

**CALIFORNIA STATE BOARD  
OF  
BARBERING AND COSMETOLOGY**

**LEGISLATIVE AND BUDGET COMMITTEE MEETING**

**MINUTES OF FEBRUARY 13, 2022**

**BOARD MEMBERS PRESENT**

Reese Isbell, Chair  
Megan Ellis  
Colette Kavanaugh  
Calimay Pham

**STAFF MEMBERS PRESENT**

Kristy Underwood, Executive Officer  
Carrie Harris, Deputy Executive Officer  
Alex Torkelson, Licensing and Admin Chief  
Sabina Knight, Board Legal Representative  
Allison Lee, Board Project Manager  
Natalie Mitchell, Board Analyst  
Shelby Edmiston, HR Liaison/Presenter

**1. AGENDA ITEM #1, CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF QUORUM**

Reese Isbell, Committee Chair, called the meeting to order at approximately 9:00 a.m. and confirmed the presence of a quorum.

**2. AGENDA ITEM #2, COMMITTEE CHAIR'S OPENING REMARKS**

Chair Isbell kicked off his opening remarks by thanking all the Committee members and welcomed Colette Kavanaugh as the newest member. He also thanked Derick Matos for his service in 2022. Chair Isbell mentioned that the Board had discussed reviving its defunct standing committees as part of the Board's strategic plan to utilize existing subcommittees regularly to discuss larger issues and provide more resources for the Board to make informed decisions.

Chair Isbell apologized for his outspoken commentary at the most recent Board meeting regarding the concept of the Legislative and Budget Committee. He felt that canceling the January Committee had been a mistake, stating that he had been under the impression that, at that time, there had been no immediate business other than procedural matters. He stated that he had put together an agenda for this first meeting of 2023 because he had been working over the last year to clarify the role and purpose of the Legislative and Budget Committee. He hoped the Committee would discuss and agree on several potential roles of the Committee.

**3. AGENDA ITEM #3, ELECTION OF COMMITTEE CHAIRPERSON.**

Chair Isbell stated that the Committee's chairperson needs to be elected annually. He indicated he was open to the role of Chair again and also welcomed opportunities for new leadership and ideas. Ms. Pham supported Mr. Isbell's nomination, adding that Mr. Isbell has been very passionate about the Committee for the past year.

**Motion:** Ms. Kavanaugh moved to nominate Reese Isbell for Committee Chair. Ms. Pham seconded.

No comments were received from the public.

Motion to appoint Reese Isbell as Chair of the Legislative and Budget Committee carried; 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

The committee members voted "Yes": Reese Isbell, Megan Ellis, Colette Kavanaugh, Calimay Pham.

#### **4. AGENDA ITEM #4, DISCUSSION AND POSSIBLE APPROVAL OF THE AUGUST 15, 2022, COMMITTEE MEETING MINUTES.**

**Motion:** Ms. Pham moved to approve the August 15, 2022, Committee meeting minutes. Mr. Isbell seconded.

No comments were received from the public.

Motion to approve August 15, 2022, Committee meeting minutes carried; 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

The committee members voted "Yes": Reese Isbell, Megan Ellis, Colette Kavanaugh, Calimay Pham.

#### **5. AGENDA ITEM #5, REVIEW AND DISCUSSION OF THE 2023 COMMITTEE CALENDAR.**

Executive Officer Kristy Underwood noted that the Committee calendar was provided because some legislation will be coming soon. The Committee is planned to meet monthly through the end of the session. Though the meetings will be virtual, Ms. Underwood indicated that there were no plans to continue with the virtual meetings after July 1.

No comments were received from the public.

#### **6. AGENDA ITEM #6, REVIEW OF 2022 LEGISLATIVE COMMITTEE ACTIVITIES.**

Chair Isbell indicated that he had requested staff to prepare a memo detailing the Committee's 2022 activities. Ms. Underwood stated that only a few pieces of legislation affected the Committee last year, which is good since SB 803 is still being implemented. The memo provided to the Committee showed the Committees' discussions over the meetings they held. Ms. Underwood noted that legislation coming this year might impact the Committee more. Chair Isbell thanked Ms. Underwood and her team for putting the memo together. He looked forward to the upcoming legislative session.

