

2017 DRAFTING REQUEST**Senate Amendment (SA-SB109)**For: **Chris Kapenga (608) 266-9174**Drafter: **kpaczusk**By: **Kyle**

Secondary Drafters:

Date: **5/1/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Sen.Kapenga@legis.wisconsin.gov**Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**
Konrad.Paczuski@legis.wisconsin.gov**Pre Topic:**

No specific pre topic given

Topic:

Cosmetology instructor certifications

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kpaczusk 5/1/2017	jdyer 5/1/2017			
/P1	kpaczusk 5/2/2017	kfollett 5/2/2017	mbarman 5/1/2017		
/P2	kpaczusk 5/2/2017	kfollett 5/2/2017	lparisi 5/2/2017		
/1			rmilford 5/2/2017	rmilford 5/2/2017	

FE Sent For:

<END>



Phone call w/ Sen. Kapenga's office 4/28:

- Amend SB 108:

- keep the instructor certificates, but change them so that they are optional

- have the same requirements for obtaining

- one-time certification

- prohibit a person who is not certified from using the title "state-certified instructor"

- delay the effective date until the next renewal date

-KP



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa0465/2017

KP:
Jld

NOW please

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE BILL 109

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: delete lines 3 and 4. ✓

3 **2.** Page 3, line 2: delete that line. ✓

4 **3.** Page 3, line 4: delete lines 4 to 7. ✓

5 **4.** Page 3, line 9: delete that line. ✓

6 **5.** Page 3, line 11: delete lines 11 and 12. ✓

7 **6.** Page 3, line 20: delete the material beginning with that line and ending with

8 page 5, line 1, and substitute:

9 "SECTION 20g. 440.63 (1) of the statutes is amended to read:

10 440.63 (1) ~~INSTRUCTOR CERTIFICATION REQUIRED INSTRUCTORS~~. (a) No person may

11 provide practical instruction in barbering unless the person holds a current

1 ~~barbering instructor or cosmetology instructor certificate issued~~ barber license
2 granted by the department or cosmetologist license granted by the cosmetology
3 examining board.✓

4 (am) No person may provide practical instruction in cosmetology unless the
5 person holds a current ~~cosmetology instructor certificate issued by the department~~
6 cosmetologist license granted by the cosmetology examining board.✓

7 (b) No person may provide practical instruction in aesthetics unless the person
8 holds a current ~~aesthetics instructor or cosmetology instructor certificate issued by~~
9 ~~the department~~ aesthetician license or cosmetologist license granted by the
10 cosmetology examining board.✓

11 (c) No person may provide practical instruction in electrology unless the person
12 holds a current ~~electrology instructor certificate issued by the department~~
13 electrologist license granted by the cosmetology examining board.

14 (d) No person may provide practical instruction in manicuring unless the
15 person holds a current ~~manicuring instructor or cosmetology instructor certificate~~
16 ~~issued by the department~~ manicurist license or cosmetologist license granted by the
17 cosmetology examining board.✓

18 History: 1987 a. 265; 1989 a. 31; 1991 a. 39; 2007 a. 20; 2011 a. 190.✓

SECTION 20r. 440.63 (1m) of the statutes is created to read:

19 440.63 (1m) USE OF TITLE. (a)✓ No person may use the title "Wisconsin certified
20 barbering instructor," use any title that implies that he or she is a Wisconsin certified
21 barbering instructor, or represent himself or herself to be a Wisconsin certified
22 barbering instructor unless the person is certified as a barbering instructor under
23 this subchapter.✓

1 (b) No person may use the title[✓] "Wisconsin certified cosmetology instructor,"
 2 use any title that implies that he or she is a Wisconsin certified cosmetology
 3 instructor, or represent himself of herself to be a Wisconsin certified cosmetology
 4 instructor unless the person is certified as a cosmetology instructor under this
 5 subchapter.✓

6 (c) No person may use the title "Wisconsin certified aesthetics instructor,"[✓] use
 7 any title that implies that he or she is a Wisconsin certified aesthetics instructor, or
 8 represent himself of herself to be a Wisconsin certified aesthetics instructor unless
 9 the person is certified as an aesthetics instructor under this subchapter.✓

