

MINUTES OF THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Doug Mays at 1:40 p.m. on March 6, 2002 in Room 313-S of the Capitol.

All members were present except: Representative John Edmonds, Excused

Committee staff present: Mary Torrence, Revisor of Statutes
Russell Mills, Legislative Research Analyst
Shelia Pearman, Committee Secretary

Conferees appearing before the committee: Representative Mary Cook
Mary Ellen Conlee
Mary Lou Davis, Board of Cosmetology
Bill Hancock, Wichita School Director
Tracy Hein, National Cosmetology Association
Walter Markley, KS Association of Licensed Investigators
Janet Reynolds, Board of Cosmetology member/salon manager
George Smololich, Salina's School
Richard Swank, Tamberlane Investigations
B. J. Werne, Board of Cosmetology
Cecelia Wood, Wood Investigative Service
Laurie Yocum, American Academy of Hair Design

Others attending: See attached list

Without objection, bill was introduced as requested by Representative Pauls between members of the governing body of a political or taxing subdivision. [HB 3010]

Chairman Mays opened the hearing on HB 3006 - Private detective business; requirements for licensure; advertising; continuing education; penalties for certain violations.

Mr. Markley, President of the Kansas Association of Licensed Investigators, urged passage of **HB 3006** to professionalize the industry. KALI was formed in October 2000 and conferences and seminars have since been planned to provide ongoing information to its members. He cited considerable coordination with state regulatory authorities occurred resulting in the proposed legislation which seeks minimum education, qualifying experience and continuing education requirements. (Attachment #1)

Ms. Wood reviewed her experience in insurance investigations and law enforcement prior to starting her own company. She urged support for **HB 3006**. She voiced concern that without specific licensing and continuing education requirements the industry may be faced with serious legal, ethical and moral issues that could be prevented with a few restrictions. (Attachment #2)

Mr. Swank urged the committee to pass **HB 3006** which would enhance the qualification process requiring experience and education prior to licensure for Private Investigators. Additionally, it would require inclusion of a license number in advertising and create an intern or apprentice license. He provided a comparison of neighboring states requirements for licensing private investigators. Unlike Kansas' open book test, Nebraska requires 3,000 hours of verifiable law enforcement, military investigator or Private Investigator experience and a written test on criminal and civil law. He stated his vast military and government experience in intelligence and investigations and more than 20 years as a self-employed Private Investigator. He also noted the Kansas Bureau of Investigation found that presently 54 percent of listings in Kansas City Yellow Pages are not licensed. (Attachment #3)

No other conferees appeared before the committee. The hearing on HB 3006 was closed.

Chairman Mays opened the hearing on HB 2977 - Cosmetology training, examinations, broadened definitions, reciprocity and board membership. Ms. Conlee addressed the committee to correct a drafting error regarding the educational requirements not being directed by the Board of Regents.

Ms. Janet Reynolds rose in support of **HB 2977** because of the expansion to include day spa regulation. She also cited the ability to include an instructor-in-training as an important addition. ([Attachment #4](#))

Mr. Hancock rose in support of **HB 2977** stating the changes addresses of educational concerns and issues of employment of recent graduates. ([Attachment #5](#))

Mr. Smolich rose in support of **HB 2977** with more than 40 years of experience in cosmetology because he believes it will be beneficial to the clients, the students, the salons and the colleges. Due to a shortage in qualified instructors, he encouraged the instructor-in-training. ([Attachment #6](#))

Ms. Yocum rose in support of **HB 2977** addressing the changes in the industry as well as the instructional methods require updating current regulations. She clarified the intent was not to incorporate regulation of massage therapist or other therapeutic providers. ([Attachment #7](#))

Ms. Hein stated the National Cosmetology Association supports the cosmetology colleges have the choice to chose providing education in clock hours versus credit hours. She also addressed the present issue of reciprocity requirements of applicants from other states. ([Attachment #8](#))

Ms. Davis informed the committee of the additional staffing necessary should **HB 2977** be enacted. She stated it is believed to require up to three years to implement and determine success of proposed changes in educational changes. ([Attachment #9](#))

Mr. Werne rose in opposition to **HB 2977** due to the breadth and vagueness of the current language. He cited the expansion to encompass massage therapy and dermatological techniques without the licensee being trained in those areas would increase insurance rates and place customers at a higher risk. He also stated the proposed changes in application requirements, examinations and credit hours are not feasible in this industry. ([Attachment #10](#))

Ms. Norma Reynolds submitted written testimony addressing the concern of **HB 2977** including “massage” and “manipulating” and encourages removal of this terminology. ([Attachment #11](#))

The committee meeting adjourned at 3:18 p.m. The next scheduled meeting is March 7, 2002.