

herein appropriated. A general summary or statement of expenses so incurred and paid shall be included in the above mentioned report of the commission to the legislature.

Approved April 18, 1927.

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CHAPTER 245—H. F. No. 213.

*An act to regulate the occupation of hairdressers and beauty culturists, to create a state board of examiners for the licensing of persons to carry on and instruct in such practices and for the approving of hairdressing and beauty culture schools to insure the better education and training of such practitioners to provide rules regulating the proper conduct and sanitation of hairdressing and beauty culture shops and schools for the protection of the public health, and to provide penalties for violation thereof.*

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

Section 1. Hairdressers, etc. must be licensed.—It shall be unlawful for any person to engage in the occupation of hairdresser and beauty culturist, or to conduct a hairdressing and beauty culture shop or school, except as hereinafter provided.

Sec. 2. Definitions.—For the purposes of this act, the following definitions shall be adopted and understood to be included within the meaning of the Act.

(a) Any person who engages for compensation in the following practices, to-wit: arranging, dressing, curling, waving, cleansing, singeing, bleaching, coloring, or similar work upon the hair of any living person by any means, or slight hair trimming of women, as a part of women's hairdressing; the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, aided with the hands or mechanical or electrical apparatus, or appliances used in massaging, cleansing, stimulating, manipulating, exercising, beautifying, the scalp, face, neck, arms, bust or upper part of the body for purposes of beautification, shall be defined as and construed to be practicing hairdressing and beauty culture.

(b) An operator is any person who has secured a license to engage in and engages in and follows the practices as named within this Act.

(c) A Manager-operator is any person of legal age who owns, operates, conducts or manages a hairdressing and beauty culture shop or school; or who instructs in practical hairdressing and beauty culture work; provided, however, that it shall be lawful for any person to own, operate, conduct or manage a hairdressing and beauty culture shop or school with-

out being licensed as a Manager-operator if such person does not instruct in or practice any of the practices as defined in this Act but does employ one or more Manager-operators in said shop or school to manage same or instruct therein.

(d) Hairdressing and beauty culture shall be practiced or taught only in a room or rooms not used for sleeping or residential purposes and such room or rooms must be equipped with hot and cold running water and with sewer connections. Where water and sewer connections are not available there must be maintained a proper receptacle for hot water of a capacity of not less than five gallons, and such cesspool or other method for the disposal of sewage and waste matter as may be approved by the local health authorities or local municipal ordinances.

**Sec. 3. State Board of Hairdressing and Beauty Culture examiners created.**—For the purposes of this Act there is hereby created and established a Board to be known by the name and style of State Board of Hairdressing and Beauty Culture Examiners, which shall consist of three members, and shall have an official seal.

**Sec. 4. Governor to appoint board—terms.**—That within sixty days after passage of this Act, the Governor shall appoint a State Board of Hairdressing and Beauty Culture Examiners consisting of three members, each of whom shall have had at least three years of experience and practice in this state in the occupation and practices as named within this Act; one to serve one year, one to serve two years, and one to serve three years, and until their successors are duly appointed and qualified, and thereafter the term of each member shall be three years. The Governor may remove any member of the Board with or without cause. The Board members shall be citizens of this State and shall not be members of nor affiliated with any school duly licensed and teaching the practices as defined herein, while a member of the Board, nor shall any two members of said Board be graduates of the same school, or system of schools teaching the practices as defined herein.

**Sec. 5. Meetings — officers — records.** — Said Board shall within thirty days after being so appointed, and annually on the second Tuesday of each year thereafter, assemble at the Capitol Building at St. Paul, Minnesota, and then and there organize by electing a president, vice-president, and secretary-treasurer to serve until their successors are appointed and qualified. Each member of the Board shall take the oath provided by law for public officers. Said Board shall meet for the purposes of examining applicants for license and of examining and granting applications for license at the State

Capitol building in St. Paul on the second Tuesday in the months of January and July of each year, and at two other meetings during each year the time and place of which the Board shall designate. A quorum for the transaction of business shall consist of the entire Board. It shall have power to formulate rules to govern its activities. The Secretary-treasurer shall keep a record of all the Board's official proceedings and said record shall be prima facie evidence of all matters therein recorded. No meeting of the Board shall continue for a period of more than five days, without the consent of the State Department of Administration and Finance.

**Sec. 6. Secretary-treasurer to maintain office—bonds.**—The Secretary-treasurer of said Board shall maintain the office of said Board, and shall devote his entire time to the duties of said office, and shall receive an annual salary of two thousand dollars, (\$2,000.00) payable in semi-monthly installments, and any necessary expenses incurred in the performance of official duties. The Secretary-treasurer of said Board shall give a corporate surety bond to the State of Minnesota in such sum, not less than ten thousand dollars (\$10,000), as may be deemed necessary by the members of the Board, and approved by said Board, and conditioned upon the faithful performance of the duties of his office by the said Secretary-treasurer.

