

LCB File No. R034-08

**PROPOSED REGULATION OF THE
STATE BOARD OF COSMETOLOGY**

Main Office:

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Las Vegas, NV 89104
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Branch Office:

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Reno, NV 89505
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NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the Amendment of Regulations of the Nevada State Board of
Cosmetology**

The Nevada State Board of Cosmetology will hold a public hearing at 9:00 a.m., on May 5, 2008, at 1785 E. Sahara Ave., Suite 255, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to chapter 644 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

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1. The need for and the purpose of the proposed regulation or amendment.

To align the renewal and examination fees that are set by the Board to the process introduced when Nevada Revised Statutes were amended to create ranges within which the Board would have authority to set fees for license renewal (NRS 644.325) and examinations (NRS 644.220). Both of these proposed changes bring the Nevada Administrative provisions in compliance with the NRS authority.

2. Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.

To align the renewal and examination fees that are set by the Board to the process introduced when Nevada Revised Statutes were amended to create ranges within which the Board would have authority to set fees for license renewal (NRS 644.325) and examinations (NRS 644.220). Both of these proposed changes bring the Nevada Administrative provisions in compliance with the NRS authority.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:
 - (a) Both adverse and beneficial effects; and
 - (b) Both immediate and long-term effects.

Economic effect on business-

Adverse effect: The cost of license renewal for a small business or licensee could increase over time. Legislature approved in the 2005 legislative session ranges of license renewal and examination fees. The Board is required to stay within the approved ranges when setting fees. The fees are raised when necessary to carryout the agency's responsibilities to renew existing licenses, manage the database that maintains the records related to each license that has been issued, conduct testing and inspections related to licenses.

Beneficial effect: None

Immediate and long-term effect: Same.

Economic effect on the public-

Adverse effect: The cost of license renewal for a small business or licensee could increase over time. Legislature approved in the 2005 legislative session ranges of license renewal and examination fees. The Board is required to stay within the approved ranges when setting fees. If licensing fees increase, there may be a minimal increase in the cost of services to the public.

Beneficial effect: None

Immediate and long-term effect: Same.

4. The estimated cost to the agency for enforcement of the proposed regulation.

Proposed regulations do not add additional cost to the agency.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

These regulations do not overlap or duplicate any other state, local or federal regulations.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The regulation is not required pursuant to federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Not applicable.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

The proposed regulations do not apply new fees, but align the current NAC provisions with the amended NRS 644.325 and 644.220 approved by the legislature in 2005. In 2005 the Board approved the current fees and implemented them in 2006. However, due to an oversight, the NAC provisions were not modified to reflect the changes as required prior to implementing the new fees. This oversight was found during the regulation review process in late 2007. The industry and its participants have already adjusted to the current fees. This regulation change corrects that oversight and brings the NAC provisions into compliance.

Persons wishing to comment upon the proposed action of the Nevada State Board of Cosmetology may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Nevada State Board of Cosmetology. Written submissions must be received by the Nevada State Board of Cosmetology on or before May 1, 2008. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Cosmetology may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the Nevada State Board of Cosmetology at 1785 E. Sahara Ave., Suite 255, Las Vegas, Nevada and 4600 Kietzke Lane, Building K, Suite 221, Reno, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice of Hearing and Intent to Act upon Regulations has been sent to all persons on the agency's mailing list for administrative regulations pertaining to Nevada Administrative Code Chapter 644 and posted at the following locations:

<p>State Board of Cosmetology 1785 E. Sahara Ave., #255 Las Vegas, NV 89104 Fax: 702-369-8064</p> <p>Clark County Library 1401 E. Flamingo Rd. Las Vegas, NV 89119 Fax: 702-507-3914</p> <p>Carson City Library 900 North Rook Street Carson City, NV 89701 Fax: 775-887-2273</p> <p>Washoe County Library 301 South Center Street Reno, NV 89501 Fax: 775-327-8390</p> <p>Summerlin Library 1771 Inner Circle Drive Las Vegas, NV 89134 Fax: 702-507-3880</p> <p>Churchill County Library 553 South Maine Street Fallon, NV 89406 Fax: 775-423-7766</p> <p>Douglas County Library 1625 Library Lane Minden, NV 89423 Fax: 775-782-5754</p> <p>Elko County Library 720 Court Street Elko, NV 89801 Fax: 775-738-8262</p>	<p>Green Valley Library 2797 N. Green Valley Pkwy. Henderson, NV 89015 Fax: 702-507-3807</p> <p>State Board of Cosmetology 4600 Kietzke Lane, Bldg I, Ste. 200 Reno, Nevada 89502 Fax: 775-688-1441</p> <p>Attorney General's Office 555 E. Washington, Suite #3900 Las Vegas, NV 89101 Fax: 702-486-3416</p> <p>Battle Mountain Branch Library 625 Broad Street Battle Mountain, NV 89820 Fax: 775-635-0332</p> <p>Lincoln County Library 63 Main Street Pioche, NV 89043 Fax: 775-962-5244</p> <p>Storey County Library 95 South R Street Virginia City, NV 89440 Fax: 775-847-0996</p> <p>Pershing County Library 1125 Central Avenue Lovelock, NV 89419 Fax: 775-273-0421</p> <p>Humboldt County Library 85 East 5th Street Winnemucca, NV 89445 (mail)</p>
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<p>Goldfield Public Library Fourth & Crook Street Goldfield, NV 89013 Fax: 775-485-3236</p> <p>Eureka Branch Library 210 So. Monroe Eureka, NV 89316 Fax: 775-237-5307</p> <p>Mineral County Library 110 First St. Hawthorne, NV 89415 Fax: 775-945-0703</p>	<p>Lyon County Library 20 Nevin Way Yerington, NV 89447 (mail)</p> <p>White Pine County Library 950 Campton Street Ely, NV 89301 (mail)</p> <p>Tonopah Public Library 167 So. Central St. Tonopah, NV 89049 Fax: 775-482-5143</p>
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<p>ACADEMY OF HAIR DESIGN 4445 W CHARLESTON BLVD LAS VEGAS, NV 89102 FAX: 702-878-7289</p> <p>EXPERTISE COSMETOLOGY INSTITUTE 1911 STELLA LAKE LAS VEGAS, NV 89106 FAX: 702-636-0367</p> <p>MARINELLO SCHOOL OF BEAUTY 5001 E BONANZA RD #110 LAS VEGAS, NV 89110 FAX: 702-459-4881</p> <p>MARINELLO SCHOOL OF BEAUTY 4451 E SUNSET RD #14 HENDERSON, NV 89014 FAX: 702-450-9439</p> <p>EUPHORIA INSTITUTE OF BEAUTY ARTS & SCIENCES 11041 S EASTERN AVENUE SUITE #112 HENDERSON, NV 89052 FAX: 702-968-4254</p> <p>GSKIN & BEAUTY INSTITUTE 2585 E FLAMINGO LAS VEGAS, NV 89121 FAX: 702-732-0077</p> <p>DESTINATION ACADEMY 4280 S HUALAPAI WAY LAS VEGAS, NV 89147 FAX: 702-220-9836</p>	<p>SOUTHEAST CAREER TECHNICAL ACADEMY COSMETOLOGY DEPARTMENT 5710 MOUNTAIN VISTA ROAD LAS VEGAS, NV 89121 FAX: 702-799-7514</p> <p>EUPHORIA INSTITUTE OF BEAUTY ARTS & SCIENCES 9340 W SAHARA AVE #205, 208, 209, 210 LAS VEGAS, NV 89117 FAX: 702-341-8677</p> <p>INTERNATIONAL ACADEMY OF STYLE 115 W. PLUMB LANE RENO, NV 89509 FAX: 775-823-9006</p> <p>DELOUX COSMETOLOGY 1050 MATLEY LANE RENO, NV 89502 FAX: 775-329-3033</p> <p>PRATER WAY COLLEGE OF BEAUTY 4750 LONGLEY LANE #209,210 SPARKS, NV 89502 FAX: 775-355-6679</p> <p>CARSON CITY BEAUTY ACADEMY 2531 N CARSON STREET CARSON CITY, NV 89706 FAX: 775-885-9853</p>
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ADVANCED BEAUTY SCHOOL OF COSMETOLOGY 3650 S DECATUR BLVD LAS VEGAS, NV 89103 FAX: 702-320-4314	AVEDA INSTITUTE LAS VEGAS 4856 S EASTERN AVE LAS VEGAS, NV 89119 FAX: 702-216-4905
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Notice: Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call 702-486-6542 prior to the meeting so that arrangements can be made.

Date: April 4, 2008