2023 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1112

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1112
1/9/2023

Relating to exemptions from regulation of barbers, barber licensure fees, and disciplinary hearings for barbers.

Chairman Louser called the meeting to order 10:45 AM

Members Present: Chairman Louser, Vice Chairman Ostlie, Representative Boschee, Christy Dakane, Johnson, Kasper, Koppelman, Ruby, Schauer, Thomas, Tveit, Wagner, Warrey.

Discussion Topics:

- Disciplinary process
- Processes for barber's vs cosmetologist

In Favor:
Representative Matt Ruby District 40 introduced the bill on behalf of the North Dakota Barber Board (no written testimony).

Additional written testimony:
Ashley Johnson, Secretary/Treasurer North Dakota Barber Board of Examiners #12539
Lance Ekern, President of the North Dakota Barber Board of Examiners #12556

Chairman Louser closed the hearing 10:56 AM

Diane Lillis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1112
1/10/2023

Relating to exemptions from regulation of barbers, barber licensure fees, and disciplinary hearings for barbers.

Chairman Louser called the meeting to order 3:30 PM

Members Present: Chairman Louser, Vice Chairman Ostlie, Representative Boschee, Christy Dakane, Johnson, Kasper, Koppelman, Ruby, Schauer, Thomas, Tveit, Wagner, Member absent: Warrey.

Discussion Topics:

- Hairdressers and cosmetologists
- Individual barber exemptions

Representative Koppelman discussion of HB 1112.

Chairman Louser adjourns meeting at 3:33 PM

Diane Lillis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1112
1/16/2023

Relating to exemptions from regulation of barbers, barber licensure fees, and disciplinary hearings for barbers.

Chairman Louser called the meeting to order 2:32 PM

Members Present: Chairman Louser, Vice Chairman Ostlie, Representative Boschee, Christy Dakane, Johnson, Kasper, Koppelman, Ruby, Schauer, Thomas, Tveit, Wagner, Member absent: Warrey.

Discussion Topics:

- Hairdressers and cosmetologists
- Renewal fee increase
- Suspension of license
- Committee work

Chairman Louser closed the hearing 2:35 PM
Representative Koppelman moved a do pass.
Representative Schauer seconded.
Roll call vote:

Representatives	Vote
Representative Scott Louser	Y
Representative Mitch Ostlie	Y
Representative Josh Boschee	Y
Representative Josh Christy	Y
Representative Hamida Dakane	Y
Representative Jorin Johnson	Y
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Dan Ruby	AB
Representative Austen Schauer	Y
Representative Paul J. Thomas	Y
Representative Bill Tveit	Y
Representative Scott Wagner	Y
Representative Jonathan Warrey	AB

Motion carried 12-0-2.

Representative Christy will carry the bill

Chairman Louser closed the meeting 2:35PM

Diane Lillis, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1112: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1112 was placed on the Eleventh order on the calendar.

2023 SENATE WORKFORCE DEVELOPMENT

HB 1112

2023 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee
Fort Lincoln Room, State Capitol

HB 1112
3/3/2023

Relating to exemptions from regulation of barbers, barber licensure fees, and disciplinary hearings for barbers.

9:00 AM **Chairman Wobbema** called the hearing to order**. Senators Wobbema, Elkin, Larson, Sickler, Piepkorn** were present. **Senator Axtman** was absent.

Discussion Topics:

- Licensed barber
- Straight razer
- Licensing fee
- Hearing process
- Continuing education

9:02 AM **Representative Ruby,** introduced SB 1112 in favor verbally.

9:05 AM **Ashley Johnson, Secretary/Treasurer, North Dakota State Board of Barber Examiners,** testified in favor. #21464

Senator Wobbema asks for discussion.

Senator D. Larson moved **DO PASS.**
Senator Piepkorn seconded.

Roll call vote.

Senators	Vote
Senator Michael A. Wobbema	Y
Senator Michelle Axtman	AB
Senator Jay Elkin	Y
Senator Diane Larson	Y
Senator Merrill Piepkorn	Y
Senator Jonathan Sickler	Y

Motion passes 5-0-1.

Senator Piepkorn will carry HB 1112.

Additional written testimony:
Lance Ekern, President, North Dakota Board of Barber Examiners, in favor #21862

9:12 AM **Chairman Wobbema** closed the hearing.

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1112: Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1112 was placed on the Fourteenth order on the calendar. This bill affects workforce development.

TESTIMONY

HB 1112

North Dakota State Board of Barber Examiners
Office of the Secretary/Treasurer

Ashley Johnson
P.O. Box 1802
Minot, ND 58702

Business: 701-837-0826
E-mail: secretary@ndbarberboard.com

Hello,

My name is Ashley Johnson I am the Sec./Treasurer for the ND State Board of Barber Examiners. I am providing testimony in support of HB 1112. HB1112 will update three of our current century codes to benefit the barbering trade in North Dakota.

The first update to NDCC 43-04-03 will further protect our trade name as barbers, barbershop owners, and the use of a Barber pole. As it stands now, exempt individuals from our century codes such as cosmetologists, can and have been advertising that they are barbers, barbershop owners or using the Barber Pole. Allowing the advertisement to continue devalues our current and future Barber License holders.

The second update is to NDCC 43-04-12 to allow us to allocate more money from our own funds to provide a better continuing education program for the Barbers in the state of North Dakota to use. The barber board in the last few years has seen a steady increase in the cost of providing a program to the barbers. We have been using five dollars from every Master Barber License and we want to use no less than ten dollars per license. We want to be able to put forth a program that can hire leading Barbers in the industry to teach us new and upcoming education in our trade.

The third update is to NDCC 43-04-41 regarding our hearing process. We were given legal counsel that changing this century code would help in future proceedings. We are updating this to use NDCC 28-32 to be more in line with the other boards in the state of North Dakota.

Thank you for taking the time to consider the changes we are asking to be made. Please vote in favor of these changes to better the ND Barbering trade.

Thank you,

Ashley Johnson
Secretary/Treasurer
N.D. State Board of Barber Examiners

TO: House Industry, Business, and Labor Committee

FROM: Lance Ekern, President of the North Dakota Barber Board of Examiners

DATE: 1/9/23 10:30 AM

RE: Testimony in support to House Bill 1112

To the Committee,

My name is Lance Ekern. I am the president of the North Dakota Barber Board of Examiners as well as being a Master Barber since 2006. I regret I am unable to attend in person but wanted to make it known I am in support of HB 1112 with the proposed amendments related to exemptions from regulation of barbers, barber licensure fees, and disciplinary hearings for barbers.

Education of barbers is important to furthering and maintaining the integrity of this profession. Educational opportunities, as you can imagine, are becoming increasingly more expensive. Increasing the amount of $5 from every licensing renewal to an amount not exceeding $10 would help compensate for the rising costs to ensure that continuing education will be of high quality that will ensure that these standards are carried are carried out to the public in a safe and sanitary manner.

The red, white, and blue striped pole has long been associated with the barbering profession. It is false advertising for a business that does not employ a licensed barber to hang a barber pole as it suggests to the public that they are receiving services from a barber. To maintain quality and the integrity of this profession it is imperative that the barber pole be reserved only for licensed barbers.

I am also in favor of the amendment changes to section 43-04-41. This ensures that the hearing is conducted and in accordance with North Dakota Century Code.

I would like to the thank the committee for allowing me to testify in support of this bill that will continue to allow barbers to serve the public to the highest standards for years to come.

Sincerely,

Lance Ekern

421 13th St NE
Jamestown, ND 58401
701-351-9560

To the Committee Members

Thank you for your time today. My name is Ashley Johnson I am the Sec. Treasurer for the ND State Board of Barber Examiners and have been a licensed barber in North Dakota for 16 years. I am here to Discuss HB 1112. This bill was drafted to update three of our Barber century codes. The first century code we looked at updating deals with exempt individuals advertising they are a Barber or own a Barbershop without meeting the state criteria to do so. The second one we are asking to use more funds to help pay for our continuing education program that we offer to the licensed barbers in the state. The third is to try and use the language that other boards use in our hearing proceedings to bring it more up to date.

The first item deals with "exempt individuals advertising as barbers or barbershop owners without proper certification". The individuals listed are "doctors, nurses, medical professionals and cosmetologists". They are allowed to do a barber service, but they are not allowed to call themselves a barber. In their profession they might need to trim a beard or cut someone's hair but that does not mean they have met the criteria to call themselves a barber as they do it. Generally that is not an issue, not a lot of doctors are claiming to be Barbers. However, some cosmetologists are advertising they are a barber. We are simply trying to protect our trade name. In order to receive a barber license an individual must complete a Barber college program approved by the ND State Barber Board, pass our state barber exam, and pay the fees. Furthermore, there is not a cosmetology college in North Dakota that is approved by the board to offer a barber training program. The same applies to listing a salon as a barbershop. Unless you employ a licensed barber, you cannot operate or call yourself barbershop.

The second item we want to change is simpler we want to use more of our funds we receive from our licensing fees to put towards our continuing education program. We want to be able to give our barbers in the state the best possible program. We are asking to bring it from five dollars per license to a minimum of ten dollars per license.

The third item deals with our hearing procedures. It was brought to our attention that century code 28-32-21 is a code that is used when dealing with license holders. We hoped to add it to our language to help with hearing proceedings.

Thank you for your time I would be happy to answer any questions you may have.

TO: House Industry, Business, and Labor Committee

FROM: Lance Ekern, President of the North Dakota Barber Board of Examiners

DATE: 3/3/23

RE: Testimony in support to House Bill 1112

To the Committee,

My name is Lance Ekern. I am the president of the North Dakota Barber Board of Examiners as well as being a Master Barber since 2006. I regret I am unable to attend in person but wanted to make it known I am in support of HB 1112 with the proposed amendments related to exemptions from regulation of barbers, barber licensure fees, and disciplinary hearings for barbers.

Education of barbers is important to furthering and maintaining the integrity of this profession. Educational opportunities, as you can imagine, are becoming increasingly more expensive. Increasing the amount of $5 from every licensing renewal to an amount not exceeding $10 would help compensate for the rising costs to ensure that continuing education will be of high quality that will ensure that these standards are carried are carried out to the public in a safe and sanitary manner.

There is often confusion about the difference between a cosmetologist and a barber. While there are certainly many similarities between the two professions, they require different trainings and are governed by separate boards. The red, white, and blue striped pole has long been associated with the barbering profession and is deeply rooted in our history. Barbers would like to protect the integrity of the profession by ensuring that others are not advertising they are barbers or giving an impression they are a barber by hanging a barber pole and offering barbering services.

I am also in favor of the amendment changes to section 43-04-41. This ensures that the hearing is conducted and in accordance with North Dakota Century Code.

I would like to the thank the committee for allowing me to testify in support of this bill that will continue to allow barbers to serve the public to the highest standards for years to come.

Sincerely,

Lance Ekern

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Jamestown, ND 58401
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