

## CHAPTER 228—H. F. No. 36

*An act to regulate marathons, walkathons, skatathons, and other endurance contests.*

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

**Section 1. Walkathons, etc., prohibited.**—It shall be unlawful for any person or persons, firm or corporation, to advertise, operate, maintain, attend, promote or aid in the advertising, operating, maintaining or promoting any mental or physical endurance contest exhibition, performance or show in the nature of a "marathon", "walkathon", "skatathon", or any other such endurance contest of a like or similar character or nature, whether under that or other names, whether or not an admission is charged, for a period longer than 24 hours. Nothing in this Act shall apply to the continuance of bicycle riding contests of no longer duration than six days, the ordinary amateur or professional athletic events or contests, or high school, college, and intercollegiate athletic sports.

**Sec. 2. Violations a misdemeanor.**—Any person or persons, firm or corporation participating in, attending or promoting any such contest and violating any of the provisions of this Act, shall be guilty of a misdemeanor.

Approved April 22, 1935.

## CHAPTER 229—S. F. No. 336

*An act to amend Mason's Minnesota Statutes of 1927, Sections 5846-2; 5846-6 as amended by Laws 1929, Chapter 270; 5846-7 as amended by Laws 1929, Chapter 270; 5846-9; 5846-11; 5846-12; 5846-15 as amended by Laws 1929, Chapter 270; 5846-16 as amended by Laws 1929, Chapter 270; and 5846-19 as amended by Laws 1929, Chapter 270, relating to the regulation of the occupation of barbering and to authorize cities and villages to enact ordinances regulating the opening and closing hours of barber shops.*

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

**Section 1. Practice of barbering defined.**—Mason's Minnesota Statutes of 1927, Section 5846-2 is amended so as to read as follows:

"5846-2. Any one or any combination of the following practices when done upon the head and neck 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 constitutes the practice of barbering *within the meaning of this act*; to shave, trim the beard, cut or bob the hair of any person of either sex for compensation or other reward, received by the person performing such service or any other person; to give facial and scalp massage or treatments with oils, creams, lotions or other preparations either by hand or mechanical appliances; to singe, shampoo the hair or apply hair tonics; or to apply cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face or neck."

**Sec. 2. Persons qualified to receive certificates of registration as apprentices.**—Mason's Minnesota Statutes of 1927, Section 5846-6, as amended by Laws 1929, Chapter 270, is amended so as to read as follows:

"5846-6. A person is qualified to receive a certificate of registration as a registered apprentice:

1. Who has completed at least *eight* grades of a grammar school education; and
  2. Who is of good moral character and temperate habits and free from any contagious or infectious disease; and
  3. Who has graduated from a school of barbering approved by the board; and
  4. Who has passed a satisfactory examination conducted by the board to determine his fitness to practice as a registered apprentice.
5. An applicant for a certificate of registration to practice as an apprentice who fails to pass a satisfactory examination is required to complete a further course of study of not less than five hundred hours, to be completed in three months, of not more than eight hours in any one working day, in a school of barbering approved by the board.
6. *A certificate of registration of an apprentice shall be annulled three years after the person first makes his application as a student.*"

**Sec. 3. Schools of barbering—Approval by boards—Permits to operate.**—Mason's Minnesota Statutes of 1927, Section 5846-7, as amended by Laws 1929, Chapter 270, is amended so as to read as follows:

"5846-7. No school of barbering shall be approved by the board unless it requires as a pre-requisite to admission thereto, graduation from the *eighth* grade of a grammar school or *its equivalent as determined by an examination conducted by the Minnesota Board of Education, who shall issue a certificate that the student has passed the required examination* and unless it requires as pre-requisite to graduation a course of instruction of not less than 1,000 hours to be completed within six months of not more than eight hours in any one working day; such course of instruction to include the following subjects:—Scientific fundamentals for barbering, hygiene, practical study of the hair, skin, muscles and nerves, structure of the head, face and neck, elementary chemistry relating to sterilization and antiseptics, diseases of the skin, hair, glands, massaging and manipulating the muscles of the face and neck, hair cutting, shaving and trimming the beard.

