

STATE AFFAIRS COMMITTEE

March 1, 1965

The meeting was called to order and Mr. McCue appeared on behalf of the barbers, asking that the barber bill be passed without amendment, except that they had no objection to a clearer definition of the educational requirements as proposed by some members of the Committee. Mr. Light proposed this amendment for discussion.

Mr. Doyen proposed an amendment in Section 1, Line 15 which would prohibit discrimination for applicants into the school, and moved the adoption of the amendment. The motion was seconded by Mr. Unruh. Members expressed surprise that there would be discrimination in this line and it was asked if any negroes had been refused entrance, but no figures were available. The question was called for and the vote was 8 yes and 8 no. The Chairman voted no to break the tie and the amendment was lost.

Mr. Light then presented his proposed amendment, stating that it clarified the educational matter and that it meets with the approval of the barbers. He moved the adoption of the amendment. Motion was seconded by Mr. Fribley and passed by a majority vote. Mr. Unruh then discussed the proposed increase in hours in school, stating that he is not convinced that they are going to give additional instruction because he didn't like the answers he got when he asked why. He proposed an amendment cutting the hours to 1000, moving the adoption. Mr. Buchele seconded the motion. Mr. Mikesic then made a substitute motion that the bill be recommended favorably as previously amended. Mr. Unruh stated that he wanted to talk about his motion a little more and that he had another proposed amendment that he wouldn't be able to offer if the substitute motion carried. Mr. Mikesic then withdrew his motion and Mr. Unruh renewed his motion, which lost with only three assenting votes. Mr. Unruh then proposed another amendment dealing with the price fixing section, moving for its adoption. Mr. Doyen seconded the motion. After discussion the amendment was declared lost by a vote of 6 yes and 11 no. Mr. Turner called attention to a misspelled word on page three which was discovered to be a printing error. It was then moved by Mr. Fribley and seconded by Mr. Rogers that HB 547 as amended, be recommended favorably. Motion carried 15 to 1.

Mr. Coldsnow appeared to discuss H.B. 736, a proposal which would provide for filling the vacancy in the office of Assessor should one occur. He proposed that the deputy assessor might be appointed by the Governor to fill the vacancy; that such appointment should be kept out of local politics. There was discussion as to how other vacancies are filled.

The Chairman called for action on HB 509, and Mr. Griffith urged the Committee to give favorable recommendation. He moved that HB 509 be recommended favorable for passage. Motion was seconded by Mr. Jelinek. Mr. Griffith requested a vote by ballot, and upon count by Mr. Unruh, Mr. Taylor and Mrs. Gentry, Committee Secretary, the vote was 8 in favor and 10 opposed. Motion was declared lost. Mr. Fribley then moved that the bill be reported adversely and the motion was seconded by Mr. Doyen. Motion carried 8 to 7.

The Chairman asked what had developed in sub-committee on H.B. 583, and Mr. Turner stated that they were in disagreement. He discussed a proposal by Mr. Doyen that the deductions be limited to two, and that all political contributions be excluded. Mr. Marshall stated that he felt that it should be limited exclusively to the health insurance. Mr. Mikesic agreed with Mr. Marshall.

The Chairman called for action on H.B. 615, and Mr. Fribley moved to amend the bill in accordance with an agreement with the Engineers which specifically excluded private utilities, etc. Mr. Brown of Pott. seconded the motion which carried unanimously. Thereupon Miss Jacquart moved the favorable recommendation as amended. Motion was seconded by Mr. Buchele and carried with one dissenting vote.

The Chairman inquired what had developed on H.B. 727, and Mr. Rogers stated that they had met with Mr. Eves and had drawn a tentative amendment. Mr. Unruh stated that he had talked with Col. Hughes who stated that he would like to see these vehicles covered. After considerable discussion by the Committee, the Chairman stated that additional attention would be given to this bill later.

Meeting was adjourned.

545

PROPOSED CHANGES AND ADDITIONS TO THE PRESENT KANSAS BARBER LAW

Proposal #1 1500 hours instead of 1000 in nine months instead of six months.) The additional three months would furnish the registered barber supervising the apprentice with a better trained apprentice, capable of pleasing his patrons. (The apprentice works on the same patrons and charges the same fee as the registered barber).

Proposal #2 An applicant must have satisfactorily completed a high school education or the equivalent thereof.) In checking the general educational requirements of other states, we find that only five do not have general educational requirements. Kansas is one of the five. This proposal would discourage a boy from dropping out of school to enter Barber College. Education is one of our local, state and national interests, as well as international. This educational proposal will strengthen the barbers position in society. It will elevate the profession; therefore, it will make each of us a more beneficial citizen in his community.

Proposal #3 An applicant for the apprentice examination must have graduated from a school or college of barbering approved by the Kansas State Board of Barber Examiners.) The above proposed addition to our present law merely makes it mandatory by statute that any person making application for an apprentice examination, graduate from a school or college of barbering, accredited and approved by the Kansas Board of Barber Examiners.

HAROLD H. FATZER
Attorney General

STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

February 18,

Mr. T.R. Maher
Secretary
State Board of Barber Examiners
Box 1478
Wichita, Kansas

Opinion

61-3-26. Eligibility to take registered apprentice examination. No person shall be permitted to take an examination conducted by the state board of barber examiners to determine his fitness to practice as a registered apprentice, as provided in section 65-1813, General Statutes of 1949, until he shall have furnished the board with evidence of his satisfactory completion of the regular course of study at a school or college of barbering complying with the standards and offering the course of study established by this article for schools and colleges of barbering, or which have been approved by said state board of barber examiners. (Authorized by G. S. 1949, 65-1825; effective April 11, 1956.)

Board
Rule

Dear Mr. Maher:

This will acknowledge your inquiry relative to the power of the Board of Barber Examiners to establish certain educational qualifications for persons applying to be licensed as registered apprentice barbers in the State of Kansas.

You indicate that a school of barbering operating in Tulsa, Oklahoma, is offering a course to prospective barbers that, in your opinion, does not comply with the standards established by barber colleges in the State of Kansas.

You further indicate that graduates of the Tulsa school have applied for licenses in Kansas in large numbers and have not been able to pass the examinations given by your board. You inquire as to whether we believe that your board has the power to exclude the graduates of that institution from the examination for registered apprentice barbers in this state.

The standards of the registered apprentice barber are set forth in G. S. 1949, 65-1812. That section in part provides:

"Any person shall be qualified to receive a certificate of registration as a registered apprentice: (a) who is a citizen of the United States of America; (b) who is at least sixteen years of age and of good moral character and temperate habits; and (c) who has passed a satisfactory examination conducted by the board to determine his fitness to practice as a registered apprentice."

We note that the statute contains no requirement of formal vocational training as a condition of eligibility to receive a license as a registered apprentice barber. However, we observe that the board is specifically empowered by G.S. 1949, 65-1824 "to supervise and regulate the barbering industry in this state" and is further authorized by G.S. 1949, 65-1825 to "adopt and enforce such orders as may be necessary to carry out the provisions of this act."

It would be our view that this general grant of power might properly be construed to authorize the board to establish additional standards of eligibility for registered apprentice barbers.

Further, it would seem to be within the purview of the board's power to adopt regulation requiring only such persons be admitted to the apprentice barber examination as may have completed a course of instruction in a barber school approved by the Kansas State Board of Barber Examiners. We feel that board has the power to approve institutions outside of the state as well as inside and should the Tulsa Institution not comply with the Kansas Standards, it is our view that it would not be improper for the board to deny the graduates admission to the examinations. If we could assist you in preparing the necessary regulation we should be happy to do so.