

CHAPTER 223.

[Engrossed Substitute House Bill No. 322.]

BARBERING.

AN ACT relating to barbers; amending section 1, chapter 75, Laws of 1923 as last amended by section 1, chapter 52, Laws of 1957 and RCW 18.15.010; amending section 2, chapter 75, Laws of 1923 as last amended by section 1, chapter 16, Laws of 1951 and RCW 18.15.020; amending section 3, chapter 75, Laws of 1923 as last amended by section 1, chapter 101, Laws of 1957 and RCW 18.15.040; amending section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 84, Laws of 1959 and RCW 18.15.050; amending section 8, chapter 101, Laws of 1957 and RCW 18.15.052; amending section 9, chapter 101, Laws of 1957 and RCW 18.15.053; amending section 11, chapter 101, Laws of 1957 and RCW 18.15.055; amending section 12, chapter 101, Laws of 1957 and RCW 18.15.056; amending section 7, chapter 75, Laws of 1923 as last amended by section 14, chapter 101, Laws of 1957 and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 and RCW 18.15.065; amending section 12, chapter 75, Laws of 1923, as amended by section 9, chapter 211, Laws of 1927 and RCW 18.15.070; amending section 14, chapter 75, Laws of 1923 as last amended by section 1, chapter 102, Laws of 1947 and RCW 18.15.090; amending section 2, chapter 84, Laws of 1959 and RCW 18.15.095; amending section 8, chapter 172, Laws of 1901 as last amended by section 5, chapter 84, Laws of 1959 and RCW 18.15.100; amending section 7, chapter 209, Laws of 1929 as last amended by section 6, chapter 84, Laws of 1959 and RCW 18.15.110; amending section 15, chapter 75, Laws of 1923 and RCW 18.15.120; amending section 13, chapter 101, Laws of 1957 as amended by section 7, chapter 84, Laws of 1959 and RCW 18.15.125; amending section 4, chapter 101, Laws of 1957 and RCW 18.15.130; amending section 5, chapter 101, Laws of 1957 and RCW 18.15.140; amending section 6, chapter 101, Laws of 1957 and RCW 18.15.150; amending section 17, chapter 75, Laws of 1923 as last amended by section 8, chapter 209, Laws of 1929 and RCW 18.15.160; adding a new section to chapter 18.15 RCW; and providing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 75, Laws of 1923 as last amended by section 1, chapter 52, Laws of 1957

RCW 18.15.010
amended.

and RCW 18.15.010 are each amended to read as follows:

Barbering.
Definitions—
Exceptions.

Any one or any combination of the following practices (when done upon the upper part of the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment, either directly or indirectly, or without payment, for the public generally upon male or female) constitutes the practice of barbering: (1) Shaving or trimming the beard or cutting the hair; (2) giving facial and scalp massage or treatments with oils, creams, lotions, or other preparations, either by hand or mechanical appliances; (3) singeing, shampooing or dyeing the hair or applying tonics; (4) applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to the scalp, face, neck or upper part of the body: Provided, That the provisions of this chapter shall not apply to any person employed in, or engaged in the operation of any beauty shop or hair dressing establishment.

NOTE: The above section was amended by the Legislature but such action was nullified by the Governor's veto of this section. See page 1091 for Governor's explanation.

RCW 18.15.020
amended.

Sec. 2. Section 2, chapter 75, Laws of 1923 as last amended by section 1, chapter 16, Laws of 1951 and RCW 18.15.020 are each amended to read as follows:

License
required—
Exceptions.

