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IN THE HOUSE

BY MISS PRIOR, MRS. DIMOCK, AND
MRS. BULLOCK, BY REQUEST

SUBSTITUTE FOR HOUSE BILL NO. 151

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the practice of
Cosmetology, Hairdressing and Barber-
ing: providing for licensing of persons
to practice Cosmetology and Hairdressing;
prescribing penalties; and repealing
Sections 35-2-111 to 35-2-120, inclusive,
ACLA 1949."

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

Section 1. DEFINITIONS.

(a) The term "cosmetology" means the massaging,
cleansing, stimulating, manipulating, exercising or beautifying
of the scalp, face, neck, arms or upper parts of the body, or
doing similar work thereon with the hands or with any mechan-
ical or electrical apparatus or appliance, or by use of cosmetic
preparations, antiseptic tonics, lotions, creams or similar
preparations or compounds.

(b) The term "hairdressing" means the arranging,
dressing, curling, waving, permanent waving, cleansing, cutting,
singeing, bleaching or coloring of hair, or doing similar work
thereon by means of the hands, by the use of mechanical
appliances or applications, or by any other method.

(c) The term "cosmetologist" means any person who shall
engage in the practice of cosmetology.

(d) The term "hairdresser" means any person who shall

1 engage in the practice of hairdressing.

2 (e) The term "person" means an individual, partner-
3 ship, corporation or association, through or by means of which
4 the practice of cosmetology or hairdressing is carried on.

5 (f) "Practice of Barbering": Any one or any combina-
6 tion of the following practices when done upon the human body
7 for tonsorial purposes and not for the treatment of disease or
8 physical or mental ailments and when done for payment, either
9 directly or indirectly, constitutes the practice of barbering:

10 (1) Shaving or trimming the beard.

11 (2) Cutting the hair.

12 (3) Giving facial or scalp massage, or treatment with oils,
13 creams, lotions or other preparations, either by hand or mechani-
14 cal appliances.

15 (4) Singeing or shampooing the hair or applying hair tonic;
16 or dyeing the hair of male persons.

17 (5) Applying cosmetic preparations, antiseptics, powders,
18 oils, lotions to the scalp, face or neck.

19 (g) Barber: Any person engaging in the practice of
20 barbering and paid directly or indirectly for such service.

21 (h) Barber shop: A place where any person or persons
22 carry on, engage in, practice or cause to be carried on, engaged
23 in or practiced the practice of barbering.

24 (i) The term "Board" means the Board of Cosmetology
25 and Barbering created by this Act.

26 (j) The term "operator" means any individual over the
27 age of eighteen years who has been licensed to practice cosmet-
28 ology and hairdressing under the direct supervision of a manager.

29 (k) The term "manager" means any person who operates,

1 conducts, or manages a shop.

2 (l) The term "owner" means any person owing a shop.

3 (m) The term "shop" means any building or structure,
4 or any part thereof, wherein the practice of cosmetology or
5 hairdressing is carried on.

6 (n) The term "State" means any of the forty-eight
7 states of the United States of America, and the territories and
8 insular possessions of the United States.

9 (o) The term "license" means a license or permit
10 issued by the Board, authorizing a person to engage in the
11 practice of hairdressing or cosmetology or own a shop.

12 Section 2. ALASKA BOARD OF COSMETOLOGY AND BARBERING:
13 CREATION.

14 (a) There is created the Alaska Board of Cosmetology.
15 The members of the Board shall consist of six members, three of
16 whom shall be graduate licensed cosmetologists and three of
17 whom shall be licensed barbers; appointed by the Governor, sub-
18 ject to confirmation by a majority of the House of Representa-
19 tives and Senate in joint session assembled, and no more than
20 two of whom shall come from the same Judicial Division. Board
21 members shall have practiced no less than two years in the
22 Territory of Alaska. The Board shall elect from its members a
23 chairman and a secretary. Each board member shall hold office
24 for a term of four years, such term to commence April 1st, ex-
25 cept that of the members appointed to the first board; two shall
26 hold office for a term of two years (or until March 31, 1955);
27 two three years and the other two for terms of four years. The
28 Governor shall have power to fill vacancies in the Board for the
29 balance of an unexpired term, but any such appointments are sub-

1 ject to the approval of the Legislature when next they convene.

2 (b) When attending board meetings or otherwise en-
3 gaged in carrying out the purposes of this act, each appointive
4 board member shall be reimbursed for actual travel expenses and
5 receive a per diem allowance for each day that he is away from
6 home in connection with his official duties.

7 (c) The Board may employ such clerical and other
8 assistance as it may require at rates of compensation to be
9 established by it.

10 (d) The Board shall hold a meeting within sixty days
11 following their appointment. Other meetings shall be held
12 when deemed necessary by at least three Board members at times
13 and places to be designated by the chairman, but at least one
14 meeting shall be held each year.