No comments were received from the public.

## **7. AGENDA ITEM #7, REVIEW, DISCUSSION, AND POSSIBLE RECOMMENDATION REGARDING BOARD MEMBER GUIDELINES AND PROCEDURE MANUAL'S LEGISLATIVE AND BUDGET COMMITTEE PURVIEW.**

Chair Isbell stated that the purpose of this agenda item was to open up a discussion of the recently renewed Board guidelines, which had originally been written in 2006. He noted that attached to the memo was the language of the Committee's purview in the Board guidelines. Chair Isbell mentioned that up until the last Board meeting, he had not had concerns with the language, but believed the purview needed to be clarified. He stated that if the Committee's purview is limited only to bills already established with a number and language, then that needs to be stated more clearly. If the Committee wanted a more expansive definition of those terms, that should be said clearly. Chair Isbell stated that, according to him, the legislative process includes discussions before a bill is written and given a number. He noted that those initial conversations are vital to the process. The Board and the Committee lose out on being a full stakeholder in the process if they only work on the legislation once it's been written. He highlighted that under the section on Committee agenda in the same Board member guidelines, it states, among other things, agendas shall focus on the specific tasks assigned by the Board and include time for Committee members to recommend new areas of study to be brought to the Board's attention for a possible assignment. Chair Isbell noted that the words 'new areas of study' indicate that a Committee can more than strictly adhere to bills that have already been formalized and sponsored by the legislature. He further noted that section 2.1 of goal two of the recently adopted strategic plan states to review policies and regulations that advocate for and support consumer protection. Section 2.4 says that the Board calls for establishing a schedule of regular Legislative and Budget Committee meetings to remain current with industry-related issues and policies. He pointed out that the two sections' language focused on Board policies and issues. Chair Isbell also addressed the concept around the Committee as a whole and that of Board members around potential interactions with legislators, legislative staff, or budget staff. He noted that section 2.2 of goal 2 of the Strategic Plan states the plan to establish relationships with legislators to educate them on industry topics and advanced Board interests. This, according to him, is a broad statement of topics and interests and not specific to a bill.

Ms. Pham agreed that the current language should be clarified. Still, she favored keeping the current role of the Committee, which is to review existing legislation in the legislature. Ms. Pham acknowledged Chair Isbell's suggestion that the Committee should be doing more than reviewing current legislation. She, however, pointed out that that is not appropriate since some types of legislation needed to be more specific to the Legislative and Budget Committee. Some of the legislation that the Board would want staff to pursue were topics specific and appropriate from the Education, the Health and Safety, or the Enforcement Committee. She noted that if the Legislative Committee is in charge of coming up with legislation, it would make the purview of the Committee too broad and imply that it is above the other committees. She stated that the Committee's role has been making legislation recommendations. Getting involved in coming up with legislation would be like replicating the work of the Board of vetting the suggestions from the other committees. She reiterated that the language should be clarified to say

when exactly in the process the Committee should look at legislation and added that the role of the Committee should stay as it is. Regarding the kind of contact the Board members should be having with members of the legislature, Ms. Pham stated that the most appropriate way is to direct any conversation through the Executive Officer to ensure that a uniform message is carried to the legislature.

Ms. Knight suggested adding the word “pending” before the word “legislation” to clarify the language. She indicated that the work of the committees is to recommend to the full Board to help facilitate the Board's work. She added that it would be inconsistent with other committees if the Legislative Committee is tasked with reviewing other committees’ work or potential ideas for legislative proposals. She also noted that it is the Executive Officer’s role to be in contact with legislators - it is not in the purview of a committee.

Chair Isbell acknowledged that each Committee should review its issues. He, however, believed that the Legislative Committee has a role that could assist rather than hinder the Board. For instance, Chair Isbell noted that the Committee could have delved deeply into the issue of interstate compact licenses to prepare a conversation for the Board, which would have saved time at the last Board meeting. He added that more than the word pending would be required to cover the role of the Committee. He believed it should be broader to allow for in-depth conversations around the legislature. Regarding contact with the legislature, Chair Isbell agreed that it is the role of staff. Still, he felt it would be more useful if the Committee could join meetings or have their own relationship with legislators.

