

and said amendment shall thereupon take effect and be in full force as a part of the constitution of the state of Minnesota.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1897.

H. F. No. 51.

CHAPTER 186.

Regulating
practice of
barbering.

An act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of Minnesota.

Be it enacted by the Legislature of the state of Minnesota:

Certificate of
registration.

SECTION 1. It shall be unlawful for any person to follow the occupation of barber in this state unless he shall have first obtained a certificate of registration as provided in this act; *provided, however*, that nothing in this act contained shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided.

Board of
examiners.

SEC. 2. A board of examiners, to consist of three (3) persons is hereby created to carry out the purposes and enforce the provisions of this act. Said board shall be appointed by the governor, one (1) member from those persons who may be recommended by the several unions of journeyman barbers in this state which have been in actual existence at least two (2) years prior to the making of such recommendation; one (1) member who has been for at least three (3) years prior to his appointment an employing barber in this state, and the third (3rd) a practical barber who has been for at least five (5) years prior to his appointment engaged in such occupation in this state.

Term of
office.

Each member of said board shall serve for a term of two (2) years and until his successor is appointed and qualified, except in the case of the first board, whose members shall serve one (1), two (2) and three (3) years respectively, as specified in their appointment.

Bond of
\$5,000.

Each member of said board shall give a bond in the sum of five thousand (5,000) dollars, with sureties to be approved by the secretary of state, conditioned for the faithful performance of his duties, and shall take the oath provided by law for public officers. Vacancies

upon said board caused by death, resignation or expiration of the term of any member thereof, shall be filled by appointment from the same class of persons to which the deceased or retiring member belonged.

SEC. 3. Said board shall elect a president, secretary and treasurer, shall have its headquarters at the state capitol; shall have a common seal, and the secretary and president shall have power to administer oaths.

Officers.

SEC. 4. Each member of said board shall receive a compensation of three (3) dollars per day for actual service, and ten (10) cents per mile for each mile actually traveled in attending the meetings of the board, which compensation shall be paid out of any moneys in the hands of the treasurer of said board; *provided*, that the said compensation and mileage shall in no event be paid out of the state treasury.

Compensation.

SEC. 5. Said board shall report to the legislature of this state at each of its regular meetings a full statement of the receipts and disbursements of the board during the preceding two (2) years, a full statement of its doings and proceedings, and such recommendations as to it may seem proper looking to the better carrying out of the intents and purposes of this act.

Report to legislature.

Any moneys in the hands of the treasurer of said board at the time of making such report, in excess of two hundred and fifty (250) dollars, shall be paid over to the state treasurer to be kept by him for the future maintenance of the board and to be disbursed by him upon warrants signed by the president and treasurer of said board.

Funds.

SEC. 6. Said board shall hold public examinations at least four (4) times in each year in at least four (4) different cities in this state, at such times and places as it may determine, notice of such meetings to be given by a publication thereof at least ten (10) days before such meetings, in the capital of the state and in the county where such meeting is to be held.

Public examination.

SEC. 7. Every person now engaged in the occupation of barber in this state shall, within ninety (90) days after the approval of this act, file with the secretary of said board an affidavit setting forth his name, residence and the length of time during which, and the places where he has practiced such occupation, and shall pay to the treasurer of said board one (1) dollar, and a certificate of registration entitling him to practice said occupation thereupon shall be issued to him.

Affidavit and registration fee.

SEC. 8. Any person desiring to obtain a certificate of registration under this act shall make application to said board therefor and shall pay to the treasurer of said board an examination fee of five (5) dollars, and

Applicants for examination. Requirements.

shall present himself at the next regular meeting of the board for the examination of applicants, whereupon said board shall proceed to examine such person, and being satisfied that he is above the age of nineteen (19) years, of good moral character, free from contagious or infectious diseases, has either (A) studied the trade for three (3) years as an apprentice under a qualified and practicing barber, or (B) studied the trade for at least three (3) years in a properly appointed and conducted barber school under the instructions of a competent barber, or (C) practiced the trade in another state for at least three (3) years, and is possessed of the requisite skill in said trade to properly perform all the duties thereof, including his ability in the preparation of the tools, shaving, hair-cutting and all the duties and services incident thereto, and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said trade; his name shall be entered by the board in the register hereafter provided for, and a certificate of registration shall be issued to him authorizing him to practice said trade in this state; *provided*, that whenever it appears that applicant has acquired his knowledge of said trade in a barber school, the board shall be judges of whether said barber school is properly appointed and conducted and under proper instruction to give sufficient training in such trade.

All persons making application for examination under the provisions of this act shall be allowed to practice the occupation of barbering until the next regular meeting of said board.

Apprentices.

SEC. 9. Nothing in this act shall prohibit any person from serving as an apprentice in said trade under a barber authorized to practice the same under this act, nor from serving as a student in any school for the teaching of such trade under the instruction of a qualified barber; *provided*, that in no barber shop shall there be more than one apprentice to two (2) barbers authorized under this act to practice said occupation.

Board to furnish certificates.

SEC. 10. Said board shall furnish to each person to whom a certificate of registration is issued a card or insignia bearing the seal of the board and the signature of its president and secretary, certifying that the holder thereof is entitled to practice the occupation of barber in this state, and it shall be the duty of the holder of such card or insignia to post the same in a conspicuous place in front of his working chair, where it may be readily seen by all persons whom he may serve.

To keep register.

SEC. 11. Said board shall keep a register in which

shall be entered names of all persons to whom certificates are issued under this act, and said register shall be at all times open to public inspection.

SEC. 12. Said board shall have power to revoke any certificate of registration granted by it under this act for (A) conviction of crime; (B) habitual drunkenness for six (6) months immediately before a charge duly made; (C) gross incompetency, or (D) contagious or infectious disease; *provided*, that before any certificate shall be so revoked the holder thereof shall have notice in writing of the charge or charges against him, and shall at a day specified in said notice, at least five (5) days after the service thereof, be given a public hearing and full opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been so revoked may, after the expiration of ninety (90) days, apply to have the same re-granted, and the same shall be re-granted to him upon a satisfactory showing that the disqualification has ceased.

Revocation
of certificates.

SEC. 13. To shave or trim the beard or cut the hair of any person for hire or reward received by the person performing such service, or any other person, shall be construed as practicing the occupation of barber within the meaning of this act.

SEC. 14. Any person practicing the occupation of barber without having obtained a certificate of registration, as provided by this act, or wilfully employing a barber who has not such a certificate, or falsely pretending to be qualified to practice such occupation under this act, or violation of any of the provisions of this act, is guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than ten (10) dollars or more than one hundred (100) dollars, or by imprisonment in the county jail not less than ten (10) days or more than ninety (90) days.

Penalty for
violating
provisions of
this act.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved April 21, 1897.

CHAPTER 187.

H. F. No. 908.

An act empowering any incorporated city or village in this state to raise, preserve and maintain the waters of lakes and bodies of water adjoining their corporate limits.

Preservation
of bodies of
water.

Be it enacted by the Legislature of the state of Minnesota: