



DAVID Y. IGE  
GOVERNOR  
SHAN S. TSUTSUI  
LT. GOVERNOR

STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
335 MERCHANT STREET, ROOM 310  
P.O. Box 541  
HONOLULU, HAWAII 96809  
Phone Number: 586-2850  
Fax Number: 586-2856  
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR  
JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

PRESENTATION OF  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE HOUSE COMMITTEE  
ON  
JUDICIARY

TWENTY-NINTH STATE LEGISLATURE  
REGULAR SESSION, 2017

WEDNESDAY, MARCH 29, 2017  
2:00 P.M.

TESTIMONY ON SENATE BILL NO. 947 S.D.2 H.D.1  
RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS

TO THE HONORABLE SCOTT Y. NISHIMOTO, CHAIR,  
AND TO THE HONORABLE JOY A. SAN BUENAVENTURA, VICE CHAIR,  
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on Senate Bill No. 947 S.D.2 H.D.1, Relating to Citations for Beauty Culture Violations. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). The Department strongly supports this Administration bill, subject to an effective date of July 1, 2017.

Senate Bill No. 947 S.D.2 H.D.1 authorizes RICO to issue citations to beauty culture licensees for certain violations of the beauty culture laws. The citation

process requires personal service of the citation upon the licensee and affords the licensee the opportunity to request a hearing to contest the citation within twenty calendar days. Senate Bill No. 947 S.D.2 H.D.1 also provides that failure to pay any assessed fine within thirty calendar days may subject the licensee to further disciplinary action. The bill has a defective effective date of July 1, 2090.

Senate Bill No. 947 S.D.2 H.D.1 will expedite RICO's enforcement of certain technical violations of the beauty culture laws and will promote swift compliance by licensees and permittees. The bill will also enable RICO staff to concentrate its efforts and resources on other violations.

RICO notes that this Committee heard the companion measure, House Bill No. 1081, and passed out unamended a House Draft 2 version, with "concerns" over Section 2 that required a cosmetology license for persons who sell or demonstrate beauty products or techniques for promotional purposes, unless the person is not compensated and obtains written consent to provide the service from the person receiving the service. The current version of the House companion bill, House Bill No. 1081 H.D.2 S.D.1, also deletes Section 2. Although the current versions of both bills are substantially similar, RICO prefers House Bill No. 1081 H.D.2 S.D.1 over Senate Bill No. 947 S.D.2 H.D.1 because it has a preferred effective date of July 1, 2017.

Thank you for the opportunity to testify in strong support of Senate Bill No. 947 S.D.2. H.D.1, subject to an effective date of July 1, 2017. I will be happy to answer any questions the Committee may have.

**PRESENTATION OF THE  
BOARD OF BARBERING AND COSMETOLOGY**

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-NINTH LEGISLATURE  
Regular Session of 2017

Wednesday, March 29, 2017  
2:00 p.m.

**TESTIMONY ON SENATE BILL NO. 947, S.D. 2, H.D. 1, RELATING TO CITATIONS  
FOR BEAUTY CULTURE VIOLATIONS.**

TO THE HONORABLE SCOTT Y. NISHIMOTO, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Margaret Williams and I am a member of the Board of Barbering and Cosmetology (“Board”). Thank you for the opportunity to testify on behalf of the Board in strong support of Senate Bill No. 947, Senate Draft 2, House Draft 1, Relating to Citations for Beauty Culture Violations.

This bill proposes to authorize the Regulated Industries Complaints Office (“RICO”) to issue citations to beauty culture licensees and permittees for violations of specific beauty culture laws. The citation process requires personal service of the citation upon the licensee or permittee and affords the licensee or permittee the opportunity to request a hearing to contest the citation within twenty calendar days. The measure also authorizes the assessment of fines for each violation and provides that the failure to pay any assessed fine within thirty calendar days may subject the licensee or permittee to further disciplinary action.

The Board respectfully requests that this Committee amend the bill by restoring the original effective date of July 1, 2017. This will expeditiously provide an alternative

means by which the Board can address specific, technical beauty culture violations, enhance and support RICO's enforcement efforts, and promote timely compliance by licensees and permittees.

Thank you for the opportunity to provide testimony in strong support of Senate Bill No. 947, Senate Draft 2, House Draft 1, with the requested amendment. I will be available to answer any questions that the Committee may have.