

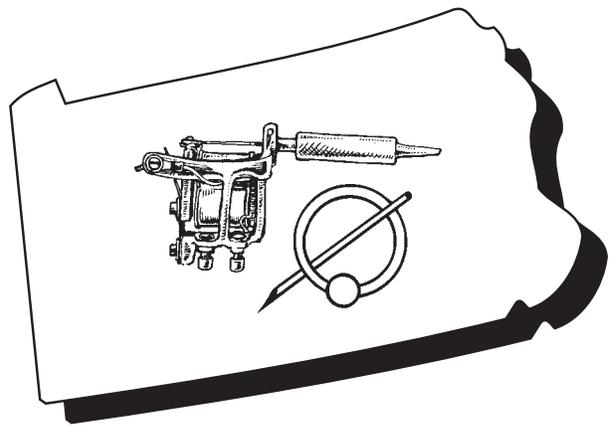
Pennsylvania Coalition of Professional Tattooists & Body Piercers Newsletter

**In
Unity
There
Is
Strength!**

**November 1997
Volume 1, Issue 4**

I N S I D E !

- Senate Bill 847 Back in Committee•
- Advanced Copy of NEHA Body Art Code•
- Lobbying Rules & Regulations•
- Classifieds to Fund the Newsletter?•



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Senate Bill 847 Update!

It amazes me how quickly things change! Two days after I put the October issue in the mail, I discovered that Senate Bill 847 had been sent back to committee on November 17th, 1997. (This time to the Appropriations Committee.) Whether or not any of the letters that we sent to our respective local Senators helped is unknown, but I'd like to think it did.

Since the last issue, I discovered that the term "committed," when used in reference to legislation, means that it was forwarded without changes! That's scary as hell considering some of the inaccurate and invasive issues in SB 847!

You should also know that SB 847 is a "two year bill," and will be alive until the end of 1998. We're safe in 1997 because the Senate only has three days left in session for the year, but you can bet things will be happening in 1998! I've asked my local Senator to push for a public hearing in front of the

Appropriations Committee and I would encourage you all to do the same. Aside from letters, (and short of hiring a lobbyist) this is our only opportunity to express our concerns and testify on behalf of our profession! It will be hard to contact any legislators until January of 1998, but leave a message or send a letter - *request a public hearing!*

On a positive note, Steve Lemak from The Quillian in Allentown, received a letter from his local Senator (Afflerbach) saying that he had voted against forwarding SB 847 to the floor until further information was collected. Finally, a legislator who doesn't believe he/she is omnipotent! Apparently this letter was sent to all tattooists/piercers in Afflerbach's district and he's looking for input. If you received one of these letters, by all means RESPOND! Steve has and is also working on hosting Senator Afflerbach at his studio.

Editor's Notes

I know the October and November Newsletters are coming at you back to back, but I'm doing my best to get caught up - not to mention that there's a ton of important information that you should have as we move along in this crazy process. Following are some points of interest:

- You should know that I haven't filed any of the necessary paperwork to make the Coalition a legally recognized entity. I have it all and I've done all the research, but I want to run the entire process and our options past everyone at the next meeting before I proceed. Once we've agreed, all I have to do is file the application for a Fictitious Name and set up a bank account.

- I've been doing my best to make sense of the lobbying laws in our state, which I discuss in greater detail on the next page. As long as our structure and goals remain the same, we're well within our rights as a professional organization to contact legislators, write letters, testify at public hearings, etc.

- With the movement of Senate Bill 847, there was a flurry of news coverage, especially around Philly where Senator Greenleaf, the sponsor of the legislation, resides. I spoke with a woman from *The Reporter* and was quoted briefly in the article that ran in that paper. Copies will be

available at the next meeting. I believe Bob Stern (World Famous Tattoos) was also interviewed by certain publications as well.

- We finally received an advanced copy of the National Environmental Health Association's Body Art Code. It's interesting to say the least. There's more information on the next page and copies will be available at the next meeting.

- Finally, I tend to get a little frustrated when there's so much political craziness swirling around, but I've been really encouraged by the response the Coalition has been getting.

Over the past few weeks, we've received at least five calls from people who have never attended a meeting! The urgency of the last newsletter helped, but most were prompted by other artists who stopped by their studios, handed them some information and explained the situation. That's exactly what this organization needs to grow and prosper - involvement by everyone! These legislative issues are a reality and they will exist with or without our involvement. They're not going to disappear if we ignore them.

Thanks to everyone who continues to stay involved, write letters, share information and offer ideas. That's what the Coalition is all about! Hope to see everyone on the 14th!
-Tim Azinger

Great Idea!

All I can say is... "Now, why didn't I think of this!" JT from Bodyworks in Pittsburgh called me a week ago with a great idea. Why not include a Classifieds Section in the newsletter and sell ads to help defray the printing/ mailing costs?

I think it's a wonderful idea. Looking for equipment or an employee, trying to buy or sell equipment, anything related to our profession would be applicable. We could keep the rates reasonable - like \$10 for one issue, \$20 for three issues, or something along those lines. Think about it and let's table it at the next meeting!

Web Site Hosting

Drake Cox (Once Upon a Tattoo, Coalition Co-Director, Coalition Web Master) is offering web site hosting at great rates for any Coalition members. He can create it, post it and maintain it for you. If you're interested, speak with him at the next meeting or give him a call (814-726-2860).