10 (d) No person may use the title[✓] "Wisconsin certified electrology instructor," use
 11 any title that implies that he or she is a Wisconsin certified electrology instructor, or
 12 represent himself of herself to be a Wisconsin certified electrology instructor unless
 13 the person is certified as an electrology instructor under this subchapter.✓

14 (e) No person may use the title[✓] "Wisconsin certified manicuring instructor," use
 15 any title that implies that he or she is a Wisconsin certified manicuring instructor,
 16 or represent himself of herself to be a Wisconsin certified manicuring instructor
 17 unless the person is certified as a manicuring instructor under this subchapter.✓

18 **SECTION 26m.**[✓] 440.63 (2) of the statutes is amended to read:

19 440.63 (2) APPLICATIONS;~~CERTIFICATION PERIOD.~~ An application for initial
 20 certification ~~or renewal or reinstatement of a certificate~~ under this section shall be
 21 submitted to the department on a form provided by the department. An application
 22 for initial certification shall include the initial credential a one-time certification[✓] fee
 23 ~~determined by the department under s. 440.03 (9) (a)~~ of \$75, except that no
 24 certification fee is required under this section for an individual who is eligible for the
 25 veterans fee waiver program under s. 45.44[✓] ~~Renewal applications shall be~~

↖ INSERT J
(move to next page)

↖ strike

1 submitted to the department on a form provided by the department on or before the
2 applicable renewal date specified under s. 440.08 (2) (a) and shall include the
3 applicable renewal fee determined by the department under s. 440.03 (9) (a), and the
4 applicable penalty for late renewal under s. 440.08 (3) if the application is submitted

INS
5
late.
to plain

History: 1987 a. 265; 1989 a. 31; 1991 a. 39; 2007 a. 20; 2011 a. 190.

6
****NOTE: Section 440.03 (9) (a) requires DSPS to determine a credential fee based on the administrative and enforcement costs of regulating a profession, but cross-referencing s. 440.03 (9) (a) might not be appropriate for a one-time certification and fee. Therefore this draft specifies that the one-time certification fee is \$75, which is the current initial certification fee for barbering and cosmetology instructors. Please let me know if you would like to specify a different amount for the one-time certification fee.

7 **7.** Page 5, line 17: delete the material beginning with that line and ending with
8 page 6, line 2.

9 **8.** Page 10, line 22: delete lines 22 to 25.

10 **9.** Page 14, line 12: delete lines 12 to 15.

11 **10.** Page 15, line 7: after that line insert:

12 **SECTION 75. Effective dates.** This act takes effect on the day after
13 publication, except as follows:

14 (1) INSTRUCTOR CERTIFICATION. The treatment of section 440.63 (2) of the
15 statutes takes effect on April 2, 2019.

****NOTE: This delayed effective date causes a person who currently holds a 2-year instructor certificate and who wants to obtain a one-time instructor certificate to need to apply for the one-time instructor certificate and pay the one-time fee. Please let me know if this is not your intent, or if you would like to transition people who already hold a 2-year instructor certificate to a one-time certificate without submitting an application and without paying the fee.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE BILL 109

INSERT RIGHT AWAY

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: delete lines 3 and 4.

3 **2.** Page 3, line 2: delete that line.

4 **3.** Page 3, line 4: delete lines 4 *and* 7. *fees*

5 **4.** Page 3, line 9: delete that line.

6 **5.** Page 3, line 11: delete lines 11 and 12.

7 **6.** Page 3, line 20: delete the material beginning with that line and ending with
8 page 5, line 1, and substitute:

9 **“SECTION 20g.** 440.63 (1) of the statutes is amended to read:

10 440.63 (1) ~~INSTRUCTOR CERTIFICATION REQUIRED~~ INSTRUCTORS. (a) No person may
11 provide practical instruction in barbering unless the person holds a current

1 ~~barbering instructor or cosmetology instructor certificate issued~~ barber license
2 granted by the department or cosmetologist license granted by the cosmetology
3 examining board.

4 (am) No person may provide practical instruction in cosmetology unless the
5 person holds a current ~~cosmetology instructor certificate issued by the department~~
6 cosmetologist license granted by the cosmetology examining board.

7 (b) No person may provide practical instruction in aesthetics unless the person
8 holds a current ~~aesthetics instructor or cosmetology instructor certificate issued by~~
9 ~~the department~~ aesthetician license or cosmetologist license granted by the
10 cosmetology examining board.

