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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1217

02/18/2021 Authored by Robbins
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to state government; adding legislative appointees to the Board of
1.3 Cosmetologist Examiners; amending Minnesota Statutes 2020, section 155A.20.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2020, section 155A.20, is amended to read:

1.6 155A.20 BOARD OF COSMETOLOGIST EXAMINERS CREATED; TERMS.

1.7 Subdivision 1. Membership. (a) A Board of Cosmetologist Examiners is established to
1.8 consist of seven 11 members, appointed by the governor as follows:

1.9 (1) two cosmetologists appointed by the governor, one of whom is recommended by a
1.10 professional association of cosmetologists, nail technicians, and estheticians;

1.11 (2) two school instructors appointed by the governor, one of whom is teaching at a public
1.12 cosmetology school in the state and one of whom is teaching at a private cosmetology school
1.13 in the state;

1.14 (3) one esthetician appointed by the governor;

1.15 (4) one nail technician appointed by the governor; and

1.16 (5) one public member appointed by the governor, as defined in section 214.02;

1.17 (6) one public member as defined in section 214.02, appointed by the speaker of the
1.18 house;

1.19 (7) one public member as defined in section 214.02, appointed by the minority leader
1.20 of the house;

2.1 (8) one public member as defined in section 214.02, appointed by the senate majority
 2.2 leader; and

2.3 (9) one public member as defined in section 214.02, appointed by the senate minority
 2.4 leader.

2.5 ~~(b) All cosmetologist, esthetician, and nail technician members must be currently licensed~~
 2.6 ~~in the field of cosmetology, nail technology, or esthetology, in Minnesota, have practiced~~
 2.7 ~~in the licensed occupation for at least five years immediately prior to their appointment, be~~
 2.8 ~~graduates from grade 12 of high school or have equivalent education, and have knowledge~~
 2.9 ~~of sections 155A.21 to 155A.36 and Minnesota Rules, chapters 2105 and 2110.~~

2.10 ~~(c) Membership terms, compensation of members, removal of members, the filling of~~
 2.11 ~~membership vacancies, and fiscal year and reporting requirements shall be as provided in~~
 2.12 ~~sections 214.07 to 214.09. The provision of staff, administrative services, and office space;~~
 2.13 ~~the review and processing of complaints; the setting of board fees; and other provisions~~
 2.14 ~~relating to board operations shall be as provided in chapter 214.~~

2.15 ~~(d) Members appointed to fill vacancies caused by death, resignation, or removal shall~~
 2.16 ~~serve during the unexpired term of their predecessors.~~

2.17 Subd. 2. License requirements for some members. All cosmetologist, esthetician, and
 2.18 nail technician members must be currently licensed in the field of cosmetology, nail
 2.19 technology, or esthetology, in Minnesota, have practiced in the licensed occupation for at
 2.20 least five years immediately prior to their appointment, be graduates from grade 12 of high
 2.21 school or have equivalent education, and have knowledge of sections 155A.21 to 155A.36
 2.22 and Minnesota Rules, chapters 2105 and 2110.

2.23 Subd. 3. Terms, compensation, and filling vacancies for governor's appointees. (a)
 2.24 This subdivision applies to members appointed under subdivision 1, clauses (1) to (5).

2.25 (b) An appointment to the board must be made in the manner provided in section 15.0597.

2.26 (c) Membership terms, compensation of members, removal of members, and the filling
 2.27 of membership vacancies for those members appointed by the governor shall be as provided
 2.28 in section 214.09.

2.29 (d) Members appointed to fill vacancies caused by death, resignation, or removal shall
 2.30 serve during the unexpired term of their predecessors.

2.31 Subd. 4. Terms, compensation, and filling vacancies for legislative appointees. (a)
 2.32 This subdivision applies to members appointed under subdivision 1, clauses (6) to (9).

3.1 (b) Compensation shall be as provided in section 214.09, subdivision 3, to be paid from
3.2 funds appropriated to the board for operations.

3.3 (c) The terms of the members shall be four years. Members may serve until their
3.4 successors are appointed and qualify. If the appointing authority fails to appoint a successor
3.5 by July 1 of the year in which the term expires, the term of the member for whom a successor
3.6 has not been appointed shall extend until the first Monday in January four years after the
3.7 scheduled end of the original term.

3.8 (d) Removal, filling of vacancies, and restriction on membership shall be as provided
3.9 in section 214.09, subdivisions 4 and 5.

3.10 (e) Members appointed to fill vacancies caused by death, resignation, or removal shall
3.11 serve during the unexpired term of their predecessors.

3.12 Subd. 5. **Board operations.** The provision of staff, administrative services, and office
3.13 space; the review and processing of complaints; the setting of board fees; and other provisions
3.14 relating to board operations shall be as provided in chapter 214.

3.15 Subd. 6. **Fiscal year and reporting requirements.** Fiscal year and reporting requirements
3.16 shall be as provided in sections 214.07 and 214.08.

3.17 **EFFECTIVE DATE.** This section is effective July 1, 2021.

3.18 Sec. 2. **BOARD OF COSMETOLOGIST EXAMINERS TRANSITION.**

3.19 Subdivision 1. **Governor's appointments.** Members appointed to the Board of
3.20 Cosmetologist Examiners as of the effective date shall continue to serve the terms to which
3.21 they were appointed.

3.22 Subd. 2. **Legislative appointments.** The first members appointed to the Board of
3.23 Cosmetologist Examiners by legislators shall have first terms beginning July 1, 2021, of
3.24 the following lengths:

3.25 (1) the member appointed by the senate majority leader shall be four years;

3.26 (2) the member appointed by the speaker of the house shall be three years;

3.27 (3) the member appointed by the senate minority leader shall be two years; and

3.28 (4) the member appointed by the minority leader of the house shall be one year.

3.29 **EFFECTIVE DATE.** This section is effective July 1, 2021.