

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1611 w/CS Apprenticeship

**SPONSOR(S):** Harper

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 2530

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Trades, Professions, &amp; Reg. Business (Sub)</u>	<u>9 Y, 2 N</u>	<u>Livingston</u>	<u>Liepshutz</u>
2) <u>Business Regulation</u>	<u>29 Y, 3 N w/CS</u>	<u>Livingston</u>	<u>Liepshutz</u>
3) <u>Finance &amp; Tax</u>	<u></u>	<u></u>	<u></u>
4) <u>Appropriations</u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

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### SUMMARY ANALYSIS

In order to practice barbering services for compensation, an individual must have a barber license or restricted barber license issued by the Department of Business and Professional Regulation (DBPR) and the Barbers' Board. A person holding a restricted barber's licenses is not permitted to provide services involving chemicals.

An individual can sit for the barber licensing examination after completing 1,000 school hours provided the individual meets other requirements for licensure. If the applicant fails to achieve a passing grade on either or both parts of the licensure examination, the applicant is required to complete an additional 200 school hours prior to retaking the examination. The applicant must complete a board approved HIV/AIDS course.

Chapter 446, F.S., relating to job training, provides, in part, for the establishment of apprenticeship programs in general. The statement of intent under this chapter states, in part, "it is the intent of the State of Florida to provide educational opportunities for its young people so that they can be trained for trades, occupations, and professions suited to their abilities. It is the intent of this act to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills."

"Apprenticeship program" is defined to mean an organized course of instruction, registered and approved by the division (Division of Workforce Development of the Department of Education), which course shall contain all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices including such matters as the requirements for a written apprenticeship agreement.

There is currently no apprenticeship program to assist in the preparation for licensure as a barber.

The bill is not anticipated to have a fiscal impact on state or local governments.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h1611b.br.doc

**DATE:** April 16, 2004

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |  |   |
|--------------------------------------|------------------------------|--|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

The bill establishes barbering apprenticeship programs by registering apprentices and sponsors with the Division of Workforce Development.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

In order to practice barbering services for compensation, an individual must have a barber license or restricted barber license issued by the Department of Business and Professional Regulation (DBPR) and the Barbers’ Board. A person holding a restricted barber’s licenses is not permitted to provide services involving chemicals.

An individual can sit for the barber licensing examination after completing 1,000 school hours provided the individual meets other requirements for licensure. If the applicant fails to achieve a passing grade on either or both parts of the licensure examination, the applicant is required to complete an additional 200 school hours prior to retaking the examination. The applicant must complete a board approved HIV/AIDS course.

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“Apprenticeship program” is defined to mean an organized course of instruction, registered and approved by the division (Division of Workforce Development of the Department of Education), which course shall contain all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices including such matters as the requirements for a written apprenticeship agreement.

The division is required to “establish uniform minimum standards and policies governing apprentice programs and agreements. Such standards and policies shall govern the terms and conditions of the apprentice’s employment and training, including the quality training of the apprentice with respect to, but not limited to, such matters as ratios of apprentices to journeymen, safety, related instruction, and on-the-job training; but such standards and policies shall not include rules, standards, or guidelines that require the use of apprentices and job trainees on state, county, or municipal contracts. The division may adopt rules as necessary to carry out such standards and policies.”

There is currently no apprenticeship program to assist in the preparation for licensure as a barber.

## Effect of Proposed Changes

See C. below.

### C. SECTION DIRECTORY:

Section 1. Amends s. 446.032, F.S., to specify that the division has a duty to accept support services of other state agencies to support the legislative intent of fostering apprenticeship programs and apprentices..

Section 2. Amends s. 446.041, F.S., to establish the duty of the division to consult and cooperate with state agencies that license apprenticeable professions.

Section 3. Creates s. 446.051, F.S., to establish apprenticeship training guidelines for related instruction. Specifies that training should be combined with properly coordinated studies of related technical subjects, supplementary subjects and other criteria or qualifications for licensure as a practitioner of a regulated profession adopted by the appropriate regulatory board for a profession under the jurisdiction of the Department of Business and Professional Regulation.

Section 4. Creates s. 446.071, F.S., to specify that apprenticeship sponsors may consist of professions licensed by the DBPR, in addition to, a particular construction or nonconstruction trade.

Section 5. Amends s. 446.092, F.S., to specify that the criteria for apprenticeship occupations apply to professions licensed by the DBPR, in addition to, a skilled trade.

Section 6. Amends s. 455.2126, F.S., (the general powers chapter of the DBPR) to include duties of the DBPR or a board under the DBPR to include: encouraging registered apprenticeship programs; supporting registered apprentices to encourage achievement of goals and objectives; cooperating with the division in the creation of apprenticeship standards and training requirements; and monitoring registered apprenticeship programs to help ensure they are being operated in compliance with applicable requirements under the appropriate practice act of the profession licensed by the DBPR.

Section 7. Amends s. 476.194, F.S., to allow a registered apprentice to conduct barbering services under the apprenticeship program and not be in violation of the licensure requirements of chapter 476, F.S.

Section 8. Effective date - October 1, 2004.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill establishes a barbering apprenticeship program to assist in the preparation for licensure as a barber.

D. FISCAL COMMENTS:

None.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, does not appear to reduce the authority that counties or municipalities have to raise revenue in the aggregate, and does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

No comments.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

The CS differs from the original bill by deleting the authority for apprenticeship services for cosmetology. It also moves oversight from the DBPR to the Division of Workforce Development with the DBPR providing support consultation to the division.

The CS removes any fiscal impact by transferring the program to the division.