

By Mr. Gallugi of Wakefield, petition of Anthony Michael Gallugi and another relative to increasing the fee charged by the Board of Registration of Barbers. Government Regulations.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

### AN ACT INCREASING THE FEE CHARGED BY THE BOARD OF REGISTRATION OF BARBERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 112 of the General Laws is hereby  
2 amended by striking out section 87H, as most recently amended  
3 by chapter 829 of the acts of 1971, and inserting in place thereof  
4 the following section:—

5 *Section 87H.* Any person desiring to obtain a certificate of  
6 registration shall make application to the board therefor, pay to  
7 the secretary thereof a fee of thirty-five dollars and furnish to the  
8 board a certificate of a registered physician as to the freedom of  
9 the applicant from infectious and contagious diseases, and shall  
10 present himself at the next regular meeting of the board for the  
11 examination of applicants, or at a later meeting of the board if it  
12 so votes, and thereupon, if he shows that he has studied and  
13 practiced the occupation of barbering for two years as an  
14 apprentice under one or more registered barbers, or for at least  
15 six months in a properly equipped and conducted barber school  
16 or barber college under the instruction of a registered barber and  
17 eighteen months as an apprentice under a registered barber, or  
18 practiced such occupation for at least two years in this and/or  
19 other states, and that he is possessed of the requisite skill in such  
20 occupation to perform properly all the duties thereof, including  
21 the preparation of the tools, shaving, haircutting and all the  
22 duties and services incident thereto, and has sufficient knowledge  
23 concerning diseases of the face and skin to avoid the aggravation

24 and spreading of such diseases in the practice of such occupation,  
25 the board shall issue to him a certificate of registration, signed by  
26 the chairman and the secretary and attested by its seal. Such  
27 certificate shall be evidence that the person to whom it is issued  
28 shall, subject to section eighty-seven J, be entitled to follow the  
29 practice of the occupation referred to therein.

30 Any applicant failing to pass an examination satisfactory to the  
31 board shall thereafter be entitled to re-examination by payment  
32 of a fee of fifteen dollars and by filing a re-examination  
33 application upon a form furnished by the board, but two re-  
34 examinations shall exhaust his privilege under his original  
35 application, and if he fails to apply for re-examination within one  
36 year after his original examination, or to appear for re-  
37 examination when notified so to do, his re-examination privilege  
38 for such original application shall be forfeited. Each such  
39 certificate of registration issued by the board shall expire on  
40 December thirty-first of the second year following the date of its  
41 issue. The board may renew any such registration, and issue a  
42 certificate thereof, upon the payment of a renewal fee of twenty  
43 dollars and any person holding a certificate or renewal certificate  
44 which has expired may have such certificate or renewal certificate  
45 reinstated within one year of the date of expiration upon payment  
46 of a fee of twenty-five dollars. If a person fails to have such  
47 certificate or renewal certificate reinstated within said year, he  
48 shall thereafter be registered as a barber only upon application to  
49 the board for examination, accompanied by a fee of thirty-five  
50 dollars. Before any registered barber opens a barber shop, or  
51 moves his barber shop to a new location, or operates a barber  
52 shop previously approved for a prior owner, he shall apply to the  
53 board for an inspection and approval thereof, and the board shall  
54 receive a fee of thirty-five dollars for each inspection, and upon  
55 the approval of such barber shop, the board shall issue a  
56 certificate of registration for such barber shop, which shall  
57 without further fee be in force, unless sooner cancelled,  
58 suspended or revoked, until June thirtieth next following the date  
59 of its issuance. All certificates of registration for barber shops  
60 shall be renewed biennially by filing applications therefor on  
61 forms supplied by the board and the payment of a fee of twenty  
62 dollars, and such renewal shall, unless cancelled, suspended or  
63 revoked, be in full force and effect until June thirtieth of the

64 second year following its issuance. The board may suspend,  
65 revoke or refuse to renew a certificate of registration issued by it  
66 for a barber shop if it finds, after a hearing, notice of which shall  
67 be given to the owner or operator of such shop, that any of its  
68 rules and regulations have been violated in said shop, that any of its  
69 persons not authorized to practice the occupation of barbing  
70 have been employed therein as barbers or apprentices, or that  
71 there has been a violation in said shop of any provision of  
72 sections eighty-seven F to eighty-seven R, inclusive.

73 Every applicant for a license shall furnish evidence that he is a  
74 citizen of the United States or shall present to the board a copy of  
75 his declaration of intention to become a citizen of the United  
76 States, certified by the clerk of the court in which it was filed, or a  
77 certificate from the Immigration and Naturalization Service of  
78 the United States, showing that, in accordance with law, he has  
79 declared his intention to become such citizen, and no license shall  
80 be issued to an applicant who fails to comply with these  
81 provisions. Unless an applicant who is an alien and who is  
82 subsequently licensed presents to the board his completed  
83 naturalization papers showing that he is a citizen of the United  
84 States within five years following the filing of the copy or  
85 certificate hereinbefore referred to his license shall be revoked.

86 Every alien shall first serve as an apprentice for at least three  
87 years under the supervision of a registered barber before being  
88 eligible to take the examination for a fully registered barber. An  
89 alien shall not be allowed to take the apprentice examination  
90 unless his passport states that he is a barber and he presents two  
91 affidavits satisfactory to the board stating that he is at least  
92 eighteen years of age and that he has been a barber for at least  
93 two years in a foreign country. This examination shall consist of a  
94 haircut, shampoo, shave, face massage and scalp massage.

95 The apprentice examination fee shall be thirty-five dollars and  
96 he shall be entitled to two re-examinations within the year at a fee  
97 of fifteen dollars each. The apprentice license shall expire one year  
98 from the date of issue and may be renewed annually for a fee of  
99 fifteen dollars.

1 SECTION 2. Said chapter 112 is hereby further amended by  
2 striking out section 871, as most recently amended by chapter 781  
3 of the acts of 1971, and inserting in place thereof the following

4 section:—

5   *Section 871.* Nothing in sections eighty-seven F to eighty-seven  
6 R, inclusive, shall prohibit any person sixteen years of age or over  
7 from serving in this commonwealth in such occupation therein as  
8 a student in any barber school or barber college approved by the  
9 board under the instruction of an instructor; provided, that such  
10 instructor, or the person owning or operating such barber school  
11 or barber college, shall immediately report in writing to the board  
12 the name and age of such student working under his direction or  
13 training, and shall furnish to the board a certificate of a registered  
14 physician that such student is not afflicted with any contagious or  
15 infectious disease. Thereupon, and upon the payment of a fee of  
16 fifteen dollars by the person operating or conducting such school  
17 or college, or by such student, as the case may be, the name of  
18 such student shall be entered in a register of the board for the  
19 registering of apprentices and students, and the board may grant  
20 to him a permit to practice as a student in such a barber school or  
21 barber college under the instruction of an instructor. Any such  
22 student, after having completed a course of at least six months,  
23 including at least one thousand hours consisting of not more than  
24 eight hours in any one day, of training in barbering in such a  
25 barber school or barber college, may apply for an examination,  
26 or for a second or subsequent examination, if he has failed to pass  
27 an earlier examination. Upon passing an examination satisfac-  
28 tory to the board, he shall be registered by the board as an  
29 apprentice, and as such may practice barbering for compensation  
30 under the supervision of a registered barber during the period of  
31 such original registration, and thereafter, upon payment annually  
32 of a renewal fee as provided in this section. After having practiced  
33 for two years, six months thereof in a barber school or barber  
34 college, approved by the board, under the instruction of an  
35 instructor and eighteen months thereof under a registered barber,  
36 and upon the payment of the required fee for examination, such  
37 apprentice shall be eligible for examination by the board for  
38 registration as a barber. An apprentice or student may practice  
39 barbering under a permit, or a renewal thereof, granted under this  
40 section. A fee of fifteen dollars shall be paid upon filing an  
41 application for such permit, and thereafter an annual fee of ten  
42 dollars shall be paid to the board for each renewal thereof. Any  
43 such permit not renewed at its expiration date shall become void

44 but shall be reinstated within one year upon the payment of a fee  
45 of fifteen dollars. If such a permit is not reinstated within one year  
46 from its expiration date, it shall be reinstated only after re-  
47 examination of the apprentice and the payment of a fee of thirty-  
48 five dollars; provided, however, that if an apprentice fails to pass  
49 such examination his permit shall be reinstated upon completion  
50 of a refresher course of two hundred and fifty hours in a barber  
51 school or barber college approved by the board. A certificate of a  
52 registered physician stating that said apprentice or student is not  
53 afflicted with any contagious or infectious disease shall be filed  
54 with each application for such permit or renewal thereof. Such  
55 permit shall be valid for a period of one year from the date of  
56 issuance thereof. The board may register as an apprentice any  
57 person who has previously been registered as a barber for two or  
58 more years in this or any other state; provided, that such person,  
59 in registering as an apprentice, files with the board the proper  
60 apprentice application with a physician's statement as aforesaid,  
61 and a fee of ten dollars. Such permits issued to applicants upon  
62 proof of such former experience shall be in effect for one year  
63 only.

1 SECTION 3. Said chapter 112 is hereby further amended by  
2 striking out section 87P, as most recently amended by section 1 of  
3 chapter 510 of the acts of 1963, and inserting in place thereof the  
4 following section: —

5 *Section 87P.* Any school or college where tuition or fees are  
6 charged for teaching the occupation of barbering shall be  
7 considered a barber school or barber college under sections  
8 eighty-seven F to eighty-seven R, inclusive, and all said schools or  
9 colleges shall keep prominently displayed at the entrance a sign  
10 "Barber School" or "Barber College", as the case may be. Any  
11 person desiring to operate or conduct a barber school or barber  
12 college within this commonwealth shall first secure from the  
13 board a permit to do so. Such permit shall terminate on the  
14 thirty-first day of December next succeeding its date unless  
15 renewed for the subsequent year. The fee for such permit shall be  
16 one hundred and fifty dollars and the fee for each renewal thereof  
17 shall be seventy-five dollars. After receipt of an application for a  
18 permit to operate a barber school or barber college, the board

19 shall make investigation as to the reliability of the applicant or  
20 applicants, the qualifications of the instructors of the school or  
21 college and the equipment, appliances and sanitary conditions  
22 thereof and if these conditions are found to be satisfactory, a  
23 permit to operate or conduct a barber school or barber college  
24 shall be granted. Every permittee shall keep such permit  
25 prominently displayed in such school or college, and shall before  
26 commencing business give to the state treasurer a bond, in such  
27 amount and with such sureties as shall be determined and  
28 approved by the governor and council, conditioned upon the  
29 faithful compliance by himself in the conduct of said school or  
30 college with all the provisions of said sections and of all rules and  
31 regulations made under authority thereof, and to pay all  
32 judgments that may be obtained against said school or college or  
33 the owners or managers thereof on account of fraud, misrepresen-  
34 tation or deceit practiced by themselves, their agents, servants or  
35 employees. The board may from time to time examine into the  
36 qualifications of instructors, appointments, course of study and  
37 hours of study in any such school or college, and may suspend or  
38 revoke the certificate of registration of the person operating or  
39 conducting such school or college or of any registered barber  
40 acting as instructor or teacher therein, or the permit of any such  
41 school or college, for the violation of any of said sections or of  
42 any rule or regulation made under authority thereof. The course  
43 of study in any such school or college shall be on a semester basis.  
44 Students shall be admitted for instruction only at the beginning of  
45 a semester.

46 No person shall act as an instructor until he shall have passed  
47 an examination conducted by the board and obtained a certificate  
48 of registration from said board. Each applicant for registration as  
49 an instructor who shall furnish the board with satisfactory proof  
50 that he possesses the educational qualities required for gradu-  
51 tion from a high school and that he has been a practising  
52 registered barber for the five years immediately preceding the  
53 date of the application, shall upon the payment of an  
54 examination fee of seventy-five dollars, be entitled to be  
55 examined as set forth under the provisions in section eighty-seven  
56 G; and if found by the board to be qualified, shall be registered by  
57 it as an instructor, and receive a certificate thereof signed by the

58 chairman and secretary of the board. Each such certificate shall  
59 expire on December thirty-first next succeeding its date. The  
60 board may renew any such registration, and issue a certificate  
61 thereof, upon the payment of an annual renewal fee of fifty  
62 dollars.

