

LEGISLATIVE BILL 1183

Approved by the Governor March 24, 1972

Introduced by Interim Committee on Rules and Regulations,
Herbert J. Duis, 39th District, Chairman;
Glenn A. Goodrich, 20th District; Wally
Barnett, Jr., 26th District; J. James
Waldron, 42nd District; William H.
Hasebroock, 18th District; Thomas C. Kennedy,
21st District

AN ACT to amend sections 71-201.02, 71-202, 71-212,
71-219, and 71-222, Revised Statutes
Supplement, 1971, relating to the practice of
barbering; to clarify a provision; to redefine
the practice of barbering; to change
qualifications; to provide for inactive
status; to provide for fees; to provide for
the fee for renewal of a certificate of
registration to practice barbering for the
year 1972 as prescribed; to repeal the
original sections; and to declare an
emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-201.02, Revised
Statutes Supplement, 1971, be amended to read as follows:

71-201.02. An apprentice barber whose
certificate has expired because of the limit provided in
section 71-205, may reinstate such certificate upon the
completion of an additional five hundred hours study
within a continuous three-month period in an approved
barber school or college and by the payment of the
required fee provided by Chapter 71, article 2, and the
passing of the required examination.

Sec. 2. That section 71-202, Revised Statutes
Supplement, 1971, be amended to read as follows:

71-202. Any one or any combination of the
following practices, when done upon the human body for
grooming cosmetic purposes and not for the treatment of
disease or physical or mental ailments, on any person,
other than a member of the immediate family, constitutes
the practice of barbering: (1) Shaving or trimming the
beard or cutting the hair; (2) dressing, arranging,
styling, curling, waving, straightening, and relaxing
of the hair by chemical or mechanical means; (3) giving
facial and scalp massages or treatment with oils, creams,

lotions or other preparations either by hand or mechanical appliances, including the applying of cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face, neck or upper part of the body; (4) patterning, fitting, cleaning, styling, coloring, waving, or other similar work upon male hair pieces, or wigs; and (4) (5) singeing, shampooing, bleaching, coloring, rinsing, hair weaving, or similar work upon the hair.

Sec. 3. That section 71-212, Revised Statutes Supplement, 1971, be amended to read as follows:

71-212. A person who is of good moral character and temperate habits and has a diploma showing graduation from high school or its equivalent as determined by an examination conducted by the county superintendent of schools or successfully passing a general educational development test either of which shall be optional with the applicant, and (1) has a license and certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required by sections 71-201 to 71-224, and (2) who can prove by sworn affidavits that he has practiced as a barber in another state or country for at least two years immediately prior to making application in this state, shall upon payment of the required fee be given an examination by the board at the next regular examination to determine his fitness to receive a certificate of registration to practice barbering. ~~;~~ ~~Provided, that any veteran as defined in section 80-401.01 who has all of the qualifications required by this section, except years of practice, shall upon payment of the required fee be issued a certificate of registration to practice barbering without taking or passing any written or oral examination.~~ If any person fails to pass a required examination, he shall be entitled to submit himself for examination by the Board of Barber Examiners at the next examination given by the board. If he fails at the third examination, no further examination shall be granted. Should an applicant, when requested to appear for an examination, fail to appear, he shall be notified by the board as to the time of the next regular examination, at which he shall appear. ~~Should an applicant fail to appear at the time of the giving of the second examination, he shall forfeit his application fee and examination privileges and shall not thereafter be entitled to take the examination unless he shall file a new application and pay a second fee as required by Chapter 71, article 2.~~

Sec. 4. That section 71-219, Revised Statutes Supplement, 1971, be amended to read as follows:

71-219. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering or as a barber instructor is twenty-five dollars, and for the issuance of the certificate, five dollars. The fee to be paid by an applicant for registration as an assistant barber instructor is ten dollars. The fee to be paid for the renewal of a certificate of registration to practice barbering is ten dollars, and for the restoration of an expired certificate, twenty-five dollars; Provided, that for a certificate as a registered barber, registered apprentice, assistant barber instructor, barber instructor, barber shop or barber school, the fee in 1972 shall be one half of the fee provided in this section; and thereafter the fee shall revert to the fee provided in this section. The fee to be paid for the renewal of a certificate of registration to practice as a barber instructor or assistant barber instructor is twenty-five dollars, and for the restoration of an expired certificate, ~~twenty-five~~ fifty dollars. Any barber instructor who desires to withdraw from the active practice of the teaching of barbering may request that he be placed on inactive status and he shall, on or before July 1 of each year, pay an inactive status license fee of ten dollars. Any barber instructor who is on an inactive status for not more than five years may renew his certificate of registration upon the payment of the required restoration fee. The fee to be paid by an applicant for an examination to receive a certificate of registration to practice as an apprentice is twenty-five dollars, and for the issuance of a certificate, five dollars. The fee to be paid for the renewal of a certificate of registration to practice as an apprentice is five dollars, and for the restoration of an expired certificate, ten dollars. Application for a license to establish a barber shop or barber school shall be made on a form furnished by the Board of Barber Examiners. It shall contain such information relative to ownership, management, sanitation, and other data concerning said business as may be required by the board. The board shall collect with such application, in addition to the annual license fee paid for that year, a fee of fifty dollars. A fee of twenty-five dollars shall be collected for the transfer of license or change of ownership of a barber shop; Provided, that no fee shall be collected if the ownership results merely from a present license holder incorporating his business. Every barber shop shall be inspected by the state barber inspector at least once each year in order to be eligible for an annual permit to conduct a barber shop, and no license shall be issued unless the results of such inspection have been complied with. The annual fee for a license to conduct a school of barbering shall be one hundred dollars. The

annual fee for a license to conduct a barber shop shall be five dollars and for restoration of an expired license, ten dollars.

Sec. 5. That section 71-222, Revised Statutes Supplement, 1971, be amended to read as follows:

71-222. The Board of Barber Examiners shall annually elect a president and vice president, and the board shall then appoint a manager-inspector who shall serve as secretary of the board. The board shall be furnished with suitable quarters in the State Capitol or elsewhere. It shall adopt and use a common seal for the authentication of its orders and records. The manager-inspector shall keep a record of all proceedings of the board. A majority of the board, in a meeting duly assembled, may perform and exercise all the duties and powers devolving upon the board. Each member of the board shall receive a compensation of forty dollars per diem, and shall be reimbursed for his necessary traveling expenses incurred in the discharge of his duties, not to exceed two thousand dollars per annum and not to exceed the amounts allowed by state administrative departments. Both salaries and expenses are to be paid only from the fund created by fees collected in the administration of sections 71-201 to 71-237; Provided, that no other funds or state money except as collected in the administration of such sections shall be drawn upon to pay the expense of administration. The board shall report each year to the Governor a full statement of its receipts and expenditures and also a full statement of its work during the year, together with such recommendations as it may deem expedient. The board shall may employ one field inspector and such other inspectors, clerks, and other assistants as it may deem necessary to carry out the provisions of sections 71-201 to 71-237 and prescribe their qualifications. No owner, agent, or employee of any barber school shall be eligible to membership on the board.

Sec. 6. That original sections 71-201.02, 72-202, 71-212, 71-219, and 71-222, Revised Statutes Supplement, 1971, are repealed.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.