

1 IN THE SENATE

BY SENATOR OWEN

2 SENATE BILL NO. 4

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to regulate the practice of bar-  
7 bering in Alaska; creating a board of  
8 barber examiners; setting forth applica-  
9 tion, powers, duties, and penalties;  
10 making an appropriation; and setting an  
11 effective date."

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

13 Article I

14 DEFINITIONS AND APPLICATION

15 Section 1. Barbering. The practice of barbering embraces  
16 any of or any combination of the following practices for hire  
17 or reward: (a) Shaving or trimming the beard or cutting the  
18 hair; (b) Giving facial and scalp massages or treatments with  
19 oils, creams, lotions or other preparations either by hand or  
20 mechanical appliances; and (c) Singeing, shampooing, dressing  
21 or dyeing the hair or applying hair tonics.

22 Sec. 2. Application of Act; exceptions. The provisions  
23 of this Act apply to any person engaged in the practice of  
24 barbering in any incorporated city in Alaska, or within twenty-  
25 five (25) miles from the nearest boundary of any incorporated  
26 city; except persons engaged in the practice of barbering  
27 entirely within or upon any military reservation, post or base;  
28 and except cosmetologists otherwise licensed in accordance with  
29 law.

Article II

BOARD: POWERS AND DUTIES

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3 Section 1. Board; membership. There is hereby created  
4 the Board of Barber Examiners to be composed of nine members  
5 appointed by the Governor. The members shall serve at the  
6 pleasure of the Governor.

7 Sec. 2. Board; qualifications. Each member of the board  
8 shall have been engaged in the practice of barbering in Alaska  
9 for at least three years prior to his appointment; Provided,  
10 that practice of barbering within or upon a military reserva-  
11 tion, post, or base shall not be counted as qualifying experi-  
12 ence.

13 Sec. 3. Board; general powers. The board of barber  
14 examiners shall have the following general powers, but not by  
15 way of limitation: (a) to adopt or adapt examinations in  
16 accordance with standards provided by any nationally recognized  
17 manual of barber science and examine applicants for licenses  
18 to engage in the practice of barbering; (b) to adopt and pro-  
19 mulgate rules and regulations regarding the conduct of the  
20 practice of barbering in accordance with reasonable standards  
21 of sanitation; (c) to suspend licenses for failure to maintain  
22 standards of sanitation proscribed by the board; (d) to con-  
23 duct inspections of any and all barber shops for the purpose  
24 of ensuring that said standards of sanitation are being main-  
25 tained; Provided, that the board shall not conduct a second  
26 examination of the same shop in less than ninety days after a  
27 first inspection thereof; (e) to adopt rules of procedure for  
28 its own organization and conduct of its meetings, examinations,  
29 and inspections; (f) to delegate any of its powers of



1           Sec. 3. Examination fee. Any person making application  
2 for examination must submit with his application an examination  
3 fee of Twenty-five (\$25) dollars. If the applicant success-  
4 fully passes said examination, the examination fee shall be  
5 accepted as full payment of the license fee for the first year  
6 of practice.

7           Sec. 4. License. Licenses shall be issued by the board  
8 to any applicant who satisfactorily passes the examination, and  
9 who possesses the other qualifications required by law. All  
10 licenses and temporary permits shall have a photograph of the  
11 licensee or permittee attached.

12           Sec. 5. Renewal. Licenses issued by the board shall be  
13 valid for a term of one year, subject to annual renewal by  
14 issuance of a new license. A fee of Ten (\$10) Dollars shall  
15 accompany each application for renewal.

16           Sec. 6. Temporary permit. Any person entering the Terri-  
17 tory or transferring from a practice exempt under the pro-  
18 visions of section 2 of Article 1 of this Act, or who has  
19 practiced barbering in Alaska for less than three years prior  
20 to the effective date of this Act, and desiring to engage in  
21 the practice of barbering who (a) has a diploma from a barber  
22 college accredited by the board, or (b) has a bona fide license  
23 issued by another Territory or state, shall be issued a Tem-  
24 porary Permit, valid for one year; Provided, that such person  
25 holding a temporary permit must work under the employ of a  
26 barber holding a valid license of Alaska.

27           Sec. 7. Temporary permit; application; fee. Under the  
28 conditions imposed by section 6 of this Article, a temporary  
29 permit may be issued by any member of the board upon applica-

1 tion therefor under terms and conditions determined by regula-  
2 tions of the board, and upon the receipt of an application fee  
3 of Twenty-five (\$25) Dollars. The fee shall be credited to the  
4 temporary permittee, and such permittee shall be permitted to  
5 take an examination for a regular license without tender of an  
6 additional fee therefor. Upon taking said examination the tem-  
7 porary permit must be surrendered to the board, or the committee  
8 thereof conducting the examination.

9       Sec. 8. License; resident barber. Any person who has  
10 been engaged in the practice of barbering in Alaska, exclusive  
11 of practice wholly upon a military reservation, post, or base,  
12 for a period of three years prior to the effective date of this  
13 Act shall be issued a license without examination. Application  
14 for the license authorized and required by this section shall  
15 be accompanied by payment of a fee of Twenty-five (\$25) Dollars,  
16 a sworn affidavit that the applicant is qualified by virtue of  
17 said prior practice, and a certificate of health from a  
18 Physician that the applicant has no contagious or infectious  
19 disease.

20       Sec. 9. Deposit of receipts. All moneys received by  
21 the board under this chapter shall be paid to the secretary of  
22 the board, who shall give a receipt for it. At the end of each  
23 month, the secretary shall report to the Territorial Auditor  
24 the total amount of money received by him on behalf of the  
25 board from all sources, and shall at the same time deposit with  
26 the Territorial Treasurer the entire amount of receipts.

27       Sec. 10. Special fund. The Territorial Treasurer shall  
28 place the money received in a special fund, to be known as the  
29 "Barber Examiners' Fund." This fund shall be expended in

1 accordance with the law for all necessary and proper expenses  
2 in carrying out the provisions of this Act upon proper voucher  
3 approved by the certifying member designated by the board.

4 Article IV

5 UNLAWFUL ACTS: PENALTIES

6 Section 1. Failure to get license. Any person who en-  
7 gages in, or attempts to engage in, the practice of barbering  
8 without first having obtained a license is guilty of a mis-  
9 demeanor, and upon conviction shall be punished by a fine of  
10 not to exceed Five Hundred (\$500) dollars, or imprisonment in  
11 jail for a period not to exceed thirty (30) days, or both such  
12 fine and imprisonment.

13 Sec. 2. Suspension of License. The board shall have  
14 power to suspend the license or permit of any person who vio-  
15 lates any of the provisions of this Act, and the board shall  
16 suspend the license of any person who, by his acts, gives evi-  
17 dence that he does not have a good moral character, or who has  
18 been convicted of a felony, or who uses narcotics or over-  
19 indulges in the use of alcoholic beverages while trying to  
20 practice his profession, until the board is satisfied that he  
21 will thereafter conduct his profession in a proper manner.

22 Article V

23 GENERAL PROVISIONS

24 Section 1. Appropriation. All fees received and credited  
25 to the Barber examiners' Fund are hereby appropriated for the  
26 purpose of carrying out the provisions of this Act.

27 Sec. 2. Effective date. This Act shall take effect and  
28 be in force generally, from and after its passage and approval,  
29 or upon its becoming a law without such approval, Provided,

1 that it shall not be unlawful to practice barbering without a  
2 license or permit until ninety days after the organization of  
3 the board, and licenses are made available by them under the  
4 terms and conditions of this Act and their rules and regula-  
5 tions, and it is so enacted.

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