Corrections:

The phone number for JT at Bodyworks (Delmont location) was incorrect in the September issue, the correct number is 412-468-8287.

Pre-Release of the NEHA Body Art Code Manual

As if we didn't have enough to deal with and digest here in Pennsylvania, along comes the Model Body Art Code and Guidelines from the National Environmental Health Association (NEHA).

NEHA was incorporated in California (1937) as a professional society for environmental health practitioners. The group claims a current membership of over 5,000 comprised of "public and private sectors, as well as academia and uniformed services, many are local county health department employees."

Prompted by complaints in regard to body piercing during Bike Week (Daytona, FL, 1995), and the increasing interaction between Health Departments and body art practitioners across the country, Peter D. Thorton (Volusia County Medical Department and NEHA President 96-97) and Paul Fell (Florida Department of Health and NEHA Body Art Committee Chairman) decided to form a committee and draft a model to assist local, county and state officials in writing regulations for the body art industry.

While the Code is reasonable in most

respects (it is very similar to the Philadelphia draft of Tattoo/Piercing regulations, Richard Zipin (Philadelphia Department of Health) was a NEHA Body Art Committee member) it does branch into areas beyond the realm of health issues (sterilization and safety) and sets guidelines for the following - permits, the suspension of said permits, public notification of a Disclosure Statement and Notice for Filing a Complaint, keeping client records and supplying copies to officials upon request, enforcement and penalties for violating the code, premises requirements, **physician exemptions and ear lobe piercing exemptions**. The reason NEHA gives for the ear lobe piercing exemption is, "the lack of current epidemiological evidence of disease transmission due to ear lobe piercing and the considerable work load impact upon staff could not be effectively justified."

The make-up of the committee is interesting as well. Of the 18 members, only three (3) represented either piercing or tattooing directly - Bob Montagna (former President of APT), Al Sowers (APP), David Vidra (APP). (Dr. Kris Sperry,

indirectly linked to the tattoo industry through his blood borne pathogens seminar, was also a board member.) All other members represented various health and medical organizations.

Once again the issue is raised - why are groups not directly related to our profession creating standards and regulations with little or no input from the practitioners? Does a board with a 6:1 ratio (medical/health department: tattooist/piercer) really have the best interest of our profession in mind? Do they have the proper information? In a voting situation, there's no chance in hell of procuring a majority vote for our profession! I'm certainly not questioning the efforts of those who represented us (I commend them for taking the time and making the effort), it just seems that their inclusion was more of a weak attempt by NEHA to legitimize the Code to our industry!

Copies of the Code, and all related documents (including letters of support from various board members) will be available at the December 14th meeting.

New Legislation in 1998!!!

Duke Miller (Tattoos by Duke) sent me a copy of a memo he received from his local Representative. The memo, which discusses "proposed legislation for prohibiting body branding or piercing of minors," originated from Joseph Corpora and was sent to all House Members on November 17, 1997. The memo reads as follows (copies available at the December 14th meeting):

"Last session, I introduced legislation prohibiting persons from piercing or branding any part of a minor's body unless the consent of the minor's parent or legal guardian is first obtained (which, coincidentally, is strikingly similar to the legislation which Representative Maitland intends to introduce - see attached memo and news articles).

Under Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, a person is guilty of a misdemeanor of the third degree if he tattoos any person under the age of 18 years without the consent of the parent or guardian.

My legislation would add body piercing and body branding to the current language in Title 18, which would also be a misdemeanor if performed without the parent's or guardian's consent."

We did not receive the memo or news articles referenced in the first paragraph and I'm in the process of discovering what Rep. Maitland is working on. We'll have to wait to see the legislation in its entirety, but this might be a way for us to back some simple legislation, make Congress and our profession look good to the public and ease the pressure on other legislative attempts (mainly HB 332 and SB 847). This is something that we practice already (some won't work on anyone under 18 regardless of parental consent) and it doesn't infringe on our artistic and constitutional freedoms. PLUS, there are no fees involved! We'll follow this closely and keep everyone informed!

The Lobbying Conundrum

After several phone calls and receiving some info from the State, I think I have a handle on lobbying and the rules and regulations involved.

The law (Act 212) reads like this - You ARE a lobbyist if you are employed or engaged **for compensation** to advocate the passage or defeat of legislation.

A person is not deemed a lobbyist when they -

- 1.) Formally communicate with or formally present testimony before an agency of the Commonwealth or the General Assembly.
- 2.) Testify before a committee of the General Assembly.
- 3.) Act as an officer, official or employee of the Commonwealth.

There are a few other pages of legal mumbo jumbo, but basically, the Coalition is simply a professional organization, not a lobbying organization. If the Coalition would hire a lobbyist, that person would be responsible for registering as our representative and tracking and reporting all fees and expenses they would incur.

Let's hope we never have to, but just in case, I have a list of all the registered lobbyists in Pennsylvania. The list is over 30 pages with literally hundreds of lobbyists. Without someone like Gene Lokey to make recommendations and introductions, we're basically on our own. I'll continue collecting information and we can discuss this option at upcoming meeting.

I think we all agree that spending huge sums of money should be avoided, especially if we can come to an agreeable solution on our own.