Ms. Underwood anticipated the data from the surveys may be tabulated that asked if a person requesting a license or renewal is a booth renter, independent contractor or employee (according to self identification). The state-by-state data will also be prepared.

Jean Ogren, Electrolysis Association of California, asked why the electrolysis discussion was moved to the next meeting. The information was not available as of yet.

David Gallang, Skyline College, asked about the status of the reinstatement of the cosmetology instructors license. The committee reported the license was sunsetted in 2003 and more than likely will not return. Mr. Tyler indicated with the loss of the

license it is the responsibility of the schools to make sure their teachers are qualified. Community colleges should be proactive in developing teacher training programs. Mr. Duke indicated new opportunities may arise next year with BPPVE.

h) Agenda Items for Next Committee Meeting

Booth rental license, hairstylist license, threading.

i) Adjournment

There being no further business, the meeting of the Licensing and Examination Committee was adjourned.

11. Agenda Item #11, EDUCATION AND OUTREACH

a) Call to Order/Roll Call

Committee members include Jerri Walters, Deedee Carlson, and Marlene Gadinis. Ms. Walters was not in attendance due to illness.

b) Approval of January 21, 2007 Committee Meeting Minutes

Upon a motion by Director Gadinis, seconded by Director Carlson, the minutes were approved by a 2-0 vote.

c) Election of Chair

Due to lack of a quorum this item was tabled.

d) Consumer Outreach Campaign Update

Staff provided the committee with a list of consumer events they hope to be attending, if budget permits.

e) Industry Outreach Campaign Update

Staff provided the committee with a list of industry events they hope to be attending.

f) Media Opportunities/Public Service Announcements

Ms. Underwood reported public service announcements would be very costly. It is not possible in this fiscal year's budget. It will be revisited next fiscal year.

g) Public Comment

Alex Ninh with Amerispa commented on the need of sending announcements directed to Vietnamese licensees. He has heard they are confused and scared of the new fines. He hoped outreach could be done. He has also heard inspectors are getting

10% kickbacks. He recommended including the regulations in different languages (Vietnamese and Spanish) on the website. Ms. Underwood indicated there would be a cost to get the items translated. Mailings would be an additional cost; can be looked at in the next fiscal year.

Ken Cassidy indicated Nails Magazine has a Vietnamese version and may possibly interpret the regulations at no cost. Cindy Drummy is the editor.

Sharon Esch, public relations and PBFC, commented there may be many opportunities for media exposure for the industry that are inexpensive. She recommended talking to the media at tradeshows and asking them to help get the word out. Ms. Esch offered to attend the next meeting and help brainstorm on specific ideas.

Jaime Schrabek of Precision Nails indicated she has never seen representatives from the industry magazines at the meetings; they may not have the resources to attend. She recommended contacting them to do interviews.

h) Agenda Items for Next Board Meeting

Alternative opportunities for media, contacting Nail magazine for translating.

i) Adjournment

There being no further business the meeting of the Education and Outreach Committee was adjourned.

12. Agenda Item #12, ENFORCEMENT AND INSPECTION COMMITTEE

a) Call to Order/Roll Call

Members include Richard Hedges (Chair), Frank Lloyd, DeeDee Carlson, Ken Williams. All were in attendance

b) Approval of January 21, 2007 Committee Meeting Minutes

Upon a motion by Mr. Lloyd, seconded by Mr. Williams, the minutes were approved by a 4-0 vote.

c) Review of Enforcement Statistics

Enforcement statistics were reviewed by Ms. Johnson. Mr. Hedges noted the complaints closed January-March seemed to escalate. Ms. Johnson explained processes and deadlines in-house have been adjusted. Once an inspection has been completed, the citation is issued or goes on for disciplinary action. Staff has been encouraged to move through these quickly. Mr. Williams asked why the citations issued have decreased. Ms. Johnson was unsure but stated it could be a staffing issue or a paperwork issue in-house. Inspectors are expected to do 4-5 inspections per day. Ms. Carlson noted the time spent at each inspection varies greatly. Driving

also limits the amount that can be done. Ms. Underwood indicated a concept proposal has been recently submitted to request 8 more inspectors. This is the first step in the budget change proposal. Mr. Hedges welcomed Joe as supervisor. Citations are dealt with consistently as outlined in the Disciplinary Guidelines. If a person does not pay a citation timely, a hold will be placed on their license renewal. They will then be considered unlicensed. However, if a citation is appealed, the license will be renewed. Ms. Johnson will provide Mr. Williams and Ms. Carlson with copies of the Disciplinary Guidelines. Mr. Hedges asked if staff has looked into working with the Franchise Tax Board to collect late fines.

d) Public Comment

A public member asked if a citation fine could be referred to a collection agency? Mr. Duke indicated the board does not have authority to work with an outside collection agency.

