

May 17, 2013

**Testimony before the Senate Committee on General Government,  
Consumer and Small Business Protection  
in Favor of HB 3409 A**

**By Steve Buckstein**

Good morning, Chair Shields and members of the Committee. I'm Steve Buckstein, Senior Policy Analyst and founder of Cascade Policy Institute, which is a non-profit, non-partisan think tank based in Portland. Our mission is to advance policies that promote individual liberty, personal responsibility, and economic opportunity in Oregon. I am happy to join legislators and advocates from across the ideological spectrum in support of [HB 3409 A](#).

I've been concerned for years about the harmful impacts that many occupational licensing laws have in our state and across America. When Amber Starks raised awareness of such impacts in her field last year, we published a [short commentary](#) discussing how Oregon's cosmetology regulations make it practically impossible for natural hair braiders to practice their trade in this state.

We found that eleven states already exempt braiders from cosmetology licensing, including our neighbors to the north and the south. Of course, in Washington it took a lawsuit filed by the libertarian public interest law firm [Institute for Justice](#) to free hair braiders from that state's licensing regime. Passing HB 3409 will abrogate the need for such a lawsuit here in Oregon.

The law is silent on natural hair braiding in 22 other states.

Oregon is one of just seven states that impose burdensome licensing requirements on this profession, which include educational requirements that range from 1,000 to 2,100 hours of classes.\*

Reasonable people can disagree about which professions might require some form of state licensing, but in America the right to earn an honest living should take precedence over the need for the state to regulate everything in sight.\*\* It should also take precedence over an industry's desire to keep upstarts out of the market.

Finally, I appreciate that your committee is charged with protecting both Consumers and Small Business. It is Not charged with protecting any industry from new competition. By allowing natural hair braiders to earn an honest living, you'll be doing them and their potential customers a real service.

Thank you.

\* [A Dream Deferred](#), Valerie Bayham, Institute for Justice, 2005.

\*\* [The Right to Earn a Living: Economic Freedom and the Law](#), Timothy Sandefur, Cato Institute, 2010.