

By Mr. Carman of Springfield (by request), petition of the Massachusetts State Branch, American Federation of Labor, for the establishment of a board of registration in barbering and for regulating the practice thereof. State Administration. Jan. 10.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Eight.

An Act to establish a Board of Registration in Barbering and regulating the Practice thereof.

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 thirteen of the General Laws
2 is hereby amended by adding after section thirty-
3 eight, inserted therein by section two of chapter three
4 hundred and forty-eight of the acts of nineteen hun-
5 dred and twenty-five, the three following new sections
6 under the following heading: —

7 BOARD OF REGISTRATION IN BARBERING.

8 *Section 39.* There shall be a board of registration
9 in barbering, in the two following sections called the
10 board, consisting of three members, who shall be
11 practical barbers, resident in the commonwealth,
12 who have had five years of practical experience as
13 barbers in this commonwealth prior to their appoint-
14 ment. At least two of the members shall be journey-
15 men barbers who have received the largest endorse-
16 ment of the barbers throughout the commonwealth.

17 They shall be appointed by the governor and shall
18 hold office beginning on the first day of January
19 next, one for one year, one for two years and one for
20 three years, or until their successors shall be ap-
21 pointed; and the governor shall appoint annually
22 thereafter, before the first day of January in each
23 year, one practical barber qualified as aforesaid,
24 to hold office for three years from the first day of
25 January next ensuing. Not more than one member
26 of the board shall be engaged in barbering in the
27 same town.

28 *Section 40.* The board shall hold regular meetings
29 on the first Tuesdays of January, May and October
30 in each year, and such additional meetings at such
31 times and places as it may determine. At the regular
32 meeting in January, it shall organize by the choice
33 of a president, secretary and treasurer, who shall be
34 members of the board, and shall hold their offices for
35 one year. The secretary and treasurer shall give
36 to the state treasurer a bond, with such sureties as
37 shall be approved by the governor and council, for
38 the faithful discharge of their duties, and said offices
39 of secretary and treasurer may be filled by the same
40 person. The board shall have a common seal, and
41 shall have the power to administer oaths.

42 *Section 41.* The secretary of the said board shall
43 devote his undivided time to the duties of his office,
44 and shall receive therefor an annual salary of two
45 thousand dollars, the other two members, ten dollars
46 per day for actual time spent, together with actual
47 expenses incurred. The salaries shall be paid by the
48 commonwealth together with necessary travelling
49 expenses, actually expended in attending meetings,
50 and the incidental expenses of the board; provided,

51 that such salaries and expenses shall not be in excess
52 of the receipts for registration received by the state
53 treasurer from the board.

1 SECTION 2. Chapter one hundred and twelve of
2 the General Laws is hereby amended by inserting
3 after section eighty-seven E, inserted therein by
4 section two of chapter four hundred and seventy of
5 the acts of nineteen hundred and twenty-three, the
6 eleven following new sections under the following
7 heading:—

8 REGISTRATION OF BARBERS.

9 *Section 87F.* The board of registration in barber-
10 ing, in this and the ten following sections called the
11 board, shall hold practical examinations at least four
12 times each year, said examinations to be held in cities
13 in different parts of the state, distributed as evenly as
14 possible for the convenience of the applicants, and
15 such other examinations at such times and places as
16 the board may, from time to time, determine. When-
17 ever a complaint is made that any barber shop is kept
18 in an unsanitary condition, or that contagious diseases
19 have been imparted, a member of the board shall
20 visit and inspect such shops and enforce the provi-
21 sions of sections eighty-seven F to eighty-seven P,
22 inclusive. The board shall keep a record of all its
23 proceedings, shall also show if such applicant was
24 registered or rejected by examination, or otherwise;
25 such books shall be prima facie evidence of all matters
26 required to be kept therein.

27 *Section 87G.* The board shall file with the gover-
28 nor, on the first day of February of each year, an
29 itemized statement of all receipts and expenses of the
30 board for the year.

31 *Section 87H.* Any person desiring to obtain a
32 certificate of registration under this section shall
33 make application to the board therefor, pay to the
34 treasurer thereof an examining fee of five dollars and
35 furnish a physician's certificate as to his freeness
36 from infectious and contagious diseases, present
37 himself at the next regular meeting of the board for
38 the examination of applicants, and if he shows that
39 he has studied and practiced the trade for two years
40 as an apprentice under one or more licensed barbers,
41 or for at least one year in a properly appointed or
42 conducted barber school under the instructions of a
43 competent barber, or practiced the trade for at least
44 two years in this state or other states, and that he is
45 possessed of the requisite skill in such trade to prop-
46 erly perform all the duties thereof, including his
47 ability in the preparation of the tools, shaving, hair-
48 cutting, and all the duties and services incident
49 thereto, and has sufficient knowledge concerning
50 diseases of the face and skin to avoid the aggravation
51 and spreading thereof in the practice of said trade,
52 his name shall be entered by the board in the register
53 hereinafter provided for, and a certificate of regis-
54 tration shall be issued to him authorizing him to
55 practice said trade in this state. All persons making
56 application for examination hereunder shall be al-
57 lowed to practice the occupation of barbering until
58 the next meeting of the board, and the board shall
59 issue a permit authorizing him to practice said trade
60 until the next meeting of the board.