Alex Ninh of Amerispa commented on his last meeting comments where an establishment on probation could be forced to pay for the water test by AB409. Mr. Duke indicated this could be done through the disciplinary process and not directly through AB409. On another note, he discussed the recent article about a pedicure related death in California, and Leland Yee's comments. Mr. Hedges noted they will be meeting with Mr. Yee tomorrow.

e) Agenda Items for Next Board Meeting

Statistics, health and safety laws.

f) Adjournment

There being no further business the meeting of the Enforcement and Inspection Committee was adjourned.

13. Agenda Item #13, FULL BOARD RECONVENES

Mr. Tyler called the meeting of the full board to order.

14. Agenda Item #14, REPORT OF ACTION ITEMS FROM THE LEGISLATION AND BUDGET COMMITTEE

a) Proposed Legislation:

AB 105 - Tanning Facilities: This bill would have minimal impact to the board. The committee is recommending support of the bill. Upon a motion by Mr. Lloyd, seconded by Mr. Williams, it was voted 6-0 to support this bill.

AB 265 - Threading: The latest version before the committee extends the permanent exemption to 2009. The committee is recommending opposing this bill. Upon a motion by Mr. Lloyd, seconded by Mr. Tyler, it was voted 6-0 to oppose this bill.

AB 721 – Public Records Requests: This bill requires the board to respond no later than 3 business days if a public record request is received from the legislature. It would be a significant impact to the Board. The committee is recommending opposing this bill. Upon a motion by Mr. Lloyd, seconded by Mr. Tyler, it was voted 6-0 to oppose this bill.

AB 865 – Live Customer Agents: This bill requires the board to answer a telephone call within 10 rings by a live person. The committee is recommending opposing this bill. Upon a motion by Mr. Gadinis, seconded by Mr. Williams, it was voted 6-0 to oppose this bill.

AB 1025 – Denial of Licensure: This bill requires several things of the board; it is directed at all boards and bureaus within the Department of Consumer Affairs. Staff feels it weakens the board's ability to protect the consumer. Mr. Hedges made the motion to bring to the full board to oppose this bill. Ms. Gadinis seconded the motion, and it passed by a 3-0 vote. The committee is recommending opposition of the bill. Upon a motion by Mr. Lloyd, seconded by Mr. Williams, it was voted 6-0 to oppose this bill.

AB 1135 – Report Declarations: This bill requires the board president or executive officer to sign stating any legislative report is true. This is done already. However, a penalty will be assessed if not done. The committee is recommending opposing the bill. Upon a motion by Mr. Hedges, seconded by Mr. Tyler, it was voted 6-0 to oppose this bill.

AB 1393 – Public Records: This bill requires posting of Form 700 conflict of interest forms on the internet. The committee is recommending opposing the bill. Upon a motion by Mr. Hedges, seconded by Ms. Gadinis, it was voted 6-0 to oppose this bill.

SB 374 – Military Service-Benefits: This bill requires the board to waive licensing fees for someone serving in the military or their spouses. The committee is recommending support of the bill. Upon a motion by Ms. Gadinis, seconded by Mr. Tyler, it was voted 6-0 to support this bill.

SB 618 - Electronic Records: This bill would require state agencies to maintain all of its records in an electronic format by January 2010. The committee is recommending opposing the bill. Upon a motion by Mr. Lloyd, seconded by Mr. Tyler, it was voted 6-0 to oppose this bill.

- b) Approval of Administrative Fine Schedule Section 974:
Increase of fine for Section 982:

The proposed fine for Section 982, sterilization of electrolysis equipment is 500 from \$100. The committee recommended this fine increase. Upon a motion by Mr. Lloyd, seconded by Ms. Carlson, the increase was approved by a 6-0 vote.

15. Agenda Item #15, REPORT OF ACTION ITEMS FROM THE LICENSING AND EXAMINATION COMMITTEE

Approval to Review the Electrology Curriculum:

This item was tabled.

Discussion and Approval on Costs of National Exam Audit:

Ms. Gadinis made the motion to adopt the committee's approval to look into the National Exam audit. Mr. Lloyd seconded the motion and it was approved by a 6-0 vote.

16. Agenda Item #16, PUBLIC COMMENT

Sheryl McDonald, from Solano Community College, asked about the aesthetician proposed language. This item was deferred until the next meeting.

17. Agenda Item #17, ADJOURNMENT

With no further business, the meeting was adjourned.