18 January 1947

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Mrs. Pearl Ware, President
State Board of Beauty Culturist Examiners
415-416 Heard Building
Phoenix, Arizona.

Dear Mrs. Ware:

We have your letter of 10 January 1947, in which you ask for an opinion on the qualifications of a candidate for a cosmotologist's license. We quote from your letter the pertinent facts in this case:

> "An applicant, after having completed 1000 hours of Beauty Culture training in the State of Illinois took his state board examination in Illinois, and has received his first license to practice as a beauty culturist in that State. When he took his Illinois State Board examination, he left immediately for Arizona, not waiting for the results of his examination as to whether he had, or had not passed, and entered a beauty culture training school to complete the additional 300 hours to give him credit for 1300 hours of training required by the Arizona law before one is eligible to take the Arizona State Board examination. His first license from Ill. was issued Sept. 10, 1946."

By the terms of Section 67-306, A.C.A. 1939, we feel that with the eduction the candidate received in Illinois, plus that which he has added in Arizona, he is, granting that he meets the other requirements of the section, fully qualified to take the examination. We do not feel that the fact that he has been licensed by

the State of Illinois requires that he have three year's practical experience under the provisions of paragraph 5 of the above section, since this requirement is aimed at those people wishing to be admitted on the basis of previous experience in another state, that is, by reciprocity. The candidate in the instant case, on the other hand, is an applicant who has received part of his education in Arizona and part in what you may regard as an approved school in Illinois, if you so see fit.

Therefore, granting that his hours total the required number and that he meets other qualifications, his application may be regarded as an original application typical of those lodged by students who receive all of their education in the state and who are entering the field for the first time.

It is therefore our opinion that this person is eligible to take the Arizona State Board examination on the basis of the facts which you submit.

We might say in closing that this does not conflict with the opinion which you mentioned in your letter, which opinion was dated 31 May 1946. This opinion referred to the situation involving the application for a license of a person licensed and practicing in another state prior to the time he seeks admission to practice in the State of Arizona. As we indicated above, we do not regard this situation as being of that type.

Very truly yours,

JOHN L. SULLIVAN, Attorney General

WILLIAM P. MAHONEY, JR., Assistant Attorney General

WPM:s

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