61 *Section 87I.* Nothing in sections eighty-seven F
62 to eighty-seven P, inclusive, shall prohibit any
63 person from serving as an apprentice under a regis-
64 tered barber in this state or from serving as a student

65 in any barber school or barber college for the train-
66 ing of students in such occupation in this state; pro-
67 vided, that such registered barber or barber school
68 proprietor shall report the names of all apprentices
69 working under his direction or training to the board,
70 together with a certificate of a licensed physician
71 and surgeon that the said apprentice or student is not
72 afflicted with any contagious or infectious disease,
73 such certificate to be accompanied by a fee of five
74 dollars for each such student or apprentice. His
75 name shall be entered in a register of the board for
76 the registering of apprentices and students and secure
77 a permit to practice as an apprentice or student
78 under the instructions of a qualified barber. After
79 having practiced the trade for two years under a
80 qualified barber or one year in a barber school, such
81 apprentice or student shall be eligible to become a
82 registered barber and present himself at the next
83 meeting of the board held nearest to him for the
84 examination of applicants.

85 *Section 87J.* The board shall furnish to each
86 person to whom a certificate of registration is issued,
87 a card or insignia bearing the seal of the board and
88 the signatures of its officers, certifying that the
89 holder thereof is entitled to practice the occupation
90 of barber in this state, and it shall be the duty of
91 the holder of such card or insignia to post the same
92 in a conspicuous place in front of his working chair,
93 where it may be readily seen by all persons whom
94 he may serve. Said card of insignia shall be renewed
95 on or before the first day of January in each year and
96 the holder of said certificate of registration shall pay
97 to the treasurer of the board the sum of one dollar
98 for said renewal of card or insignia. Upon failure

99 of any holder of a certificate of registration to apply
100 for a renewal of his card or insignia on or before the
101 first day of January in each year, the said certificate
102 of registration may be revoked by the board, subject
103 to the provisions of section eighty-seven L.

104 *Section 87K.* The board shall keep a register in
105 which shall be entered the names of all persons to
106 whom certificates are issued and said register shall
107 be at all times open to public inspection.

108 *Section 87L.* The board shall be authorized to
109 adopt reasonable rules providing for the sanitary
110 regulation of barber shops, barber schools and barber
111 colleges and the training of students therein, subject
112 to the approval of the department of public health,
113 and a member of the board shall have the power to
114 enter any barber shop during business hours for the
115 purpose of inspection of such shop. If any shop shall
116 be found in an unsanitary condition or has been
117 charged with imparting any contagious or infectious
118 disease the board shall immediately notify the dis-
119 trict health officer and such shop shall be quarantined
120 and the barber so charged shall not practice his
121 occupation until such quarantine shall be removed
122 by said health officer. The board shall have the
123 power to revoke for six months the certificate of
124 registration of any barber for conviction of crime,
125 for habitual drunkenness, for having epilepsy or other
126 diseases endangering health or safety of persons whom
127 he may serve, for gross incompetency, for failure to
128 comply with sanitary rules approved by the depart-
129 ment of public health, or for having imparted any
130 contagious or infectious diseases; provided, that
131 before any certificate shall be so revoked, the holder

132 thereof shall have notice in writing of the charge or
133 charges against him, and at a day specified in said
134 notice, at least five days after the service of notice
135 thereof, be given a public hearing and an opportunity
136 to present testimony in his behalf, and to confront
137 the witnesses against him. Any person whose certifi-
138 cate has been revoked may, after the expiration of
139 ninety days, apply to have his certificate regranted,
140 and the same shall be regranted to him upon his
141 giving satisfactory proof that his disqualification has
142 ceased to exist.

143 *Section 87M.* To shave or trim the beard, to cut
144 the hair, to give facial and scalp massaging, facial
145 and scalp treatments with oils and creams and other
146 preparations made for this purpose, either by hand
147 or by mechanical appliances, to singe and shampoo
148 the hair or apply any makes of hair tonics and to dye
149 the hair of any person for hire by the person perform-
150 ing such service or any other person shall be construed
151 as practicing the occupation of barber, within the
152 meaning of section eighty-seven F to eighty-seven P,
153 inclusive; provided, however, that nothing contained
154 therein shall be construed to include so called beauty
155 shops or hairdressing parlors patronized by women,
156 except as to the cutting of hair.

157 *Section 87N.* Any person practicing the occupa-
158 tion of barber in this state without having first
159 obtained a certificate of registration from the board,
160 or employing a barber who has not such a certificate
161 or falsely pretending to be qualified to practice such
162 occupation, or violating any of the provisions of
163 sections eighty-seven F to eighty-seven P, inclusive,
164 shall be punished by a fine of not less than ten dollars

5 tablished, an affidavit setting forth his name, resi-
6 dence and length of time and place where he has
7 practiced the trade, shall furnish a physician's
8 certificate as to his freeness from infectious or con-
9 tagious diseases, and shall pay to the secretary of
10 said board a fee of one dollar and a certificate of
11 registration shall be granted to him to practice as a
12 barber in this state.