It shall be unlawful for any person to practice barbering as hereinbefore defined unless he shall first have obtained and holds a valid license to practice barbering in this state, except as follows: (1) Any student barber holding a valid student barber certificate duly issued under this chapter shall be entitled to study the practice of barbering in any barber school or barber college authorized under this chapter, and (2) any person holding a valid permit to practice barbering duly issued under this chapter shall be entitled to practice barbering in

accordance with the provisions thereof in any barber shop managed and operated by a barber duly licensed to practice barbering in this state. Likewise, it shall be unlawful for any person, firm or corporation to hire or employ any person to engage in the practice of barbering in this state unless such person then holds a valid license to practice barbering as provided in this chapter, except as follows: (a) any barber school or barber college duly authorized under this chapter shall be entitled to grant to any person holding a valid student barber certificate admission to study the practice of barbering therein, and (b) any barber duly licensed to practice barbering in this state and managing and operating a barber shop shall be entitled to have therein practicing barbering, under his direct personal supervision, one person holding a valid permit to practice barbering duly issued under this chapter: *Provided, however,* That shops regularly employing two or more licensed barbers, two such permittees may be employed, but in no event can more than two such persons practice under the authority of such a valid permit in any barber shop managed and operated by him.

Sec. 3. Section 3, chapter 75, Laws of 1923 as last amended by section 1, chapter 101, Laws of 1957 and RCW 18.15.040 are each amended to read as follows:

RCW 18.15.040
amended.

Any person of good moral character, free from contagious or infectious disease, at least eighteen years of age, having a diploma showing graduation from an eighth grade grammar school or capable of proving an equivalent education, and holding a license authorizing him to practice barbering in any one of the other states of the United States, the District of Columbia or any territory of the United States or any foreign country (if such person is lawfully entitled to reside in the United States) and

Out-of-state
licensees—
Qualifications
—Fee—
Examination.

Out-of-state
 licensees—
 Qualifications
 —Fee—
 Examination.

submits with his application a certificate of graduation from a barber school or college with requirements equal to the requirements of approved barber schools of this state, or provides an affidavit from the barber board of the state in which he is licensed, that applicant has graduated from said barber school or college of that state, shall be deemed qualified to make application for a license to practice barbering in this state.

Any applicant who is licensed in a foreign country shall furnish the board with an authenticated English translation of his license, applicable licensing law, and other supporting documents. Every applicant for such license, qualified under either of the foregoing provisions, shall file his application in the manner provided by law, on forms prescribed by the director of licenses. Each such application shall have attached thereto the certificate of a licensed physician and surgeon that the said applicant is not afflicted with any contagious or infectious disease, and a certificate signed by two reputable citizens living in the community in which the applicant now resides or has recently resided that he is of good moral character. Each application shall be accompanied by two signed photographs of the applicant and a photostatic copy of his license authorizing him to practice barbering as hereinbefore provided, and a certificate of graduation or affidavit from barber board as aforementioned. Every applicant for such license shall pay a fee of thirty-five dollars, which fee shall accompany his application. The director of licenses upon the receipt of such application and fee shall notify the applicant of the particular date, city and place where he is to appear for his examination for a license to practice barbering in this state.

RCW 18.15.050
 amended.

Sec. 4. Section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 84, Laws of 1959 and RCW 18.15.050 are each amended to read as follows:

Barber examinations shall be held six times in each year in the months of February, April, June, August, October and December; and on such particular dates, within the said times, and in such particular cities and places as the director of licenses shall determine. Every applicant for a license or permit to practice barbering in this state shall be required to take an examination in each branch as follows: (1) sanitation as applied to the practice of barbering, (2) sterilization as applied to the practice of barbering, (3) and as to whether he has sufficient knowledge of the common contagious and infectious diseases of the face, skin, and scalp, to avoid spreading thereof in the practice of barbering; (4) and as to whether he has sufficient knowledge of the use of chemicals, creams, lotions, and solutions as applied in the practice of barbering; (5) and in any other portion of the curriculum as required by this law; and such applicant shall be required to demonstrate to the barber examining committee his professional skill and ability in performing the following barber services; (1) Haircutting, (2) shaving, (3) massaging, (4) shampooing, and (5) conditioning his barber tools.

Barbers—
Examinations
—Time and
place—Scope
—License or
permit—
Service under
licensed bar-
ber—Reex-
amination.