Ms. Kavanaugh echoed Ms. Pham's sentiments about clarifying the language and supported adding the word pending. She also felt that proposing legislation would be too much work for the Committee and make the meetings longer.

Ms. Ellis also supported adding the word pending in the language. She further expressed concerns about the Legislative Committee playing the role of oversight in terms of the other committees bringing forth legislation recommendations. This, according to her, would be more like seeking permission from the Legislative Committee to pursue legislation. She added that the right venue for such discussions is the Board meetings.

Ms. Knight clarified that only some things, including pending legislation, must come before the Committee before going to the full Board, even if it might affect the Committee. This is because sometimes there is no time to go through the Committee. Additionally, discussing every potential idea that might be legislation is part of the Board’s work.

Chair Isbell indicated that his idea of having the Committee look at legislation before it went to the Board was to save the Board’s time. He acknowledged that his viewpoint was too big in terms of the purview of the Committee and agreed to go with the opinion of the other members. He also stated the need for ongoing regular Committee

meetings, not just holding them to a standard if we have a bill to discuss about. He mentioned that he had canceled many meetings, especially in the fall when no legislative activity existed. He, however, indicated that the Committee should have a role beyond discussing legislation and bills to allow for regular meetings.

**Motion:** Ms. Pham moved to make a recommendation to update the Board policy regarding the Legislative Committee to add the word “pending” before the word “legislation” in the language to state that the purpose of the Legislative and Budget Committee is to review and track pending legislation that affects the Board and that the Committee shall make recommendations on what position the Board shall take on pending legislation that could affect the operation of the Board, the health and safety of consumers, and the Board's licensees. Ms. Ellis seconded.

Chair Isbell mentioned that he would meet with DCA to discuss the ethical guidelines regarding legislative relationships to ensure he is following them correctly. He urged the other Committee members with similar questions to clarify with DCA.

**Public Comment:**

Wendy Cochran stated that collaborative work with other committees to deal with critical timing in the legislature is important for the Legislative Committee. She also noted that canceling meetings in the fall season with no legislation to discuss indicates that the Committee should be more proactive. According to her, the Committee should use the fall to prepare and plan for the future because they already know the cycles of the legislature. She also mentioned that industry members could freely engage with lawmakers because they are voting citizens.

Motion to make a recommendation to update Board policy regarding the Legislative Committee to add the word “pending” before the word legislation in the language to state that the purpose of the Legislative and Budget Committee is to review and track pending legislation that affects the Board and that the Committee shall make recommendations on what position the Board shall take on pending legislation that could potentially affect the operation of the Board, the health and safety of consumers, and the Board's licensees carried; 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

The committee members voted "Yes": Reese Isbell, Megan Ellis, Colette Kavanaugh, Calimay Pham.

**8. AGENDA ITEM #8, UPDATE AND STATUS OF PENDING BOARD LEGISLATIVE PROPOSALS.**

Ms. Underwood stated that there needs to be bills in print for the two items discussed at the last Board meeting: the compact language and the remedial education language. She mentioned there was significant interest in both, so language might be put into a bill for one or both items next week. At next month's meeting, the Committee is expected to have those two recommendations in a statement.

No comments were received from the public.

**9. AGENDA ITEM #9, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA.**

Jaime Schrabek from Precision Nails suggested having more discussions in the future about the budget aspect of the Board operations, particularly when we have existing laws and regulations that require the Board to do things that they're not being fully funded for. She noted this might be the case based on the pending legislation with remedial Education. She indicated that the Board needs more funding and that some funds must be reallocated to meet all obligations.

**10. AGENDA ITEM #10, SUGGESTIONS FOR FUTURE AGENDA ITEMS.**

Ms. Pham proposed a discussion on the update on the fee study.

No comments were received from the public.

**11. AGENDA ITEM #11, ADJOURNMENT.**

There being no further business to discuss, the meeting adjourned at approximately 9:52 a.m.