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preliminary education received prior to entering the study of podiatry equal to that required for completion of four years work in a first grade high school course, and one year in a college of liberal arts, and present a diploma or certificate from a school of podiatry recognized by the board having a minimum requirement of at least four years course of at least eight months each shall, upon payment of a fee of \$50, be examined; and, if found qualified, registered and receive in testimony thereof a certificate signed by the chairman and secretary of the board.

An applicant who fails to pass an examination satisfactory to the board and is therefore refused registration shall be entitled, within one year after such refusal, to a reexamination at a meeting of the board called for the examination of applicants, upon payment of an additional fee of \$20 for each such reexamination, but two such reexaminations shall exhaust his privilege under his original application.

Any person to whom a certificate of registration is granted under the provisions of this chapter shall designate himself as a doctor of surgical podiatry.

Before the first of June each year, every registered podiatrist shall pay to the board a license renewal fee of \$15, and in default of such payment the board may, upon hearing and notice, revoke the registration of the podiatrist in default, but the payment of such fee on or before the time of hearing, together with a penalty of \$5, shall excuse the default. Such fee may also be collected by the board in a civil action.

[1973 c 725 s 21]

153.12 Compensation and expenses

Each member of the board shall receive \$35 for every day actually spent in the performance of his duties in connection with the provisions of this chapter and the ordinary and necessary expenses in the same amount and manner as state employees. Such compensation and expenses and any incidental expenses necessarily incurred by the board or any members thereof shall, if approved by the board, be paid from appropriated funds.

[1973 c 638 s 33]

CHAPTER 154. BARBERS

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154.03 Apprentices may be employed

No registered apprentice may independently practice barbering, but he may as an apprentice do any or all of the acts constituting the practice of barbering under the immediate personal supervision of a registered barber. Not more than two apprentices may be employed in any barber shop and each such apprentice must be under the immediate personal supervision of a separate registered barber.

[1973 c 376 s 1]

154.04 Persons exempt from compliance

The following persons are exempt from the provisions of this chapter while in the proper discharge of their professional duties:

- (1) Persons authorized by the law of this state to practice medicine, surgery, osteopathy, chiropractic, and massage;
- (2) Commissioned medical or surgical officers of the United States army, navy, or marine hospital service;
- (3) Registered nurses and nursing aides performing services under the direction and supervision of a registered nurse, provided, however, that no ad-

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ditional compensation shall be paid for such service and patients who are so attended shall not be charged for barbering;

(4) Persons practicing beauty culture.

[1973 c 597 s 1]

154.16 Causes for revocation

The board of barber examiners may either refuse to issue or renew, or may suspend or revoke, any certificate of registration or shop registration card for any one or combination of the following causes:

(1) Gross malpractice or gross incompetency;

(2) Continued practice by a person having an infectious or contagious disease;

(3) Advertising by means of knowingly false or deceptive statements;

(4) Habitual drunkenness or habitual or excessive indulgence in the use of drugs, including but not limited to narcotics as defined in either 26 U.S.C.A., Section 4731, or Minnesota Statutes, Section 618.01, barbituates, amphetamine, benzedrine, dexedrine, or other sedatives, depressants, stimulants, or tranquilizers;

(5) Immoral or unprofessional conduct or practice and conduct or practice which violates the provisions of chapter 186;

(6) The commission of any of the offenses described in section 154.19, clauses (3), (4), (5), (6), (7), or (8);

(7) Violation of the so-called Sunday closing laws, being sections 624.01 to 624.03;

(8) A registered apprentice working in a barber shop in which he has a financial interest; and

(9) Failure to comply with the sanitary rules and regulations of the board of barber examiners.

[1973 c 376 s 2]

154.18 Fees

The fees collected, as required in this chapter, shall be paid in advance to the secretary of the board of barber examiners and deposited by him in the state treasury, to be disbursed by the secretary on the order of the chairman in payment of expenses lawfully incurred by the board.

The fees to be paid the board of barber examiners required by chapter 154, as amended, are:

(1) For examining applicant and issuing certificate of registration as a registered barber, \$30;

(2) For renewing certificate of registration as a registered barber, \$10;

(3) For restoring certificate of registration as a registered barber within one year of expiration, \$15; provided, however, no such restoration fee is required of barbers age 70 or over;

(4) For examining applicant and issuing a certificate of registration as a registered apprentice, \$17;

(5) For renewing a certificate of registration as a registered apprentice, \$7;

(6) For restoring a certificate of registration as a registered apprentice, within one year of expiration, \$10;

(7) For examining applicant for a teacher's certificate, \$25;

(8) For issuing a certificate of registration as a registered teacher, \$25;

(9) For renewing a certificate of registration as a registered teacher, \$25;

(10) For restoring a certificate of shop registration within 30 days after expiration date, \$10; provided, however, no such restoration fee is required of those age 70 or over and who operates a barbershop as part of the barber's residence;

(11) For issuing a certificate of registration as an approved barber school, \$100;

(12) For renewing a certificate of registration as an approved barber school, \$100;

(13) For issuing a student permit, \$5.