Any applicant, other than one applying under the provisions of RCW 18.15.040, who secures a passing grade in each branch of not less than seventy-five percent in his examination and who demonstrates to the satisfaction of the barber examining committee that he possesses the required professional skill and ability to properly perform each of the said barber services, not less than sixty-five percent of perfect, and possesses the other particular qualifications provided in this chapter, shall be entitled to receive, and the director of licenses shall issue to him, a permit to practice barbering in this state. Every person receiving such permit shall be required to serve one and one-half years (eighteen

Barbers—
Examinations
—Time and
place—Scope
—License or
permit—
Service under
licensed bar-
ber—Reex-
amination.

months) under the direct supervision of a licensed barber. A year shall be construed to mean a period of not less than fifty-two weeks consisting of forty hours per week of service by the permittee. He must then pass an examination not less than seventy-five percent of perfect, and demonstrate to the satisfaction of the barber examining committee that he possesses the required professional skill and ability to properly perform each of the said barber services, not less than seventy-five percent of perfect, and possess the qualifications required in this chapter, after which the director shall issue to him a license to practice barbering.

Any applicant under the provisions of RCW 18.15.040 who secures a grade in each branch of not less than seventy-five percent in his examination and who demonstrates to the satisfaction of the barber examining committee that he possesses the required professional skill and ability to properly perform each of the said barber services, not less than seventy-five percent of perfect, and possesses the other particular qualifications provided in this chapter, shall be entitled to receive, and the director of licenses shall issue to him a license to practice barbering in this state, until the first day of July next following the issuance of such license. Every applicant for such license shall pay a fee of thirty-five dollars, which fee shall accompany his application. The director upon receipt of such application and fee shall notify the applicant of the particular date, city and place where he is to appear for his examination for a license or permit to practice barbering in this state.

Any unsuccessful applicant for a license or permit to practice barbering in this state shall be entitled to appear at any subsequent barber examination and be reexamined for a license or permit, as the case may be, to practice barbering in this state

upon the payment of a reexamination fee of fifteen dollars, and which reexamination fee shall be paid at the time of application for such reexamination, said application and fee to be submitted to the director at least fifteen days prior to an examination date: *Provided*, That an unsuccessful applicant for a permit shall return to an approved school or college for an additional two hundred fifty hours of instruction before he may be reexamined.

Any person who applies for a license or permit to practice barbering under this chapter, and who does not appear for examination at the time, date, and place as notified by the director, shall forfeit application fees, and must reapply with a fee of fifteen dollars, which fee shall accompany his new application.

Sec. 5. Section 8, chapter 101, Laws of 1957 and RCW 18.15.052 are each amended to read as follows:

Any person appointed to the examining committee shall: (1) Hold a valid barber's license of this state; (2) have been a resident of this state for at least three years immediately preceding his appointment; (3) have been engaged in the actual practice of barbering for at least five years immediately preceding his appointment; (4) not be connected directly or indirectly with the manufacture, renting, or selling of barber appliances and supplies; and (5) not have been connected directly or indirectly with any barber school or barber college for one year immediately preceding his appointment.

RCW 18.15.052
amended.

Qualifications
of members of
examining
committee.

Sec. 6. Section 9, chapter 101, Laws of 1957 and RCW 18.15.053 are each amended to read as follows:

The committee shall meet to hold examinations and to conduct such business necessary to carry out the provisions of this law. Special meetings may be called upon notice from the secretary. A majority of the committee shall constitute a quorum.

RCW 18.15.053
amended.

Barbering
committee—
Meetings—
Quorum.

RCW 18.15.055 amended.

Sec. 7. Section 11, chapter 101, Laws of 1957 and RCW 18.15.055 are each amended to read as follows:

Barbering committee—
Salary, expenses and per diem.

The secretary shall have a full time position with a salary to conform with standards set by the department of licenses for similar positions.

Each member of the examining committee shall receive as compensation twenty dollars for each day's attendance at meetings of the committee. Members including the secretary shall be reimbursed for necessary traveling expenses incurred in the actual performance of their duties.

NOTE: The above section was amended by the Legislature but such action was nullified by the Governor's veto of this section. See page 1091 for Governor's explanation.

RCW 18.15.056 amended.