15 Section 3. DUTIES OF BOARD.

16 (a) The Board shall prescribe reasonable rules and
17 regulations governing the practice of cosmetology, hairdressing,
18 and barbering in the Territory of Alaska. A copy of all rules
19 and regulations adopted shall be furnished to each person to
20 whom is issued a license to practice cosmetology, hairdressing
21 or barbering.

22 (b) The Board shall conduct examinations for and
23 issue licenses to applicants for the purpose of engaging in the
24 practice of cosmetology, hairdressing or barbering, and examina-
25 tions may be held by each of the Board members with the consent
26 and approval of the majority of the Board members. Any appli-
27 cant for license by examination shall not be less than 18 years
28 of age, shall be of good moral character and temperate habits,
29 and shall have completed a course of training in a licensed

1 school of cosmetology, hairdressing or barbering and have a
2 diploma therefrom, or shall have by training the qualifications
3 to practice cosmetology, hairdressing or barbering.

4 (c) An applicant for a license under this Act who has
5 been examined and licensed to practice cosmetology, hairdressing
6 or barbering in any state may be granted a license by the Board
7 without examination upon proof that he holds a state license in
8 force at the time of making application and upon payment of the
9 fees prescribed herein.

10 (d) The Board shall keep a record containing the name
11 and known place of business, and the date and number of license,
12 of every licensed cosmetologist, hairdresser and barber.

13 (e) All license fees received under this Act shall be
14 paid to the Territorial Treasurer and by him converted into the
15 general fund of the Territory of Alaska.

16 Section 4. LICENSES.

17 (a) It shall be unlawful and a violation of this Act
18 for any person to practice cosmetology, hairdressing or barbering
19 for compensation, or to hold himself out as qualified to engage
20 in such practice, unless such person has made application for
21 and has received from the Board a license authorizing him to
22 engage in such practice.

23 (b) It shall be unlawful and a violation of this Act
24 for any person to permit any person in his employ, or under his
25 supervision or control, to practice cosmetology, hairdressing or
26 barbering if the latter is not licensed under this Act.

27 (c) Each application for license from a person who has
28 not been previously licensed in the Territory shall be accompanied
29 by the following fees: Owners and managers, \$15.00; Operators,

1 \$5.00.

2 (d) The license issued hereunder shall entitle the
3 holder thereof to exercise the rights and privileges granted
4 thereby until the 31st day of December next following the date
5 of issuance of such license. Such license may be renewed from
6 year to year upon payment on or before the 31st day of December
7 of a renewal fee as follows: Owners and managers, \$5.00;
8 Operators, \$2.00. Failure to renew such license within the
9 time specified herein will cause such license to expire.

10 (e) Any person whose license has expired may have the
11 same renewed upon payment of all fees which the applicant would
12 have been required to pay to keep such license in force, with
13 an additional penalty fee of \$2.00.

14 (f) It shall be the duty of the holder of a license
15 to display the same in plain, open and unobstructed view in the
16 place where he engages in the practice of cosmetology, hair-
17 dressing or barbering.

18 Section 5. No person who is affected with any disease in
19 a communicable form or is a carrier of such disease shall work
20 in any barber or cosmetological establishment, and no barber or
21 cosmetological establishment shall employ any such person or
22 any person suspected of being affected with any disease in a
23 communicable form or of being a carrier of such disease. If
24 the manager of a barber or cosmetological establishment suspects
25 that any employee has contracted any disease in a communicable
26 form or has become a carrier of such disease he shall notify the
27 Commissioner of Health immediately.

28 When suspicion arises as to the possibility of transmission
29 of infection from any barber or cosmetological establishment

1 employee, the Board upon recommendation of the Commissioner of
2 Health is authorized to require any or all of the following
3 measures: (1) the immediate exclusion of the employee from a
4 barber or cosmetological establishment; (2) the immediate
5 closing of the barber or cosmetological establishment concerned
6 until no further danger of disease outbreak exists; (3) adequate
7 medical examination of the employee and of his associates, with
8 such laboratory examinations as may be indicated.

9 Section 6. All barber shops and cosmetological establish-
10 ments shall be operated and maintained in a sanitary condition
11 so as to preserve the public health and prevent the spread of
12 disease. The Board of Cosmetology and Barbering and the Alaska
13 Board of Health are hereby empowered to make and enforce all
14 reasonable rules and regulations so as to preserve the public
15 health and prevent the spread of disease.

16 The Board is hereby authorized to contract with the Alaska
17 Department of Health for all necessary sanitation services. The
18 Alaska Department of Health is hereby authorized to enter into
19 contracts with the Board of Cosmetology and Barbering for fur-
20 nishing needed personnel and services for its use.

21 Section 7. VIOLATIONS. Any person who violates any provi-
22 sion of this Act, or any rule or regulation of the Board, shall
23 be guilty of a misdemeanor and upon conviction thereof shall be
24 punished by imprisonment in jail for not more than six months or
25 by a fine not to exceed \$500.00, or by both such imprisonment
26 and fine.

27 Section 8. Sections 35-2-111 to 35-2-120, inclusive,
28 ACILA 1949 are repealed.
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