11 (c) No person may provide practical instruction in electrology unless the person
12 holds a current ~~electrology instructor certificate issued by the department~~
13 electrologist license granted by the cosmetology examining board.

14 (d) No person may provide practical instruction in manicuring unless the
15 person holds a current ~~manicuring instructor or cosmetology instructor certificate~~
16 ~~issued by the department~~ manicurist license or cosmetologist license granted by the
17 cosmetology examining board.

18 **SECTION 20r.** 440.63 (1m) of the statutes is created to read:

19 440.63 (1m) USE OF TITLE. (a) No person may use the title "Wisconsin certified
20 barbering instructor," use any title that implies that he or she is a Wisconsin certified
21 barbering instructor, or represent himself or herself to be a Wisconsin certified
22 barbering instructor unless the person is certified as a barbering instructor under
23 this subchapter.

24 (b) No person may use the title "Wisconsin certified cosmetology instructor,"
25 use any title that implies that he or she is a Wisconsin certified cosmetology

1 instructor, or represent himself of herself to be a Wisconsin certified cosmetology
2 instructor unless the person is certified as a cosmetology instructor under this
3 subchapter.

4 (c) No person may use the title "Wisconsin certified aesthetics instructor," use
5 any title that implies that he or she is a Wisconsin certified aesthetics instructor, or
6 represent himself of herself to be a Wisconsin certified aesthetics instructor unless
7 the person is certified as an aesthetics instructor under this subchapter.

8 (d) No person may use the title "Wisconsin certified electrology instructor," use
9 any title that implies that he or she is a Wisconsin certified electrology instructor, or
10 represent himself of herself to be a Wisconsin certified electrology instructor unless
11 the person is certified as an electrology instructor under this subchapter.

12 (e) No person may use the title "Wisconsin certified manicuring instructor," use
13 any title that implies that he or she is a Wisconsin certified manicuring instructor,
14 or represent himself of herself to be a Wisconsin certified manicuring instructor
15 unless the person is certified as a manicuring instructor under this subchapter.

16 **SECTION 26m.** 440.63 (2) of the statutes is amended to read:

17 440.63 (2) APPLICATIONS; ~~CERTIFICATION PERIOD.~~ An application for initial
18 certification ~~or renewal or reinstatement of a certificate~~ under this section shall be
19 submitted to the department on a form provided by the department. An application
20 for initial certification shall include the initial credential a one-time certification fee
21 ~~determined by the department under s. 440.03 (9) (a).~~ Renewal applications shall
22 be submitted to the department on a form provided by the department on or before
23 the applicable renewal date specified under s. 440.08 (2) (a) and shall include the
24 applicable renewal fee determined by the department under s. 440.03 (9) (a), and the
25 applicable penalty for late renewal under s. 440.08 (3) if the application is submitted

INS 3-15

1

1 late of \$75, except that no certification fee is required under this section for an
2 individual who is eligible for the veterans fee waiver program under s. 45.44.”

****NOTE: Section 440.03 (9) (a) requires DSPS to determine a credential fee based on the administrative and enforcement costs of regulating a profession, but cross-referencing s. 440.03 (9) (a) might not be appropriate for a one-time certification and fee. Therefore this draft specifies that the one-time certification fee is \$75, which is the current initial certification fee for barbering and cosmetology instructors. Please let me know if you would like to specify a different amount for the one-time certification fee.

3 **7.** Page 5, line 17: delete the material beginning with that line and ending with *Keep*
4 page 6, line 2.

5 **8.** Page 10, line 22: delete lines 22 to 25. *STET Keep*

→ *DW 4-5*

6 **9.** Page 14, line 12: delete lines 12 to 15. *STET*

7 **10.** Page 15, line 7: after that line insert:

8 **“SECTION 75m. Effective dates.** This act takes effect on the day after
9 publication, except as follows:

10 (1) INSTRUCTOR CERTIFICATION. The treatment of section 440.63 (2) of the
11 statutes takes effect on April 2, 2019.”

****NOTE: This delayed effective date causes a person who currently holds a 2-year instructor certificate and who wants to obtain a one-time instructor certificate to need to apply for the one-time instructor certificate and pay the one-time fee. Please let me know if this is not your intent, or if you would like to transition people who already hold a 2-year instructor certificate to a one-time certificate without submitting an application and without paying the fee.

12 (END)

1 INS 3-15

2 **SECTION 26m.** 440.63 (2) of the statutes is amended to read:

3 440.63 (2) APPLICATIONS; ~~CERTIFICATION PERIOD.~~ An application for initial
4 certification ~~or renewal or reinstatement of a certificate~~ under this section shall be
5 submitted to the department on a form provided by the department. An application
6 for initial certification shall include the initial credential a one-time certification fee
7 determined by the department using the procedures established under s. 440.03 (9)
8 (a) except that no certification fee is required under this section for an individual
9 who is eligible for the veterans fee waiver program under s. 45.44. ~~Renewal~~
10 ~~applications shall be submitted to the department on a form provided by the~~
11 ~~department on or before the applicable renewal date specified under s. 440.08 (2) (a)~~
12 ~~and shall include the applicable renewal fee determined by the department under~~
13 ~~s. 440.03 (9) (a), and the applicable penalty for late renewal under s. 440.08 (3) if the~~
14 ~~application is submitted late.~~ The department may not require renewal of a certificate
15 issued under this section.”.

History: 1987 a. 265; 1989 a. 31; 1991 a. 39; 2007 a. 20; 2011 a. 190.

16 **1.** Page 8, line 21: after that line insert:

17 “**SECTION 43m.** 454.077 of the statutes is created to read:

18 **454.077 Oversight of instructors.** The examining board shall promulgate
19 rules establishing prohibited conduct for licensed cosmetologists, licensed
20 aestheticians, licensed electrologists, or licensed manicurists who provide practical
21 instruction at a school, as defined in s. 440.60 (14), or a specialty school, as defined
22 in s. 440.60 (15).”.

23

Insert 4-5 ✓

1
2
3
4
5
6
7

2. Page 12, line 17: after that line insert: ✓

“**SECTION 64m.** 454.247 of the statutes is created to read: ✓

454.247 Oversight of instructors. The department shall promulgate rules
establishing prohibited conduct for licensed barbers who provide practice instruction
at a school, as defined in s. 440.60 (14), or a specialty school, as defined in s. 440.60
(15).” ✓

END INS 3-15



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE BILL 109**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: delete lines 3 and 4.

3 **2.** Page 3, line 2: delete that line.

4 **3.** Page 3, line 4: delete lines 4 and 5.

5 **4.** Page 3, line 20: delete the material beginning with that line and ending with
6 page 5, line 1, and substitute:

7 **“SECTION 20g.** 440.63 (1) of the statutes is amended to read:

8 440.63 (1) ~~INSTRUCTOR CERTIFICATION REQUIRED~~ INSTRUCTORS. (a) No person may
9 provide practical instruction in barbering unless the person holds a current
10 ~~barbering instructor or cosmetology instructor certificate issued~~ barber license
11 granted by the department ~~or cosmetologist license granted by the cosmetology~~
12 examining board.

1 (am) No person may provide practical instruction in cosmetology unless the
2 person holds a current ~~cosmetology instructor certificate issued by the department~~
3 cosmetologist license granted by the cosmetology examining board.

4 (b) No person may provide practical instruction in aesthetics unless the person
5 holds a current ~~aesthetics instructor or cosmetology instructor certificate issued by~~
6 ~~the department~~ aesthetician license or cosmetologist license granted by the
7 cosmetology examining board.

8 (c) No person may provide practical instruction in electrology unless the person
9 holds a current ~~electrology instructor certificate issued by the department~~
10 electrologist license granted by the cosmetology examining board.

11 (d) No person may provide practical instruction in manicuring unless the
12 person holds a current ~~manicuring instructor or cosmetology instructor certificate~~
13 ~~issued by the department~~ manicurist license or cosmetologist license granted by the
14 cosmetology examining board.

15 **SECTION 20r.** 440.63 (1m) of the statutes is created to read:

16 440.63 (1m) USE OF TITLE. (a) No person may use the title "Wisconsin certified
17 barbering instructor," use any title that implies that he or she is a Wisconsin certified
18 barbering instructor, or represent himself or herself to be a Wisconsin certified
19 barbering instructor unless the person is certified as a barbering instructor under
20 this subchapter.