Sec. 8. Section 12, chapter 101, Laws of 1957 and RCW 18.15.056 are each amended to read as follows:

Barbering committee—
Rules and regulations.

The examining committee shall promulgate such rules and regulations as it deems necessary not inconsistent with this chapter, subject to the director's approval, and it shall perform all acts necessary to effectuate the purposes of this chapter.

RCW 18.15.060 amended.

Sec. 9. Section 7, chapter 75, Laws of 1923 as last amended by section 14, chapter 101, Laws of 1957 and RCW 18.15.060 are each amended to read as follows:

Annual license renewal.

Every person licensed as a barber shall pay an annual license fee of nine dollars for a license renewal certificate on or before the thirtieth day of June each year. Failure to pay the annual license renewal fees before delinquency shall work a forfeiture of the license, but the license may be renewed within three years thereafter without examination upon application therefor by the licentiate, and payment of a fee of fifteen dollars plus all lapsed fees. Should the licentiate allow his license to elapse for more than three years, he must be reexamined as for a new license.

Sec. 10. Section 3, chapter 84, Laws of 1959 and RCW 18.15.065 are each amended to read as follows:

It shall be unlawful for any firm, corporation, or person to operate a barber shop without a shop location license for each barber shop. Application therefor shall be made to the director of licenses. Each application for a license shall be accompanied by a fee of four dollars.

RCW 18.15.065 amended.

Barber shop location licenses—Fees, renewals, etc.

Upon receipt of the application and fee, the director shall issue a shop location license, if the barber shop meets the requirements of this chapter. Each license shall be issued for the shop and persons named in the application. Application for the transfer or assignment of a shop location license shall be upon such form as the director shall prescribe, and application shall be made within ten days of the sale or transfer. Upon the receipt of the application and a fee of four dollars, the director shall assign or transfer the shop location license, if the assignee or transferee and the barber shop meets the requirements of this chapter. If the application for transfer or assignment is not made within ten days, an inspection fee of twenty-five dollars will be made, prior to issuance of a license.

All licenses issued under this section shall expire on the first day of July next succeeding the date of issue. Each such license shall be renewable annually on or before the expiration date, and the application for renewal shall be accompanied by a fee of four dollars. Failure to obtain a renewal before delinquency shall work a forfeiture of the shop location license, but the license may be reinstated at any time after forfeiture upon the payment of the annual renewal fee, together with a penalty fee of twenty-five dollars, upon satisfactory inspection.

Sec. 11. Section 12, chapter 75, Laws of 1923, as amended by section 9, chapter 211, Laws of 1927 and RCW 18.15.070 are each amended to read as follows:

RCW 18.15.070 amended.

Barbers—
Register of
licenses.

The secretary of the committee shall keep a register in which shall be entered the names of all persons to whom licenses, permits or students' certificates are issued under this chapter, and said register shall be at all times open for public inspection.

RCW 18.15.090
amended.

Sec. 12. Section 14, chapter 75, Laws of 1923 as last amended by section 1, chapter 102, Laws of 1947 and RCW 18.15.090 are each amended to read as follows:

Barbers—Bar-
ber colleges.

Any firm, corporation or person desiring to conduct or operate a barber school or barber college in this state shall first secure from the director of licenses a permit to do so, and shall keep the same prominently displayed. No barber school or college shall be issued a permit by the director of licenses unless such school or college is financially responsible, and will be able in the judgment of the director of licenses to carry out and perform any contract made for the instruction of students therein. Such school or college shall instruct students therein in the practice of barbering, including shaving and cutting of the hair and beard, and the various services incident thereto, preparation and care of tools used, sanitation as applied to barbering, knowledge concerning the common diseases of the face and skin to avoid aggravation and spreading thereof in the practice of barbering, and the use of chemicals, creams, lotions, and solutions as applied in the practice of barbering. Such barber school or college shall be managed and operated by a barber duly licensed as a manager-instructor under the provisions of this chapter, and shall at all times, while open and in operation, be in charge and under the direct supervision of a barber duly licensed as an instructor under the provisions of this chapter, which said instructor shall devote his entire time to the instruction of students therein and who shall at no time

