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CR 91-129

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CERTIFICATE

STATE OF WISCONSIN

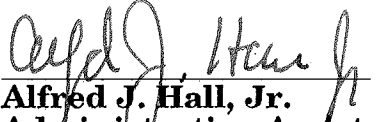
DEPARTMENT OF REGULATION AND LICENSING

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Alfred J. Hall, Jr., Administrative Assistant, Bureau of Business and Design Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Barbering and Cosmetology Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Barbering and Cosmetology Examining Board on the 9th day of January, 1992.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 9th day of January, 1992.


Alfred J. Hall, Jr.
Administrative Assistant
Bureau of Business and Design
Professions
Department of Regulation and
Licensing

3-1-92

STATE OF WISCONSIN
BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	BARBERING AND COSMETOLOGY EXAMINING
BARBERING AND COSMETOLOGY	:	BOARD ADOPTING RULES
EXAMINING BOARD	:	(CLEARINGHOUSE RULE 91-129)

ORDER

An order of the Barbering and Cosmetology Examining Board to amend BC 3.01 (12) of the administrative code relating to licensed establishments and the sharing of basins between licensed establishments.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5), 227.11 (2) (a) and 454.08 (4), Stats.

Statutes interpreted: s. 454.08 (4), Stats.

In this order the Barbering and Cosmetology Examining Board is amending s. BC 3.01 (12) to clarify that barbering and cosmetology establishments located on the same premises may share basins.

Under existing rules there is widespread confusion whether establishments located on the same premises may share basins. It is evident from meetings and hearings held by the board and from inspections of establishments conducted by the Department of Regulation and Licensing that current language in s. BC 3.01 (12) has been misunderstood. This confusion has caused difficulties in the enforcement of the rules.

The Barbering and Cosmetology Examining Board has denied applications for establishment licenses because of the fact that the establishment does not have a separate basin for each work station. As a result, these establishments have been unable to open for business and the public is denied access to barbering and cosmetology services from these establishments.

Installation of plumbing for a basin can be costly. Under existing rules potential establishment owners are unsure of whether plumbing and basins must be installed at each work station or whether they can be shared if the work stations are separately licensed as establishments.

The Barbering and Cosmetology Examining Board has also received numerous complaints from the public that restrictions on sharing basins between establishments are unreasonable.

This proposed rule-making provides for licensed establishments to share basins.

TEXT OF RULE

SECTION 1. BC 3.01 (12) is amended to read:

BC 3.01 (12) ~~At the location where services are provided to patrons, each establishment~~ Establishments shall provide a basin appropriate ~~to the for~~ services offered by the establishment provided which has a hot and cold running water ~~supply~~, and a chair which is designed for the service to be provided. Establishments shall provide the equipment and supplies necessary to perform the services offered. Basins may be shared with other establishments located on the same premises.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated 9 JANUARY 92

Agency Henry H. Moore
Chairperson
Barbering and Cosmetology
Examining Board by
David J. Hesse Jr.

RULES-366
11/7/91

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: January 9, 1992

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela Haack, Administrative Assistant
Department of Regulation and Licensing

SUBJECT: Final Rulemaking Order

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Agency: BARBERING AND COSMETOLOGY EXAMINING BOARD

Clearinghouse Rule: 91-129

Attached is a copy and a certified copy of a final order adopting rules.

Would you please publish these rules in the code.

Thank you.