21 (b) No person may use the title "Wisconsin certified cosmetology instructor,"
22 use any title that implies that he or she is a Wisconsin certified cosmetology
23 instructor, or represent himself or herself to be a Wisconsin certified cosmetology
24 instructor unless the person is certified as a cosmetology instructor under this
25 subchapter.

1 (c) No person may use the title “Wisconsin certified aesthetics instructor,” use
2 any title that implies that he or she is a Wisconsin certified aesthetics instructor, or
3 represent himself or herself to be a Wisconsin certified aesthetics instructor unless
4 the person is certified as an aesthetics instructor under this subchapter.

5 (d) No person may use the title “Wisconsin certified electrology instructor,” use
6 any title that implies that he or she is a Wisconsin certified electrology instructor, or
7 represent himself or herself to be a Wisconsin certified electrology instructor unless
8 the person is certified as an electrology instructor under this subchapter.

9 (e) No person may use the title “Wisconsin certified manicuring instructor,” use
10 any title that implies that he or she is a Wisconsin certified manicuring instructor,
11 or represent himself or herself to be a Wisconsin certified manicuring instructor
12 unless the person is certified as a manicuring instructor under this subchapter.

13 **SECTION 26m.** 440.63 (2) of the statutes is amended to read:

14 440.63 (2) APPLICATIONS; ~~CERTIFICATION PERIOD.~~ An application for initial
15 certification ~~or renewal or reinstatement of a certificate~~ under this section shall be
16 submitted to the department on a form provided by the department. An application
17 for initial certification shall include ~~the initial credential~~ a one-time certification fee
18 determined by the department using the procedures established under s. 440.03 (9)
19 (a). ~~Renewal applications shall be submitted to the department on a form provided~~
20 ~~by the department on or before the applicable renewal date specified under s. 440.08~~
21 (2) (a) and shall include the applicable renewal fee determined by the department
22 under s. 440.03 (9) (a), and the applicable penalty for late renewal under s. 440.08
23 (3) if the application is submitted late, except that no certification fee is required
24 under this section for an individual who is eligible for the veterans fee waiver

1 program under s. 45.44. The department may not require renewal of a certificate
2 issued under this section.”.

3 **5.** Page 5, line 17: delete the material beginning with that line and ending with
4 page 6, line 2.

5 **6.** Page 10, line 22: delete lines 22 to 25.

6 **7.** Page 14, line 12: delete lines 12 to 15.

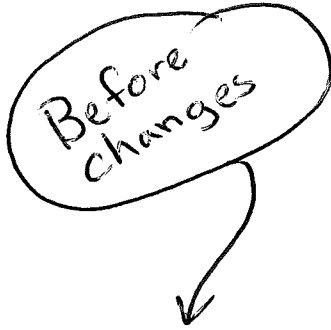
7 **(END)**



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa0465/1
KP:jld&kjf

SENATE AMENDMENT 6,
TO SENATE BILL 109



May 2, 2017 - Offered by Senator KAPENGA.

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 3: delete lines 3 and 4.

3 2. Page 3, line 2: delete that line.

4 3. Page 3, line 4: delete lines 4 and 5.

5 4. Page 3, line 20: delete the material beginning with that line and ending with
6 page 5, line 1, and substitute:

7 "SECTION 20g. 440.63 (1) of the statutes is amended to read:

8 440.63 (1) ~~INSTRUCTOR CERTIFICATION REQUIRED~~ INSTRUCTORS. (a) No person may
9 provide practical instruction in barbering unless the person holds a current
10 ~~barbering instructor or cosmetology instructor certificate issued barber license~~
11 granted by the department or cosmetologist license granted by the cosmetology
12 examining board.

1 (am) No person may provide practical instruction in cosmetology unless the
2 person holds a current ~~cosmetology instructor certificate issued by the department~~
3 cosmetologist license granted by the cosmetology examining board.

4 (b) No person may provide practical instruction in aesthetics unless the person
5 holds a current ~~aesthetics instructor or cosmetology instructor certificate issued by~~
6 ~~the department~~ aesthetician license or cosmetologist license granted by the
7 cosmetology examining board.

8 (c) No person may provide practical instruction in electrology unless the person
9 holds a current ~~electrology instructor certificate issued by the department~~
10 electrologist license granted by the cosmetology examining board.

11 (d) No person may provide practical instruction in manicuring unless the
12 person holds a current ~~manicuring instructor or cosmetology instructor certificate~~
13 ~~issued by the department~~ manicurist license or cosmetologist license granted by the
14 cosmetology examining board.

15 **SECTION 20r.** 440.63 (1m) of the statutes is created to read:

16 440.63 (1m) USE OF TITLE. (a) No person may use the title "Wisconsin certified
17 barbering instructor," use any title that implies that he or she is a Wisconsin certified
18 barbering instructor, or represent himself or herself to be a Wisconsin certified
19 barbering instructor unless the person is certified as a barbering instructor under
20 this subchapter.

21 (b) No person may use the title "Wisconsin certified cosmetology instructor,"
22 use any title that implies that he or she is a Wisconsin certified cosmetology
23 instructor, or represent himself or herself to be a Wisconsin certified cosmetology
24 instructor unless the person is certified as a cosmetology instructor under this
25 subchapter.

1 (c) No person may use the title “Wisconsin certified aesthetics instructor,” use
2 any title that implies that he or she is a Wisconsin certified aesthetics instructor, or
3 represent himself or herself to be a Wisconsin certified aesthetics instructor unless
4 the person is certified as an aesthetics instructor under this subchapter.

5 (d) No person may use the title “Wisconsin certified electrology instructor,” use
6 any title that implies that he or she is a Wisconsin certified electrology instructor, or
7 represent himself or herself to be a Wisconsin certified electrology instructor unless
8 the person is certified as an electrology instructor under this subchapter.

9 (e) No person may use the title “Wisconsin certified manicuring instructor,” use
10 any title that implies that he or she is a Wisconsin certified manicuring instructor,
11 or represent himself or herself to be a Wisconsin certified manicuring instructor
12 unless the person is certified as a manicuring instructor under this subchapter.

13 **SECTION 26m.** 440.63 (2) of the statutes is amended to read:

14 440.63 (2) APPLICATIONS; ~~CERTIFICATION PERIOD.~~ An application for initial
15 certification or renewal or reinstatement of a certificate under this section shall be
16 submitted to the department on a form provided by the department. An application
17 for initial certification shall include the initial credential a one-time certification fee
18 determined by the department using the procedures established under s. 440.03 (9)
19 (a). ~~Renewal applications shall be submitted to the department on a form provided~~
20 ~~by the department on or before the applicable renewal date specified under s. 440.08~~
21 ~~(2) (a) and shall include the applicable renewal fee determined by the department~~
22 ~~under s. 440.03 (9) (a), and the applicable penalty for late renewal under s. 440.08~~
23 ~~(3) if the application is submitted late, except that no certification fee is required~~
24 under this section for an individual who is eligible for the veterans fee waiver

1 program under s. 45.44. The department may not require renewal of a certificate
2 issued under this section.”.

3 **5.** Page 5, line 17: delete the material beginning with that line and ending with
4 page 6, line 2.

5 **6.** Page 10, line 22: delete lines 22 to 25.

6 **7.** Page 14, line 12: delete lines 12 to 15.

7 (END)



COOK
COPY

05-11-2017

**SENATE AMENDMENT 6,
TO SENATE BILL 109**

May 2, 2017 - Offered by Senator KAPENGA.

1 At the locations indicated, amend the bill as follows:

- 2 **1.** Page ³2, line ¹3: delete lines ¹3 and ²4.
- 3 **2.** Page ³3, line ⁴2: delete that line.
- 4 **3.** Page 3, line ⁶4: delete lines ⁶4 and ⁷5.
- 5 **4.** Page 3, line ²²20: delete the material beginning with that line and ending with
- 6 page 5, line ⁴1, and substitute:
- 7 "SECTION 20g. 440.63 (1) of the statutes is amended to read:
- 8 440.63 (1) ~~INSTRUCTOR CERTIFICATION REQUIRED~~ INSTRUCTORS. (a) No person may
- 9 provide practical instruction in barbering unless the person holds a current
- 10 ~~barbering instructor or cosmetology instructor certificate issued~~ barber license
- 11 granted by the department or cosmetologist license granted by the cosmetology
- 12 examining board.

1 (am) No person may provide practical instruction in cosmetology unless the
2 person holds a current ~~cosmetology instructor certificate issued by the department~~
3 cosmetologist license granted by the cosmetology examining board.