**Sec. 7. Compensation of board.**—Each member of the Board, other than the Secretary-treasurer, shall receive the sum of ten dollars (\$10.00) for each day employed in the actual discharge of his official duties, and any necessary expenses incurred incidental thereto. Compensation and expenses of and for the Board shall be paid out of the funds of the Board deposited in the State Treasury and not otherwise.

**Sec. 8. Duties of board—license fees.**—The Board shall determine the sufficiency of the preliminary qualifications of the applicants for admission to examinations for license or qualifications for license. The following preliminary qualifications shall be sufficient:

(a) An operator may be licensed as such under this Act upon the payment of a fee of Five Dollars (\$5.00), provided he is of good moral character, and free from contagious or infectious diseases, is at least sixteen (16) years of age, and shall have satisfactorily passed both practical and theoretical examinations as given by the Board. The examination of such applicants shall be conducted under rules prescribed by such Board, and such examination shall include both practical demonstrations and written or oral tests, and shall not be confined to any specific system or method of hairdressing and beauty culture, and such examination shall be consistent with the practical and theoretical requirements as provided by this Act.

(b) A Manager-operator may be licensed as such under this Act upon the payment of a fee of Ten Dollars (\$10.00) provided that he has practiced as an operator in this State for at least one year, and upon complying with all other requirements applicable to a manager-operator as provided for in this Act.

(c) Renewal licenses fees shall be as follows:

For Operator .....	\$2.00
For Manager-operator .....	3.00

**Sec. 9. Temporary licenses.**—The Board, through its Secretary-treasurer, shall grant to graduates of approved schools, upon the payment of one dollar as a fee, temporary licenses authorizing such graduates to practice as an operator, under the supervision of a licensed manager-operator, in the practice of hairdressing and beauty culture for a period of not to exceed 90 days, or until the next examination for license is held by the Board. No such temporary license shall be issued except upon the presentation by the applicant of a certificate of graduation from a duly approved school under the provisions of this Act.

**Sec. 10. Schools may be rated.**—It shall be competent for any person, firm, or corporation, conducting a hairdressing and beauty culture school, to apply to and receive from said Board its approval of and for such school, and to have such school rated by the Board as an approved school in hairdressing and beauty culture and placed upon its list of such approved schools, upon complying with the following provisions:

(a) The school shall maintain upon its staff competent and qualified instructors and such school shall give and require a course of training and instruction of not less than six hundred and twenty-five (625) hours of class room work, to include both practical instruction and study and recitation in sanitation, sterilization, and the use of antiseptic consistent with the practical and theoretical requirements as applicable to and as provided in this Act; and shall comply with all rules and regulations relating to schools as in this Act contained.

(b) No school, duly approved under this Act, shall refuse to teach any student, otherwise qualified, on account of race, creed or color.

**Sec. 11. Schools may charge for work done.**—Nothing contained in this Act shall prevent any duly approved school teaching hairdressing and beauty culture from making a charge for student work done in said school to cover the cost of materials used and expenses incurred in and for the operation of said school. That all of such student work shall be advertised and held forth as being student work, and not otherwise.

**Sec. 12. Health and sanitary rules.**—In the conduct and operation of a hairdressing and beauty culture shop or school the following health and sanitary rules shall be complied with:

(a) All premises and contents thereof shall be maintained in a clean and sanitary condition.

(b) Hair brushes, combs, and any and all instruments used, must be cleaned and sterilized after using on each customer or patron.

(c) Each and every operator, manager-operator or student of and in any hairdressing and beauty culture shop or school shall use separate and clean towels for application upon each customer or patron, and shall wash their hands with soap and hot water and clean their finger-nails before working upon each customer or patron. No towel or other linen shall be used upon more than one customer or patron until freshly laundered.

(d) No operator, manager-operator, or student shall knowingly work upon or permit any person to be served in any of the hairdressing and beauty culture practices in any shop or school who is afflicted in a dangerous or infectious stage of erysipelas, eczema, impetigo, or other visible skin diseases.

**Sec. 13. Board may waive license.**—The Board may dispense with and waive the examination for license upon the application of any person who is able to furnish documentary evidence and proof of having practiced in another State for a period of at least one year prior to the time of such application for license, and where the requirements both moral and educational, if such applicant is licensed in such other State, are substantially equal to the provisions of this Act, upon the payment of the fee for license as provided herein.

