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BUCKALEW AND NORENE

1 IN THE HOUSE

2 HOUSE BILL NO. 51

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act to regulate the practice of  
7 barbering in Alaska; providing a board  
8 of barber examiners; providing for the  
9 powers and duties of said Board; pre-  
10 scribing penal fines; authorizing an  
11 appropriation; and setting an effect-  
12 ive date."

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

14 Article 1

15 DEFINITIONS AND APPLICATION

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

23 Section 2. Application of Act; exceptions. The provi-  
24 sions of this Act shall apply to any person engaged in the  
25 practice of barbering (a) in any community in Alaska, the popu-  
26 lation of which is in excess of 1,000 persons, and (b) within a  
27 25 mile radius from the boundaries of any such community, except  
28 persons engaged in the practice of barbering entirely within or  
29 upon any military reservation, post or base; and except

1 cosmetologists otherwise licensed in accordance with law.

2 Article II

3 BOARD: POWERS AND DUTIES .

4 Section 1. Board; membership. There is hereby created  
5 the Board of Barber Examiners to be composed of Five (5) members  
6 appointed by the Governor. The members of the First Board shall  
7 come from a list of recommendations made by practicing barbers  
8 in Alaska, and thereafter from a list of recommendations by li-  
9 censed barbers in Alaska. They shall serve at the pleasure of  
10 the Governor.

11 Section 2. Board; qualifications. Each member of the  
12 board shall have been engaged in the practice of barbering in  
13 Alaska for at least Five (5) years prior to his appointment;  
14 Provided, that practice of barbering within or upon a military  
15 reservation, post, or base shall not be counted as qualifying  
16 experience.

17 Section 3. Board; general powers. The board of barber  
18 examiners shall have the following general powers, but not by  
19 way of limitation; (a) To adopt or adapt examinations in accord-  
20 ance with standards provided by any nationally recognized manual  
21 of barber science and examine applicants for licenses to engage  
22 in the practice of barbering; (b) To adopt and promulgate rules  
23 and regulations regarding the conduct of the practice of barbering  
24 in accordance with reasonable standards of sanitation; provided,  
25 that ultimate control over health and sanitary conditions as con-  
26 cerns all licenses, shops, and schools licensed under this Act  
27 shall reside in the Department of Health for the Territory of  
28 Alaska; (c) To suspend licenses for failure to maintain standards  
29 of sanitation prescribed by the board; (d) To conduct inspections

1 of any and all barber shops for the purpose of ensuring that  
2 said standards of sanitation are being maintained; Provided,  
3 that the board shall not conduct a second examination of the  
4 same shop in less than ninety days after a first inspection  
5 thereof; (e) To adopt rules of procedure for its own organiza-  
6 tion and conduct of its meetings, examinations, and inspections;  
7 (f) To delegate any of its powers of examining and inspection  
8 to a committee of its membership; Provided, that no such com-  
9 mittee shall be composed of less than three members; (g) To do  
10 such other acts and things as may be necessary to carry out the  
11 provisions and purposes of this Act.

12 Section 4. Board; meetings. The board shall meet as often  
13 as necessary to conduct its business, but shall provide at least  
14 one examination each year that there are applications on file  
15 for a license to practice barbering in Alaska.

16 Section 5. Board; ex. expes. Members of the board shall  
17 receive no salary, but shall be entitled to per diem and expenses  
18 authorized to be paid members of boards by provisions of general  
19 law, for the time spent in meetings, in traveling to and from  
20 meetings, necessary travel expenses, and per diem for time spent  
21 in the actual performance of duties imposed by this Act relating  
22 to examinations and inspections.

### 23 Article III

#### 24 EXAMINATION AND LICENSING

25 Section 1. License required. No person, except those  
26 specifically exempted from the application of this Act, shall  
27 engage in the practice of, or attempt to practice, barbering  
28 without a license or temporary permit duly issued and certified  
29 by the board of barber examiners as in this Act provided.

1           Section 2. Application. Any person wishing to engage in  
2 the practice of barbering shall make application for examination  
3 and licensing to the board by submitting the following: (1)  
4 Evidence of his good moral character satisfactory to the board;  
5 (2) A certificate of health from a physician; (3) Such other  
6 information as may be required by regulations duly adopted by  
7 the board.

8           Section 3. Examination fee. Any person making application  
9 for examination must submit with his application an examination  
10 fee of Twenty-Five (\$25.00) dollars. If the applicant succes-  
11 fully passes said examination, the examination fee shall be ac-  
12 cepted as full payment of the license fee for the first year of  
13 practice.

