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December 12, 1978

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ATTORNEY GENERAL OPINION NO. 78- 384

Mr. H. D. Lippincott
Administrative Officer
State Board of Barber Examiners
109 West 9th Street, Room 725
Topeka, Kansas 66612

Re: Barbers--Licenses--Requirements

Synopsis: A currently licensed apprentice barber may renew such license, pursuant to K.S.A. 1977 Supp. 65-1812, until such time as they have actually practiced as an apprentice for twelve (12) months, or have, upon once failing the registered barber examination, practiced an additional six (6) months to a maximum of eighteen (18) months.

* * *

Dear Mr. Lippincott:

You inquire as to the apprenticeship and registered (master) barber licensing requirements found in K.S.A. 1977 Supp. 65-1811 and 65-1812. You state that a person holding an apprenticeship license since July 27, 1977, which was renewed for twelve (12) months on December 31, 1977, seeks to renew such license until qualifying as a registered barber. You further state that the licensed apprentice has actually practiced as an an apprentice only since January 14, 1978.

K.S.A. 1977 Supp. 65-1812 states in part that "at the end of twelve (12) months as a registered apprentice the registered apprentice

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shall take the examination necessary to become a registered barber . . . If the registered apprentice fails the examination a second examination may be taken at the end of six (6) additional months, except that no registered apprentice shall be allowed to practice as such for a period longer than eighteen (18) months . . . "

The qualifications for a registered barber are prescribed by K.S.A. 1977 Supp. 65-1811. One of these qualifications is to have "practiced as a registered apprentice for a period of twelve (12) months under the immediate personal supervision of a registered barber."

The apprentice you describe will have practiced approximately eleven and one half months at the time her apprentice license will expire. The apprentice will not have taken the registered barber examination at that time, nor will she have practiced as an apprentice for twelve (12) months. The apprentice will, however, have held an apprentice license for a total of eighteen (18) months at the time the present twelve (12) month renewal period expires.

The key term in interpreting such license requirements is the word "practice." The first above quoted sentence of K.S.A. 1977 Supp. 65-1812 does not use that term, stating only that twelve (12) months "as a registered apprentice" is required in order to take the registered barber examination.

As previously stated, K.S.A. 1977 Supp. 65-1811 requires an apprenticeship "practice" period of twelve (12) months in order to qualify as a registered barber. Clearly the implication from this requirement is that the language "as a registered apprentice," as used in K.S.A. 1977 Supp. 65-1812, refers to a period of actual apprenticeship practice and is not meant to refer to a twelve (12) month period of merely holding an apprentice license. The limitation to an additional six (6) months apprentice "practice" period, after once taking the registered barber examination, to a total of eighteen (18) months apprentice "practice" period, strongly supports such an interpretation.

The legislative policy enumerated in these two statutes, when read as a whole, clearly indicates that there must be a twelve (12) month apprentice practice period served before an apprentice may first take the registered barber examination. Statutes originally enacted at the same session of the legislature as parts of a general act having a common purpose are *in pari materia*

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and should be read together in ascertaining the legislative purposes for their adoption. In order to ascertain that intent an isolated part of the act should not be considered alone, but all parts thereof should be construed *in pari materia*. *State, ex rel. v. State Board of Education*, 215 Kan. 551, 557, 527 P.2d 952 (1974).

Accordingly, it is my opinion that the apprentice you describe may renew the apprentice license she now holds, upon expiration of her present renewal. The license may be renewed until such time as she may qualify, through twelve (12) months practice as an apprentice, to take the registered barber examination. If the apprentice should fail such examination then she may practice for an additional six (6) months period, but not to exceed an eighteen (18) months actual practice period.

Very truly yours,



CURT T. SCHNEIDER
Attorney General

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