4 (b) No person may provide practical instruction in aesthetics unless the person
5 holds a current ~~aesthetics instructor or cosmetology instructor certificate issued by~~
6 ~~the department~~ aesthetician license or cosmetologist license granted by the
7 cosmetology examining board.

8 (c) No person may provide practical instruction in electrology unless the person
9 holds a current ~~electrology instructor certificate issued by the department~~
10 electrologist license granted by the cosmetology examining board.

11 (d) No person may provide practical instruction in manicuring unless the
12 person holds a current ~~manicuring instructor or cosmetology instructor certificate~~
13 ~~issued by the department~~ manicurist license or cosmetologist license granted by the
14 cosmetology examining board.

15 **SECTION 20r.** 440.63 (1m) of the statutes is created to read:

16 440.63 (1m) USE OF TITLE. (a) No person may use the title "Wisconsin certified
17 barbering instructor," use any title that implies that he or she is a Wisconsin certified
18 barbering instructor, or represent himself or herself to be a Wisconsin certified
19 barbering instructor unless the person is certified as a barbering instructor under
20 this subchapter.

21 (b) No person may use the title "Wisconsin certified cosmetology instructor,"
22 use any title that implies that he or she is a Wisconsin certified cosmetology
23 instructor, or represent himself or herself to be a Wisconsin certified cosmetology
24 instructor unless the person is certified as a cosmetology instructor under this
25 subchapter.

1 (c) No person may use the title “Wisconsin certified aesthetics instructor,” use
2 any title that implies that he or she is a Wisconsin certified aesthetics instructor, or
3 represent himself or herself to be a Wisconsin certified aesthetics instructor unless
4 the person is certified as an aesthetics instructor under this subchapter.

5 (d) No person may use the title “Wisconsin certified electrology instructor,” use
6 any title that implies that he or she is a Wisconsin certified electrology instructor, or
7 represent himself or herself to be a Wisconsin certified electrology instructor unless
8 the person is certified as an electrology instructor under this subchapter.

9 (e) No person may use the title “Wisconsin certified manicuring instructor,” use
10 any title that implies that he or she is a Wisconsin certified manicuring instructor,
11 or represent himself or herself to be a Wisconsin certified manicuring instructor
12 unless the person is certified as a manicuring instructor under this subchapter.

13 **SECTION 26m.** 440.63 (2) of the statutes is amended to read:

14 440.63 (2) APPLICATIONS; ~~CERTIFICATION PERIOD.~~ An application for initial
15 certification ~~or renewal or reinstatement of a certificate~~ under this section shall be
16 submitted to the department on a form provided by the department. An application
17 for initial certification shall include ~~the initial credential~~ a one-time certification fee
18 determined by the department using the procedures established under s. 440.03 (9)
19 (a). ~~Renewal applications shall be submitted to the department on a form provided~~
20 ~~by the department on or before the applicable renewal date specified under s. 440.08~~
21 ~~(2) (a) and shall include the applicable renewal fee determined by the department~~
22 ~~under s. 440.03 (9) (a), and the applicable penalty for late renewal under s. 440.08~~
23 ~~(3) if the application is submitted late, except that no certification fee is required~~
24 under this section for an individual who is eligible for the veterans fee waiver

1 program under s. 45.44. The department may not require renewal of a certificate
2 issued under this section."

3 **5.** Page 5, line ²⁰~~17~~: delete the material beginning with that line and ending with
4 page 6, line ⁴~~7~~.

5 **6.** Page 10, line ²⁵~~22~~: delete lines ~~22 to 25~~.

6 **7.** Page 14, line ¹⁵~~12~~: delete lines ~~12 to 15~~.

7 (END)

the material being with that line and ending with page 11, line 3



State of Wisconsin
2017 - 2018 LEGISLATURE

CORRECTED
COPY

LRBa0465/1
KP:jld&kjf

05-11-2017
After
Changes

**SENATE AMENDMENT 6,
TO SENATE BILL 109**

May 2, 2017 - Offered by Senator KAPENGA.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 3, line 1: delete lines 1 and 2.
- 3 **2.** Page 3, line 4: delete that line.
- 4 **3.** Page 3, line 6: delete lines 6 and 7.
- 5 **4.** Page 3, line 22: delete the material beginning with that line and ending with
- 6 page 5, line 4, and substitute:
- 7 **“SECTION 20g.** 440.63 (1) of the statutes is amended to read:
- 8 440.63 (1) ~~INSTRUCTOR CERTIFICATION REQUIRED~~ INSTRUCTORS. (a) No person may
- 9 provide practical instruction in barbering unless the person holds a current
- 10 ~~barbering instructor or cosmetology instructor certificate issued barber license~~
- 11 ~~granted by the department or cosmetologist license granted by the cosmetology~~
- 12 examining board.