The fees prescribed above for the renewal of certificates of registration as a registered barber and registered apprentice include the assessment made for the Unfair Trade Practice Act and shall be effective for the renewal of the 1968 licenses.

The fee to be paid for issuing an initial certificate of shop registration shall be \$25 and for renewing a certificate of shop registration of a shop within a community on or before June 30 of each year, \$5.

Every barber shop in business on May 20, 1967 shall have the right to continue until June 30, 1967, without the payment of any fees or any other act and shall thereafter apply for renewal of a certificate of shop registration in accordance with the provisions of chapter 154, as amended.

[1973 c 376 s 3]

154.22 Board of barber examiners created; terms

A board, to be known as the board of barber examiners, is established to consist of four members appointed by the governor. Three of such members shall be practical barbers who have followed the occupation of a registered barber in this state for at least five years immediately prior to their appointment; shall be graduates from the twelfth grade of a high school, or have an equivalent education; and shall have knowledge of the matters to be taught in approved schools of barbering, as set forth in section 154.07. The remaining member of the board shall be a public member as defined for purposes of Laws 1973, Chapter 638. One of the members shall be a member of, or recommended by, a union of journeymen barbers which shall have existed at least two years, and one shall be a member of, or recommended by, the master barbers association of Minnesota.

The members of the board shall serve for three years. The governor may remove a member for cause.

Members appointed to fill vacancies caused by death, resignation, or removal shall serve during the unexpired term of their predecessors. The present members of the board of barber examiners shall remain in office until the completion of their respective terms.

[1973 c 376 s 4; 1973 c 638 s 34]

154.23 Officers; compensation; reports

The board of barber examiners shall elect a chairman and secretary. It shall adopt and use a common seal for the authentication of its orders and records.

The secretary shall keep a record of all proceedings of the board and turn over to the state treasurer all moneys and fees collected pursuant to this chapter which shall be credited to the general fund in the state treasury together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 154.01 to 154.26 shall be paid from the appropriations made to the state board of barber examiners.

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

A majority of the board, in meeting duly assembled, may perform and exercise all the duties and powers devolving upon the board.

The secretary shall receive as compensation \$9,000 per annum and the other members of the board shall receive a compensation of \$35 per day for each

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day of actual service, but not to exceed 20 days in any calendar month nor 100 days in any calendar year, in discharge of their duties as such. All members of the board shall receive necessary traveling expenses incurred in the discharge of their duties. Each member of the board of barber examiners is entitled to sick leave and vacation leave with pay to be computed in the manner prescribed by the civil service rules. Each member shall file monthly with the secretary a complete report showing his activities during the preceding month, stating in detail the places, shops, or schools visited or inspected by the member. On or before October 1 in each even numbered year the board shall make a biennial report to the governor containing a full statement of the receipts and disbursements of the board and a full statement of its doings and proceedings during the preceding two fiscal years, with such recommendations as it may deem expedient.

The board shall have authority to employ such inspectors, clerks, deputies, and other assistants as it may deem necessary to carry out the provisions of this chapter.

[1973 c 638 s 35]

CHAPTER 155. BEAUTICIANS

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155.18 Disposal of fees.

155.04 Board of examiners

For the purposes of this chapter, there is hereby created and established a board, to be known by the name and style of the Minnesota state board of cosmetology, which shall consist of four members, one of whom shall be a public member as defined for purposes of Laws 1973, Chapter 638, not more than two of whom shall reside in cities of the first class and all of whom shall reside in the state.

[1973 c 638 s 36]

155.05 Members of board

The governor shall appoint the members of the Minnesota state board of cosmetology. Three of such members shall have an official seal, shall have had five years of experience within the last seven years and practice in this state in the occupation and practices as named within this chapter, and shall be senior instructors or have the qualifications to take the examination therefor, prior to the first appointment, one to serve one year, one to serve two years, and one to serve three years, or until their successors are duly appointed and have qualified, and thereafter the term of each such 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 not members of, nor affiliated with, any school duly approved and teaching the practices, as defined herein, while a member of the board, nor shall any two members of the board be graduates of the same school, or system of schools, teaching the practices, as defined herein. Each member of the board shall take the oath provided by law for public officers.

[1973 c 638 s 37]

155.18 Disposal of fees

Subdivision 1. All fees, as provided in this chapter, shall be paid in advance to the board and deposited in the state treasury and credited to the general fund together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 155.01 to 155.21 shall be paid from the appropriations made to the Minnesota state board of cosmetology. These funds shall be disbursed by the board only on the order of the president of the board and in payment of expenses lawfully