**Sec. 14. Must make application.**—All persons who have been engaged in the practice of hairdressing and beauty culture in this State for a period of six months or more prior to the passage of this Act shall, within sixty days after the passage of this Act, make application in writing to the said Board, upon a form to be prepared and supplied by said Board, for a license as an operator, or if qualified for a license as a manager-operator, as provided for in this Act. All such applicants shall be required to furnish proof that they are of good moral character, are free from any contagious or infectious disease, and that they have practiced hairdressing and beauty culture in this State for a period of six months or more prior to the passage of this Act. Such proof of practice and good moral character shall be by affidavit from two or more reputable citizens who reside in the community in which the applicant practices or has practiced. Upon

such proof and the furnishing and filing of same with the applicant's application for license, the Board shall issue without examination to such applicant either an operator's license or a manager-operator's license upon the payment of the required fee.

**Sec. 15. Licenses to be displayed.**—Every holder of a license granted by the said Board, as provided in this Act, shall display it in a conspicuous place in his place of business. All licenses shall expire December 31st of the year in which issued, unless renewed as herein provided. The holder of a license issued by the said Board shall annually, on or before the 31st day of December, renew his license and pay the renewal fee.

**Sec. 16. Additional powers of board.**—The said Board shall have the following additional powers:

(a) It may refuse to grant or renew a license to a person guilty of fraud in passing examination, or at any time found guilty of a felony, immorality, or grossly unprofessional or dishonest conduct, or to a person having been convicted of advertising by means of false or deceptive statements, or for the failure to display his license in a conspicuous place in his place of business.

(b) It may revoke or suspend licenses, upon proof of violation of the rules and regulations herein set forth, for practicing while having any contagious or infectious diseases, or for gross incompetency; or it may revoke or suspend the license of any manager-operator or operator who permits an unlicensed operator to work upon a customer or patron in any shop or shops. Provided, however, that before any license shall be revoked or suspended the holder thereof shall have notice in writing of the charge or charges made and filed against him, and shall at a day specified in the said notice, at least twenty days after the service of said notice, be given a public hearing and full opportunity to produce testimony and evidence in his behalf and to confront the witnesses against him. Said Board shall have authority to administer oaths and take testimony. Any person whose license has been so revoked or suspended may on written application to the said Board, have the same reissued to him or the suspension lifted upon satisfactory showing that the disqualification has ceased.

**Sec. 17. Notices to be published.**—Notice of Board meetings, at which applicants or licensed practitioners are to appear, shall be published once each week for three consecutive weeks before the date of such meetings in a daily newspaper in each city of the first class.

**Sec. 18. Fees to be paid in advance and deposited in State Treasury.**—All fees as provided in this Act, shall be paid in

advance to the Secretary-treasurer of the Board and shall be by him deposited in the State Treasury and credited to the Board created hereby and the said Board shall in all respects be subject to Article 19, of Chapter 426, Laws of 1925. Said funds shall be disbursed by the Secretary-treasurer only on the order of the President of said Board and in payment of expenses lawfully incurred and approved by the Board, and with the approval of the State Board of Administration and Finance in those cases set forth heretofore where such approval is required. On the failure to pass an examination for license the fee paid shall not be returned to the applicant, but at any time within one year after such failure such applicant may present himself and take a second examination without the payment of any additional license fee.

Sec. 19. **Exceptions.**—Nothing in this Act shall prohibit services in cases of emergency where compensation or other reward is not received, nor in domestic service, nor services by persons authorized and licensed under the laws of this State to practice medicine, surgery, dentistry, chiropody, osteopathy, chiropractic, massage, or barbering. However, this section shall not be construed to authorize any of the persons so exempted to wave the hair, or to color, tint, or bleach the hair, in any manner whatsoever.

Sec. 20. **Limitations.**—That nothing contained in this Act, notwithstanding any provision contained in Sub-division (d) of Section 2, shall be construed to prohibit a licensed operator under the provisions of this Act, who has had experience and practice for a period of one year or more, from engaging in the practices as defined in this Act, in the homes of customers or patrons under such sanitary and health rules and regulations as may be prescribed and set down by the State Board of Health and the Board provided for herein.

Sec. 21. **Violation a misdemeanor.**—Any person who violates any of the provisions of this Act, shall be guilty of a misdemeanor.

Sec. 22. **Inconsistent acts repealed.**—All acts or parts of acts in conflict herewith, are hereby repealed.

Sec. 23. **Effective July 1, 1927.**—This Act shall take effect and be in force from and after July 1st, 1927.

Approved April 16, 1927.

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#### CHAPTER 246—H. F. No. 1325.

*An act creating state forests out of certain state lands.*

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