

No. 104, S.]

[Published May 12, 1903.]

CHAPTER 191.

AN ACT to regulate the practice of barbering.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Certificates of registration. SECTION 1. It shall be unlawful for any person to follow the occupation of barber in this state unless he shall have first obtained a certificate of registration as provided in this act. Provided, however, that nothing in this act contained shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided.

Board of examiners; term. SECTION 2. A board of examiners, to consist of three (3) persons is hereby created to carry out and enforce the provisions of this act. Said board shall be appointed by the governor and shall consist of practical barbers who have been for at least five (5) years prior to their appointment engaged in the occupation of barbers in this state. Each member of said board shall serve for a term of two (2) years and until his successor is appointed and qualified, except in the case of the first board, whose members shall serve one (1) two (2) and three (3) years respectively, and shall take the oath provided for public officers. Vacancies shall be filled by the governor for the unexpired portion of the term.

Officers; bond of treasurer. SECTION 3. Said board shall elect a president, secretary and treasurer, shall have a common seal and shall have the power to administer oaths. The office of secretary and treasurer may be filled by the same person, as said board may determine. The secretary and treasurer shall give a bond in the sum of one thousand (\$1,000) dollars with sureties approved by the secretary of state, conditioned for the faithful performance of the duties of the office.

Compensation. SECTION 4. Each member of said board shall receive a compensation of three (3) dollars per day and actual expenses for actual service, three (3) cents per mile for

each mile actually traveled in attending the meetings of the board, which compensation shall be paid out of any moneys in the hands of the treasurer of said board; provided, that the said compensation and mileage shall in no event be paid out of the state treasury.

Inspection and examination. SECTION 5. Said board shall hold practical examinations at least four times in each year, said examinations to be held in cities in different parts of the state, distributed as equally as possible, for the convenience of applicants, and such other examinations at such times and places as they may from time to time determine. Whenever complaint is made that any barber shop is kept in an unsanitary condition, or that contagious diseases have been imparted, a member of the board shall visit and inspect such shop or shops and enforce the provisions of this act. The board shall keep a record of all their proceedings, shall also show whether such applicant was registered or rejected by examination or otherwise, and said book and register shall be prima facie evidence of all matters required to be kept therein.

Affidavit and fee. SECTION 6. Every person now engaged in the occupation of barbering in this state shall within ninety (90) days after the approval of this act, file with the secretary of said board an affidavit setting forth his name, residence, and length of time during which, and the place where he has practiced such occupation, and shall pay to the treasurer of said board one dollar (\$1) and a certificate of registration entitling him to practice said occupation in this state shall be issued to him.

Qualifications required. SECTION 7. Any person desiring to obtain a certificate of registration under this act shall make application to said board therefor, pay to the treasurer of said board an examination fee of one dollar (\$1), present himself at the next regular meeting of the board for the examination of applicants, and if he show that he has studied the trade for one (1) year as an apprentice under one or more practicing barbers or for at least one (1) year in a properly appointed barber school, under the instructions of a competent barber, or practiced the trade for at least three (3) years in this state or other states, and that he is possessed of the requisite skill in such trade to properly perform all the duties thereof, including his ability in preparation

of the tools, shaving, hair cutting and all the duties and services incident thereto, and of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravations and spreading thereof in the practice of said trade, his name shall be entered by the board in the register hereafter provided for and a certificate of registration shall be issued to him authorizing him to practice said trade in this state. All persons making application for examination under the provisions of this act shall be allowed to practice the occupation of barbering until the next regular meeting of said board. The word "occupation" as used in this act shall be construed to include any barber who shall have devoted any portion of his time to the business of barbering within the past three (3) years, whether engaged in other business or not.

Apprentice; student. SECTION 8. Nothing in this act shall prohibit any person from serving as an apprentice in said trade under a barber authorized to practice the same under this act or from serving as a student in any school for the training of such trade under the instructions of a qualified barber.

Card or insignia; annual fee. SECTION 9. Said board shall furnish to each person to whom a certificate of registration is issued, a card or insignia bearing the seal of the board and the signature of its president and secretary, certifying that the holder thereof is entitled to practice the occupation of barber in this state, and it shall be the duty of the holder of such card or insignia to post the same in a conspicuous place in front of his working chair where it may readily be seen by all persons whom he may serve. Said card or insignia shall be renewed on or before the first day of July in each year, and the holder of said certificate of registration shall pay to the treasurer of said board the sum of one (1) dollar for said renewal card or insignia. Upon failure of any holder of a certificate of registration to apply for a renewal of his card or insignia on or before the first day of July in each year, his said certificate of registration may be revoked by said board, subject to the provisions of section 11 of this act.

Barbers' register. SECTION 10. Said board shall keep a register in which shall be entered the names of all persons to whom certificates are issued under this act, and said register shall be at all times open to public inspection.

Quarantine; revocation. SECTION 11. If any shop be found in an unsanitary condition, or if the holder of any certificate be charged with imparting any contagious or infectious disease, the board shall immediately notify the local health officer thereof, and such shop may be quarantined and the barber so charged shall not practice his occupation until such quarantine be removed by the health officer. Said board shall have power to revoke any certificate of registration granted by it under this act for conviction of crime, habitual drunkenness for six (6) months immediately before a charge duly made, gross incompetency, or for imparting contagious or infectious diseases. Provided, that before any certificate shall be so revoked the holder thereof shall have notice in writing of the charge or charges against him, and shall at a day specified in said notice, at least five (5) days after the service thereof, be given a public hearing and be given an opportunity to present testimony in his behalf and to confront the witness against him. Any person whose certificate has been revoked may after the expiration of ninety (90) days apply to have his certificate regranted, and the same shall be regranted to him upon his giving satisfactory proof that the disqualification has ceased.

Occupation of barber defined. SECTION 12. To shave or trim the beard or cut the hair of any person for hire by the person performing such service or any other person, shall be construed as practicing the occupation of barber within the meaning of this act.

Penalty. SECTION 13. Any person practicing the occupation of barber in this state, without having obtained a certificate of registration, as provided by this act, or wilfully employing a barber who has not such a certificate, or falsely pretending to be qualified to practice such occupation under this act, or violation of any of the provisions of this act, is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five (25) dollars or more than one hundred (100) dollars or by imprisonment in the county jail not less than ten (10) days or more than ninety (90) days.

SECTION 14. This act shall take effect and be in force from and after July 1st A. D. 1903.

Approved May 11, 1903.