



C.L. "BUTCH" OTTER

GOVERNOR

April 6, 2017

The Honorable Lawrence Denney
Secretary of State
State Capitol
Boise, ID 83702

Dear Mr. Secretary,

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following House Bill, to wit:

H139

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 3:17 p.m. on March 28, 2017.

House Bill 139 is a case of reasonable, consensus-driven ideas from the State Board of Cosmetology and the Board of Barber Examiners getting burned in what is supposed to be the refining fire of our legislative process.

More than a year ago, the two boards began exploring ways to allow cosmetology training to be credited to barber licensure and vice versa. The boards worked on this and other issues with interested parties to produce a legislative proposal to: 1) allow transfer of education credits between professions; 2) combine the boards to create efficiencies and save money; 3) reduce required education hours for an electrology license from 800 to 600; 4) exempt persons performing services for theatrical or other visual arts productions from licensing requirements; and 5) allow licensees to practice outside licensed establishments up to 24 days per year.

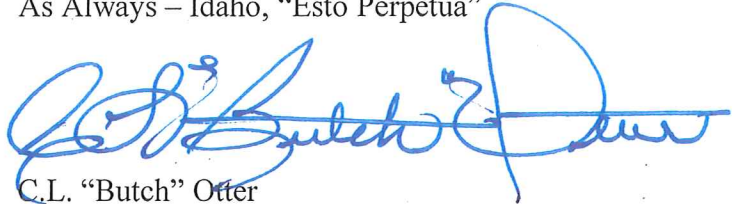
The boards' proposal was discussed in open meetings and had broad support among stakeholders. But after it was submitted to the Legislature, the sponsors were informed that it would not get a hearing. Instead, legislators used the boards' proposal as a starting point for drafting House Bill 139. The resulting changes – incorporated without input from the boards and stakeholders – turned a consensus plan into a controversial bill in which the original intent was largely lost.

Those changes would reduce the number of education hours required for barber-stylist and cosmetology licenses, and allow a board to reinstate an expired license retroactive to its expiration date – a misguided attempt to resolve a federal accreditation issue by creating a legal fiction in state law. I will not allow the State of Idaho to be subjected to legal liability for falsely representing the licensure status of those seeking federal student loans for their training.

However, I would invite the Legislature's attention during its 2018 session to item No. 4 above on the list of proposals from the boards, which also was incorporated in House Bill 139. I would consider legislation exempting "event" makeup artists from existing licensure requirements, but this bill has too many other flaws.

The public, the Legislature and I expect State boards that regulate such professions as cosmetology and barbering to promulgate rules and draft proposals for legislative consideration in an open and inclusive manner. House Bill 139 was developed without input from interested parties or due regard for the health, safety and welfare of the public. Idahoans deserve better.

As Always – Idaho, “Esto Perpetua”

A handwritten signature in blue ink, appearing to read "C.L. Butch Otter". The signature is stylized and cursive, with a large initial "C" and "L" and a prominent "O" for "Otter".

C.L. "Butch" Otter
Governor of Idaho