operate any particular barber's chair in such school or college, or practice any barbering therein except while giving instructions to a student therein. Every such school or college shall at all times maintain on each window therein, facing upon any street, a sign in plain letters at least six inches high composed of the words "barber school" or "barber college," placed as nearly as practicable in the center between top and bottom of any such window, and, if desired by the manager-instructor of such school or college, underneath these words, a sign with letters no greater in size, composed of the words "shaving" and/or "hair cutting," giving the price charged; and such school or college shall not at any time keep or maintain upon any of the windows or doors of such school or college any sign or words "barber shop," "expert barbering," or other similar words, or display any barber pole or barber pole stripes such as has long been used to designate a barber shop, or barber shop services as distinguished from services performed by student barbers in such school or college. Every such school or college, at all times when open for business, shall place and maintain upon the floor within its premises in front of each entrance a standing floor sign composed of the words "student barbers perform all services herein" painted in three-inch red letters upon a white standing floor sign thirty inches high and twenty inches wide, and designed as prescribed by the director of licenses. The director of licenses shall revoke the license of any school or college which shall violate any of the provisions of this chapter, or which shall fail to impart to each student in such school or college the instructions herein required.

No barber school or college shall be operated unless it is under the control of a barber licensed as a manager-instructor. Each applicant for a manager-instructor's license shall submit an applica-

Barbers—Barber colleges.

tion to the director on such forms as it may prescribe. The qualifications for such a license, examinations, license fees and license renewal fees shall be the same as those prescribed for an instructor's license. The name and designation of the licensee as manager-instructor shall appear on each school or college location license issued by the director. A manager-instructor's license shall stand revoked if not used for a period of two years, after which time licentiate must be reexamined as for a new license.

New section.

Sec. 13. There is added to chapter 18.15 RCW a new section to read as follows:

Barber colleges—Instructors—License required—Application—Qualification—Examination—Renewal—Fees.

No person shall engage in teaching or instructing in barber schools or colleges without an instructor's license issued by the director. Each applicant for an instructor's license shall submit an application to the director on such forms as it may prescribe, and must comply with the following qualifications: (1) Each applicant must be at least twenty-five years of age; (2) must be of good health; (3) must be of good moral character; (4) must have had at least five years of experience as a licensed barber of this state in a licensed barber shop of this state immediately preceding application; (5) must have a current barber license; (6) must have at least a tenth grade education or be capable of proving an equivalent education as determined by the board for vocational education and local schools; (7) each applicant must take an examination administered by the examining committee. The examination shall cover such subjects as are usually taught in barber schools and colleges in practical and theory work; (8) such applicant shall be required to demonstrate to the barber examining committee his professional skill and ability in performing all of the barbering services as required by this chapter. Applications for an instructor's license must be made before becoming engaged in teaching

or instructing, but applicant may be permitted to engage in teaching or instructing for a period of not more than sixty days, at which time he must present himself for examination. The fee for such license and examination shall be twenty-five dollars. Each license shall be renewed on or before July 1st; the renewal fee shall be twenty-five dollars. If application for a renewal is not received on or before July 1st, the renewal fee shall be twenty-five dollars plus a penalty of twenty-five dollars. The instructor's license shall stand revoked if not used for a period of two years, and an examination as for a new license will be required before a license will be reissued.

Any person engaged as an instructor or manager-instructor on effective date of this chapter, in a barber school or college of this state, shall be issued a license under this section upon payment of the fees herein prescribed.

Sec. 14. Section 2, chapter 84, Laws of 1959 and RCW 18.15.095 are each amended to read as follows:

It shall be unlawful for any firm, corporation, or person to operate a barber school or college without a license for each location. Application therefor shall be made to the director of licenses. Each application for a school location license shall be accompanied by a fee of one hundred fifty dollars.

Upon receipt of the application and fee, the director may issue a location license, if the barber school or college meets the requirements of this chapter. Each license shall be issued for the school or college and persons named in the application and may be transferable: *Provided*, The transferee meets the requirements of this chapter. Whenever a registered school or barber college is discontinued the person to whom the registration is issued shall notify the director of such action and shall return to the director the certificate of registration of such school or barber college within ten days.