1 (am) No person may provide practical instruction in cosmetology unless the
2 person holds a current ~~cosmetology instructor certificate issued by the department~~
3 cosmetologist license granted by the cosmetology examining board.

4 (b) No person may provide practical instruction in aesthetics unless the person
5 holds a current ~~aesthetics instructor or cosmetology instructor certificate issued by~~
6 ~~the department~~ aesthetician license or cosmetologist license granted by the
7 cosmetology examining board.

8 (c) No person may provide practical instruction in electrology unless the person
9 holds a current ~~electrology instructor certificate issued by the department~~
10 electrologist license granted by the cosmetology examining board.

11 (d) No person may provide practical instruction in manicuring unless the
12 person holds a current ~~manicuring instructor or cosmetology instructor certificate~~
13 ~~issued by the department~~ manicurist license or cosmetologist license granted by the
14 cosmetology examining board.

15 **SECTION 20r.** 440.63 (1m) of the statutes is created to read:

16 **440.63 (1m) USE OF TITLE.** (a) No person may use the title "Wisconsin certified
17 barbering instructor," use any title that implies that he or she is a Wisconsin certified
18 barbering instructor, or represent himself or herself to be a Wisconsin certified
19 barbering instructor unless the person is certified as a barbering instructor under
20 this subchapter.

21 (b) No person may use the title "Wisconsin certified cosmetology instructor,"
22 use any title that implies that he or she is a Wisconsin certified cosmetology
23 instructor, or represent himself or herself to be a Wisconsin certified cosmetology
24 instructor unless the person is certified as a cosmetology instructor under this
25 subchapter.

1 (c) No person may use the title “Wisconsin certified aesthetics instructor,” use
2 any title that implies that he or she is a Wisconsin certified aesthetics instructor, or
3 represent himself or herself to be a Wisconsin certified aesthetics instructor unless
4 the person is certified as an aesthetics instructor under this subchapter.

5 (d) No person may use the title “Wisconsin certified electrology instructor,” use
6 any title that implies that he or she is a Wisconsin certified electrology instructor, or
7 represent himself or herself to be a Wisconsin certified electrology instructor unless
8 the person is certified as an electrology instructor under this subchapter.

9 (e) No person may use the title “Wisconsin certified manicuring instructor,” use
10 any title that implies that he or she is a Wisconsin certified manicuring instructor,
11 or represent himself or herself to be a Wisconsin certified manicuring instructor
12 unless the person is certified as a manicuring instructor under this subchapter.

13 **SECTION 26m.** 440.63 (2) of the statutes is amended to read:

14 440.63 (2) APPLICATIONS; ~~CERTIFICATION PERIOD.~~ An application for initial
15 certification ~~or renewal or reinstatement of a certificate~~ under this section shall be
16 submitted to the department on a form provided by the department. An application
17 for initial certification shall include ~~the initial credential~~ a one-time certification fee
18 determined by the department using the procedures established under s. 440.03 (9)
19 (a). ~~Renewal applications shall be submitted to the department on a form provided~~
20 ~~by the department on or before the applicable renewal date specified under s. 440.08~~
21 ~~(2) (a) and shall include the applicable renewal fee determined by the department~~
22 ~~under s. 440.03 (9) (a), and the applicable penalty for late renewal under s. 440.08~~
23 ~~(3) if the application is submitted late, except that no certification fee is required~~
24 under this section for an individual who is eligible for the veterans fee waiver

1 program under s. 45.44. The department may not require renewal of a certificate
2 issued under this section.”.

3 **5.** Page 5, line 20: delete the material beginning with that line and ending with
4 page 6, line 4.

5 **6.** Page 10, line 25: delete the material beginning with that line and ending
6 with page 11, line 3.

7 **7.** Page 14, line 15: delete lines 15 to 18.

8 (END)