14           Section 4. Licenses. Licenses shall be issued by the board  
15 to any applicant who satisfactorily passes the examination, and  
16 who possesses the other qualifications required by law. All  
17 licenses and temporary permits shall have a photograph of the  
18 licensee or permittee attached.

19           Section 5. Renewal. Licenses issued by the board shall  
20 be valid for a term of one year, subject to annual renewal by  
21 issuance of a new license. A fee of Ten (\$10.00) dollars shall  
22 accompany each application for renewal .

23           Section 6. Temporary permit. Any person entering the  
24 Territory or transferring from a practice exempt under the  
25 provisions of Section 2 of Article I of this Act and who desires  
26 to engage in the practice of barbering who (a) has a diploma  
27 from a barber college accredited by the board, or (b) has a bona  
28 fide license issued by another Territory or state, shall be  
29 issued a Temporary Permit, valid until the next examination

1 given by the board.

2 Section 7. Temporary permit; application; fee. Under the  
3 conditions imposed by Section 6 of this Article, a temporary  
4 permit may be issued by any member of the board upon application  
5 therefor under the terms and conditions determined by regula-  
6 tions of the board, and upon the receipt of an application fee  
7 of Twenty-Five (\$25.00) Dollars. The fee shall be credited to  
8 the temporary permittee, and such permittee shall be permitted  
9 to take an examination for a regular license without tender of  
10 an additional fee therefor. Upon taking said examination the  
11 temporary permit must be surrendered to the board, or the com-  
12 mittee thereof conducting the examination.

13 Section 8. License; resident barber. Any person who has  
14 been engaged in the practice of barbering in Alaska, prior to  
15 the effective date of this Act shall be issued a license without  
16 examination. Application for a license authorized and required  
17 by this Section shall be accompanied by payment of a fee of  
18 Twenty-Five (\$25.00) Dollars, a sworn affidavit that the appli-  
19 cant is qualified by virtue of said prior practice, and a  
20 certificate of health from a physician that the applicant has  
21 no contagious or infectious disease.

22 Section 9. Deposit of receipts. All monies received by  
23 the board under this chapter shall be paid into the General Fund.

#### 24 Article IV

#### 25 UNLAWFUL ACTS; PENALTIES

26 Section 1. Failure to possess license. Any person who  
27 engages in, or attempts to engage in, the practice of barbering  
28 without first having obtained a license is guilty of a mis-  
29 demeanor, and upon conviction thereof shall be punished by a

1 fine not to exceed Five Hundred (\$500.00) Dollars, or impri-  
2 sonment in jail for a period not to exceed thirty (30) days,  
3 or both such fine and imprisonment.

4 Section 2. Suspension of License. The Board shall have  
5 power to suspend the license or permit of any person who violates  
6 any of the provisions of this Act, and the board shall suspend  
7 the license of any person who, by his acts, gives evidence that  
8 he is not of good moral character, or who uses narcotics or  
9 over-indulges in the use of alcoholic beverages while practicing  
10 his profession, until the board is satisfied that he will  
11 thereafter conduct his profession in a proper manner.

#### 12 ARTICLE V

#### 13 BARBER SCHOOLS AND COLLEGES

14 Section 1. The board of barber examiners shall have the  
15 power and duty to provide for the conduct and supervision of  
16 barber schools and colleges in the Territory of Alaska. Regu-  
17 lations providing standards of sanitation and skill shall be  
18 adopted by the Board applicable to such schools and colleges,  
19 and to teachers and instructors therein. No person shall en-  
20 gage in the operation of such a school or college, or teach  
21 therein, who is not of good moral character, fully accredited  
22 as an instructor or teacher as evidenced by a diploma from a  
23 nationally accredited course in barber science, and licensed as  
24 a barber under this law.

25 Section 2. Each barber school or college operating in the  
26 Territory shall pay to the board an annual license fee of One  
27 Hundred Fifty (\$150.00) Dollars. Barber schools and colleges  
28 shall be regularly inspected and examined by the board.

#### 29 Article VI

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GENERAL PROVISIONS

Section 1. Appropriation. Funds to carry out the provisions of this Act may be appropriated in the General Appropriations Bill of the Alaska Legislature,

Section 2. Effective date. This Act shall take effect and be in force generally, from and after its passage and approval, or upon its becoming law without such approval, Provided, that it shall not be unlawful to practice barbering without a license or permit until ninety days after the organization of the board, and licenses are made available by them under the terms and conditions of this Act and their rules and regulations, and it is so enacted.