RCW 18.15.095
amended.

Barbers—Bar-
ber college
location li-
censes—Fees,
renewals, etc.

Barbers—Barber college location licenses—Fees, renewals, etc.

All licenses issued under this section shall expire on the first day of July next succeeding the date of issue. Each such license shall be renewable annually on or before the expiration date, and the application for renewal shall be accompanied by a fee of one hundred fifty dollars. Failure to obtain a renewal before delinquency shall work a forfeiture of the location license, but the license may be reinstated at any time after forfeiture upon the payment of the annual renewal fee, together with a penalty fee of one hundred dollars.

RCW 18.15.100 amended.

Sec. 15. Section 8, chapter 172, Laws of 1901 as last amended by section 5, chapter 84, Laws of 1959 and RCW 18.15.100 are each amended to read as follows:

Student barbers—Student certificate—Fee—Application for barber's permit.

It shall be unlawful for any person to study the practice of barbering in any barber school or barber college authorized under this chapter unless he shall first have obtained and holds a valid student barber certificate issued pursuant to this chapter. Any person of good moral character, free from contagious or infectious disease, at least eighteen years of age, and showing completion of the tenth grade, or has an equivalent education as determined by the director whose determination shall be conclusive, shall be deemed qualified to make an application for and be entitled to obtain a student barber certificate authorizing him to study the practice of barbering in any barber school or barber college in this state. Application therefor shall be made to the director of licenses. Each application shall have attached thereto the certificate of a licensed physician and surgeon that the said applicant is not afflicted with any contagious or infectious disease, and a certificate signed by two reputable citizens living in the community in which the applicant now resides or has recently resided, that he is of good moral character. Each application shall be accompanied by two

signed photographs of the applicant. Every such applicant shall pay a fee of five dollars, which fee shall accompany his application. The director of licenses upon the receipt of such application and fee shall issue to each qualified applicant a student barber certificate which shall be valid for one year from the date of its issue, and which shall be subject to one renewal thereafter upon the payment of a fee of five dollars: *Provided*, That any student barber holding (1) a valid student barber certificate, and (2) a graduation certificate from any barber school or barber college authorized under this chapter shall be deemed qualified to make application for a permit to practice barbering in this state. Application therefor shall be made to the director of licenses. Each applicant shall pay a fee of twenty-five dollars, which fee shall accompany his application. The director of licenses upon the receipt of such application and fee shall notify the applicant of the particular date, city, and place where he is to appear for his examination for a permit to practice barbering in this state. Failure of applicant to appear for said examination will cause a forfeiture of fees.

Sec. 16. Section 7, chapter 209, Laws of 1929 as last amended by section 6, chapter 84, Laws of 1959, and RCW 18.15.110 are each amended to read as follows:

RCW 18.15.110
amended.

It shall be unlawful for any barber school or barber college authorized under this chapter to grant admission to or instruct any person in the practice of barbering therein unless such person then holds a valid student barber certificate issued under this chapter. Every such barber school or barber college shall require as a prerequisite to graduation therefrom the completion of a course of instruction and practice therein of not less than one thousand two hundred forty-eight hours, to be completed in not less than eight consecutive months' time nor

Barbers—
Student bar-
bers—Course
of instruction
—Certificate.

Barbers—Student barbers—
Course of instruction—
Certificate.

more than sixteen months' time from the date of the admission of such barber student. Such course of instruction and practice shall include, in addition to the subjects and practice hereinbefore prescribed, instruction in the following subjects: (1) Scientific fundamentals of barbering, as set forth with particularity in the latest revised edition of either of the following textbooks: (a) "Standardized Textbook of Barbering", published by the Associated Master Barbers of America, Chicago, Illinois, or (b) "Textbook of Practical and Scientific Barbering", published by the Journeyman Barbers, Educational Department, Indianapolis, Indiana; (2) histology of the hair, skin and scalp; (3) structure of the head, face and neck; (4) coloring and bleaching the hair; and (5) use of chemicals, creams, lotions and solutions as applied in the practice of barbering. Each student barber upon the satisfactory completion of the said prescribed course of instruction and practice shall be issued a graduation certificate from such barber school or barber college. Each such graduate student shall be furnished a certified copy of his graduation certificate by such barber school or barber college for his use in filing his application for a permit to practice barbering in this state as hereinbefore provided.

