

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE CONCURRENT
RESOLUTION 1060

By: Miller (Doug) of the House

and

Lamb of the Senate

AS INTRODUCED

A Concurrent Resolution relating to permanent rules of the State Department of Health; disapproving proposed OAC 310:210-7-15, which relates to general sanitation; and directing distribution.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, establish policy, approve, delay, suspend, veto, or amend the implementation of any rule or proposed rule while under review by the Legislature, determine that a rule is not consistent with legislative intent, and suspend any rule or any portion thereof at any time, and the Legislature may disapprove any rule or amendment to a rule which has been transmitted for legislative review; and

WHEREAS, pursuant to Section 61.1 of Title 59 of the Oklahoma Statutes, the State Department of Health promulgates rules regulating the examining and licensing of barbers, barber apprentices, barber instructors, and barber colleges; the defining of categories and limitations for such licenses; the sanitary operation and sanitation of barber shops and barber colleges; and

WHEREAS, permanent rule OAC 310:210-7-15 establishes the requirements, procedures and standards for use of all chemical products used in barbering with regards to reading and following hazard warnings and safety precautions, and includes therein a partial list of such chemical products; and

WHEREAS, the Legislature recognizes that OAC 310:210-7-15 which was adopted by the State Department of Health on March 9, 2006, and submitted to the Legislature and the Governor on March 20, 2006, in its current form, may not be consistent with legislative intent and the public policy of this state.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 50TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. The Legislature hereby disapproves permanent rule OAC 310:210-7-15 which reads:

All chemical products used in barbering, including but not limited to hair tonics, shampoos, conditioners, permanent wave solutions, hair coloring products, bleaching products, chemical processors, developers, activators, hair sprays, and gels, shall be properly labeled. Each barber, barber apprentice, barber instructor, and graduate-apprentice shall read and follow all hazard warnings and safety precautions for all products used in the practice of barbering. This change is necessary to minimize the risk of injury from the improper application of hair products and unlabeled hair products.

SECTION 2. The Secretary of State is directed to distribute copies of this resolution to the Governor, the Commissioner of the State Department of Health, and the editor of "The Oklahoma Register".

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