

March 21, 1975

PRESIDENT: They are adopted. Senator Kennedy.

SENATOR KENNEDY: Mr. President and fellow members, LB 254 has two objectives. The first is to raise the per diem of the Board of Examiners in Cosmetology from \$30 to \$40. The second is to increase the license of the cosmetologist and registration renewal and examining fees. The reason for this is that the people that serve on this examining board are in business. When they give these examinations it takes a full day. They are losing considerably more than they are receiving for their per diem. The cost of these examinations has gone up, so the increase in the license is asked for. Any questions? Otherwise, I would move that LB 254, with the committee amendments, be advanced to E & R.

CLERK: Mr. President, there are a series of amendments pending on the bill. The first one is by Senator Cavanaugh which is a lengthy amendment which is set out in full in the Legislative Journal on page 801.

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: Mr. Chairman, members of the Legislature, it's a lengthy amendment, but it's a simple amendment. It simply strikes all reference to manicurist in the statutes. Manicurists come under the Board of Cosmetology for licensure and, of course, they're subject to the fee. This would eliminate any licensure requirements to become a manicurist. Currently the law is that you must receive \$300 of instruction in a licensed school of cosmetology in order to become a licensed manicurist. At the public hearing there were several people who appeared, representatives of the Board of Health, Board of Cosmetology, all of whom I questioned as to the health hazard posed by manicurists. I would say that their responses were less than coherent, as far as what the great danger was that manicurists posed to the health and welfare of the people of the State of Nebraska. It's been my philosophy on licensure that you . . . the state has no interest in controlling or setting standards for the performance of a given profession, unless there is a demonstration of need and justification as to the health or welfare of the people of the state. I just find absolutely none in the case of manicurists. Certainly, the requirement that a person receive \$300 of instruction in a licensed school of cosmetology before becoming a manicurist or being able to practice the art of manicuring is clearly excessive. I have a college education and a legal education, spent four years in college and three years in law school. I don't think, altogether, that I have \$300 of instruction. During the course of my personal academic career I have studied philosophy and sociology, math, biology, and law, and know all kinds of things like that, and am reasonably competent at some of them. All with less than \$300 of instruction. Yet to be a manicurist in the state you have to have \$300 of instruction in a licensed school of cosmetology. I think that the only reason this is in the statutes is that people who run licensed schools of cosmetology, at some point, came to the Legislature and said we'd like to have licensed manicurists. Once they got that accomplished, they went back to young girls graduating from high school and said we can make you a licensed manicurist of the State of Nebraska, and all you need is \$300 of instruction for such and such a fee. They've made a living at it. The state has no interest in it. The state, I think, is in collusion with these schools of cosmetology if we perpetuate this situation. I think that a girl can learn how to manicure