RCW 18.15.120
amended.

Sec. 17. Section 15, chapter 75, Laws of 1923 and RCW 18.15.120 are each amended to read as follows:

Rules and regulations—
Inspection—
Penalty.

The examining committee shall have the power to adopt reasonable rules and regulations prescribing sanitary requirements of barber shops, and barber schools and colleges, subject to approval of the director, and it shall be the duty of every person operating any barber shop or college to keep said rules and regulations conspicuously posted therein. The director of licenses or his authorized representative shall have the power to enter and make reasonable examination and inspection of any barber

shop, barber school or college during the business hours for the purpose of ascertaining the sanitary condition thereof. Any barber shop, barber school or college in which tools, appliances or furnishings in use therein are not kept in a clean and sanitary condition, so as to endanger health is hereby declared to be a public nuisance and the proprietor or operator of such barber shop, barber school or college shall be guilty of a misdemeanor, and punished as in this chapter provided.

Sec. 18. Section 13, chapter 101, Laws of 1957 as amended by section 7, chapter 84, Laws of 1959 and RCW 18.15.125 are each amended to read as follows:

RCW 18.15.125
amended.

The examining committee shall arrange with the director for the employment of one or more inspectors who shall have the same qualifications as a committee member. The secretary of the committee shall have the right to inspect any barber shop or barber school. Any member, agent, or assistant of the committee, when authorized by the committee, may enter any such shop or school during business hours for the purpose of inspection. Every new barber shop, school or college shall be inspected before being opened for business. If no inspection is made by the committee within fifteen days after receipt by the director of an application for a location license, and all other qualifications for said licenses are met, the director may issue such license and the new shop, school or college may open for business and remain open unless, upon inspection, the shop, school or college fails to meet the standards set forth in this chapter or in the rules and regulations of the committee. The fee of such original inspection shall be twenty-five dollars, said fee to accompany application.

Inspections by
examining
committee—
Fee.

Sec. 19. Section 4, chapter 101, Laws of 1957 and RCW 18.15.130 are each amended to read as follows:

RCW 18.15.130
amended.

Barbers—
Revocation of
licenses—
Grounds.

The license, permit or student certificate of any barber, instructor, permittee, or student may be revoked or suspended for:

(1) Having been found guilty of any felony, or of any crime involving moral turpitude.

(2) Habitual drunkenness, or the use of habit forming drugs;

(3) Having or imparting any infectious or contagious disease;

(4) Having epilepsy, fits or other disease endangering the life, health, or safety of persons whom he may serve;

(5) Performing his work in an unsanitary or filthy manner;

(6) Gross incompetency;

(7) Any violation of the provisions of this chapter; or

(8) Any violation of any rule or regulation promulgated pursuant to this act.

The location license of any barber shop, school or college may be revoked or suspended for:

(1) The location being kept in an unsanitary or filthy manner, or

(2) Any violation of the provisions of this chapter; or any violation of any rule or regulation promulgated pursuant to this act.

The operator of any shop, or the manager-instructor of any school or college shall be responsible for the conduct and activities of all barbers, permittees, instructors, and students engaged in barbering at such location.

RCW 18.15.140
amended.

Sec. 20. Section 5, chapter 101, Laws of 1957 and RCW 18.15.140 are each amended to read as follows:

Barbers—
Revocation of
license—
Notice—
Hearing.

A hearing board is hereby established for the purpose of hearing all charges of violations of any of the provisions of this chapter. The hearing board shall consist of three members to be appointed by the governor in the following manner: Two mem-

bers, who meet the same requirements as members of the board of examiners, and one member unaffiliated with the barber profession. The first terms shall be: One for six years, one for four years, and one for two years; thereafter, the terms shall be for six years and until a successor is appointed and qualified. The governor shall fill any vacancy within ninety days after it occurs by an appointment for the remainder of the unexpired term.

