

Approved March 3, 1992
Date

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Senator Lana Oleen at
Chairperson

1:35 ~~am~~/p.m. on February 17, 1992 in room 531-N of the Capitol.

~~1~~ members ~~present~~: Senators Oleen, Francisco, Kanan and Vidricksen
Members absent - excused: Senators Doyen and Strick
Members absent: Senators Bogina, Gaines and Moran

Committee staff present:

Julian Efird, Kansas Legislative Research Department
Fred Carman, Revisor of Statutes Office
Mary Allen, Committee Secretary

Conferees appearing before the committee:

Eileen Hassett, Kansas State Board of Cosmetology

The meeting of the Senate Committee on Governmental Organization was called to order at 1:35 p.m. by the Chairman, Senator Lana Oleen, who opened the hearing on SB 575.

Senate Bill 575 - An act concerning cosmetology.

Eileen Hassett, Kansas State Board of Cosmetology, appeared before the Committee in support of SB 575 the passage of which, she said, would eliminate the shop apprentice program for cosmetology and onychology (manicuring). She pointed out that the shop apprentice program in Kansas was implemented when there were only two cosmetology schools in the state; however, today there are 31 such schools. She stated that the deletion of the shop apprentice program would save the Board in the area of travel and subsistence for its inspectors. She noted that the completion rate of this program has been extremely poor partly due to the fact that the amount of time required to complete the course for the shop apprentice is double the time required to complete a similar course in a cosmetology school. Ms. Hassett reported that passage of SB 575 would give the Board authority to revoke or suspend a license for failure to comply with the rules and regulations of the Board and would allow it to take into consideration any felony conviction of the person being investigated for revocation or suspension of a license. In conclusion, she requested that SB 575 be amended on page 5, line 34 by changing the figure "18" to the figure "6". She said that this amendment would correct a mistake in the statutes which has been there for several years. (See Attachment I for copy of Ms. Hassett's testimony.)

Ms. Hassett introduced some of the members and inspectors of the Kansas State Board of Cosmetology present at the hearing. These persons answered questions from the Committee concerning SB 575. The Chairman requested that information be provided to the Committee concerning the number of persons who have enrolled in the apprentice programs in Kansas in the past five or six years or whatever years are available and the number who have dropped out of the programs in that time period. In addition, she requested information concerning where these people reside. Chairman Oleen closed the hearing on SB 575.

The Chairman discussed the work of the sunset review subcommittees and provided copies of a list of items which she would like to have addressed in the subcommittees' hearings and deliberations. (Attachment II)

Since a quorum was not present, no formal action was taken.

The meeting was adjourned at 1:55 p.m.

February 17, 1992

GUEST LIST

<u>NAME</u>		<u>REPRESENTING</u>
Eileen M. Hassett		Fd of Cosmetology
et. dir. Bd of Cosmetology		
Joseph McConnell	member	Bd of Cosmetology
Eva Fiene	(Inspector)	Bd of Cosmetology
Gilma George		Bd. of Cosmetology
Rosemary Day	(Inspector)	Bd. of Cosmetology
Louise W. Loub	Examiner	(St Bd of Cosmetology)
Michele Bratton	Inspector	Ks. St. Bd. of Cos.
Wendy Reddy	Inspector	Ka. St. Bd of Cosmetology



STATE OF KANSAS

KANSAS STATE BOARD OF COSMETOLOGY

SENATE BILL NO. 575

717 South Kansas Avenue
Topeka, Kansas 66603-3811
PHONE (913) 296-3155

BRIEF ANALYSIS OF BILL:

This bill would eliminate the shop apprentice program for cosmetology and onychology (manicuring), but since there is no electrology school(s) in the state at this time, the shop apprentice program for electrology is being kept, until such time as a school would be opened and operational. To the best of my research, the shop apprentice program was conceived, when there were only 2 schools in the state. Presently we have 31 schools, therefore with schools located conveniently throughout the state there is no longer a need for the shop apprentice program.

Several obsolete phrases are being deleted, in addition to the insertion in Sec. 4 65-1908, (pg. 7, line 30) that "failure to comply with the rules and regulations of the board of cosmetology" and "the board may take into consideration any felony conviction of the person, but such conviction shall not automatically operate as a bar to licensure". By adding the two preceding items, this would give the board the authority to revoke or suspend a license for more than a sanitary violation or the authority to revoke or suspend a license for conviction of a felony. Please keep in mind that this felony would need to be detrimental to the general public's safety and welfare or to the detriment of the cosmetology industry in general.

Upon areas of operation and responsibility, this deletion of the shop apprentice program would save this agency in the area of travel & subsistence for our inspectors. The number of times that an inspector has had to return to a shop in order to get the shop apprentice program implemented has been as high as 6 times. This amount of travel and time spent by the inspector, has slowed the inspectors regular routine down considerably. The office staff has had to return many apprentice records, due to the shops not filling out the applications, time sheets and curriculum properly. This agency has records that document the fact, that about only 1/3 of all the shop apprentices that start this program, ever finish their course (shop apprentice's are double the amount of required time, i.e. 1500 hours in a school, shop is 3,000 hours).

The dollar amount that would be lost to this agency would be nominal, in comparison to the savings to this agency. The apprentice fee is only \$10.00 and no fee to the shop, that is sponsoring the apprentice. Therefore, the savings outweigh the loss of \$50.00-\$150.00 per year for the shop apprentices. The amount of savings is undeterminable at this time, because we never knew where the shop was within an inspectors territory that would be requesting for a shop apprentice.

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Attachment I

(2)

The only cost expenditures to this agency would be in the form of set-up fees of \$261.00 for the re-printing of the lawbook. However, recently we have found that the present lawbook has several discrepancies. Since enrollments are up, the need to distribute accurate information is imperative, therefore, we are now in the process of re-printing an accurate lawbook. At the present time we will be re-printing only enough to sustain us until July 1, 92', in order not to have any surplus left at the end of this fiscal year and in hopes that these changes are approved.

*Please note on page 5, line 34 that an onychology student in the part-time status is given 18 months to complete their course of 350 hours. This was a mis-print several years ago. It should read 6 months for an onychology part-time student.

SUNSET REVIEW

1. Why should the state agency be reestablished or continued in existence?

a. What would be the consequences if the agency and its programs were not renewed?

b. Should the state agency be subject the sunset in the future? For how long should the continuation be set (up to a maximum of eight years) before the next legislative review preceding sunset?

2. Can the functions of the state agency and any of its programs be performed in a more efficient, effective or economical manner?

a. What changes would need to be made in statutes to accomplish these suggestions?

b. What changes would need to be adopted by the agency (rather than made in statutory authority) to accomplish these suggestions?

3. Does the agency's organization and staff have a basis in law? What are the legal requirements found in statutes?

a. Does the agency head have statutory authority to reorganize the agency and its programs? What limitations are in effect?

b. Are any statutory changes needed to make the organization structure and its established positions consistent with law?

sunset92.sgo

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Attachment II