The hearing board shall select one of its members as its chairman and meetings shall be held as often as shall be deemed necessary to perform its duties. All members shall be present before business may be transacted.

Each member of the board shall receive as compensation for this attendance at hearings or other proper meetings twenty-five dollars for each day or part day in attendance, and shall be reimbursed for necessary travel expenses incurred in the performance of duties.

The director of licenses shall exercise direct supervision over the hearing board, and the board shall file a report to the director immediately after each session, outlining the action taken by said board.

Before any license is revoked, or suspended, or any fines levied, the licentiate must be given notice in writing of the charge or charges against him. At a day specified in said notice, at least twenty days after the service thereof, he must be afforded a fair hearing by the hearing board, and given full opportunity to produce testimony in his behalf and to confront the witnesses against him. Such charges shall be verified with the oath of the person making same, and a copy thereof shall be served in the manner provided by law for service of summons in civil actions.

Barbers—
Revocation of
license—
Notice—
Hearing.

The hearing shall be conducted by the hearing board at a date, time, and place as designated by the director. The hearing board shall be the sole judge of the charge or charges and the evidence produced, and the decision of any two members of the board shall be the decision of the board. If the charges are sustained in the judgment of the board, it may direct the revocation or suspension of such license, or a fine, or both as provided by this law.

The director of licenses is hereby granted the right of subpoena to require the attendance of witnesses and the production of pertinent records; such witnesses shall be entitled to fees and mileage as provided by law.

Any person feeling himself aggrieved by the fine, revocation, or suspension under this chapter, shall have the right to appeal from the decision of the hearing board to the superior court of the county in which he maintains his place of business.

RCW 18.15.150
amended.

Sec. 21. Section 6, chapter 101, Laws of 1957 and RCW 18.15.150 are each amended to read as follows:

Reinstatement.

Any person whose license has been so revoked may, after the expiration of ninety days, on application, and payment of fees, have the same reissued to him upon a satisfactory showing.

RCW 18.15.160
amended.

Sec. 22. Section 17, chapter 75, Laws of 1923 as last amended by section 8, chapter 209, Laws of 1929 and RCW 18.15.160 are each amended to read as follows:

Violations—
Penalties.

Violation of the provisions of this chapter or of any rule or regulation made by the director of licenses or examining committee pursuant thereto, shall constitute a misdemeanor, and upon being found guilty thereof shall be punished by a fine of not less than ten dollars nor more than two hundred and fifty dollars, or by imprisonment in the county

jail not less than ten days nor more than ninety days, or by both such fine and imprisonment.

Passed the House March 9, 1967.

Passed the Senate March 8, 1967.

Approved by the Governor March 21, 1967, with the exception of Section 1 and Section 7 which were vetoed.

NOTE: Governor's explanation of partial veto is as follows:

"This bill makes a number of improvements in the laws regulating the practice of barbering.

"Under existing law, no license is required where one person performs barbering services for family members or friends without compensation. As originally introduced, this bill would have limited this exemption to barbering services performed on members of the family. The legislature properly added by amendment barbering services performed for neighbors and friends, so that there would be no change in existing law. However, because of language deleted in the original bill Section 1 of the bill would exempt from licensing a person performing barbering services upon friends, neighbors or members of his immediate household even though he might be receiving compensation for the services, so long as they were performed within the household. We do not believe the legislature intended to broaden the exemption to include services performed for compensation. In order to prevent this result, I have vetoed all of Section 1 so that the provisions of RCW 18.15.010 will remain unchanged.

"I have also vetoed Section 7 because it amends RCW 18.15.055 in a manner inconsistent with the amendment of that section contained in House Bill 92 passed by the legislature and heretofore approved by me. The veto of this section will make no substantive change in the law.

"With the exception of Section 1 and Section 7 which I have vetoed, the remainder of Substitute House Bill 322 is approved."

DANIEL J. EVANS,
Governor.