Provided, further, that it shall be permissible for barber schools and barber colleges teaching the occupation of barbering to make a reasonable charge for materials used and services rendered by students for work done in such schools or colleges by students and there shall be one instructor to every fifteen students or minor fraction in excess thereof. Barber colleges and schools shall open at 8 A.M. and close at 6 P.M., except on days preceding holidays when the hours shall be 8 A.M. and 6:30 P.M.

All barber schools or colleges shall each respectively be conducted and operated in one building, or in connecting buildings, and no barber school or college shall have any department or branch in a building completely separated or removed from the remainder of such barber school or college.

Any person may own and operate a barber college who has had ten years' continuous experience as a barber, provided such person shall first secure from the board a permit to do so, and shall keep the same prominently displayed, and shall before commencing business file with the secretary of state a bond to the state, approved by the attorney general, in the sum of \$1,000, conditioned upon the faithful compliance of said barber school with all the provisions herein, and to pay all judgments that may be obtained against said school or the owners thereof on account of fraud, misrepresentation or deceit practiced by them or their agents; provided, further that all barber schools or colleges shall keep prominently displayed a substantial sign as barber school or college. Provided, further, that all barber schools upon receiving students shall immediately apply to said board for

student permits upon blanks for said purpose furnished by the board.

(a) Every applicant for a student permit shall accompany his application with a fee of *three* dollars.

Sec. 4. **Conduct and scope of examinations.**—Mason's Minnesota Statutes of 1927, Section 5846-9 is amended so as to read as follows:

"5846-9. The board shall conduct examinations of applicants for certificates of registration to practice as registered barbers *and registered apprentices not more than four times each year, at such time and place as the board may determine provided further that a permit shall be issued to a student upon an affidavit filed with the Minnesota Barbers' Examining Board, by the proprietor of a barber college or barber school and the student, that the student has completed 1,000 hours in a duly approved barber school or barber college of the State of Minnesota, upon the payment of one dollar. The permit shall expire at the next regular examination held by the Minnesota Barbers' Examining Board.*

The examination of applicants for certificates of registration as registered barbers and registered apprentices shall include both a practical demonstration and a written and oral test, and shall embrace the subjects usually taught in schools of barbering approved by the board."

Sec. 5. **Journeyman barbers—Permits to practice.**—Mason's Minnesota Statutes of 1927, Section 5846-11 is amended so as to read as follows:

"5846-11. A person who is at least 18 years of age and of good moral character and temperate habits, and either

1. Has a license or 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 this act, or

2. Who can prove by sworn affidavits that he has practiced as a barber in another state or country for at least five years immediately prior to making application in this state, shall upon payment of the required fee be called by the board for examination to determine his fitness to receive a certificate of registration to practice barbering."

Sec. 6. **Permits to apprentices from other states or coun-**

tries.—Mason's Minnesota Statutes of 1927, Section 5846-12 is amended so as to read as follows:

“5846-12.

1. A person who is of good moral character and temperate habits, and

2. Has a certificate of registration as an apprentice in a state or country which has substantially the same requirements for registration as an apprentice as is provided by this act shall upon payment of the required fee be called by the board for examinations to determine his fitness to receive a certificate of registration as an apprentice. Being able to pass the required examination he will be issued a certificate of registration as a registered apprentice. *Should he fail to pass the required examination, he shall conform to the requirements of Section 6, subsection 5 of this act before being permitted to take another examination.*”

Sec. 7. **Renewal of certificates.**—Mason's Minnesota Statutes of 1927, Section 5846-15, as amended by Laws 1929, Chapter 270, is amended so as to read as follows:

“5846-15. All registered barbers and registered apprentices who continue in active practice or service shall on or before December 31st, 1927, and thereafter annually, on or before December 31st of each year, renew their certificates of registration for the following year and pay the required fee. Every certificate of registration which has not been renewed during the month of December in any year shall expire on the 31st day of December in that year. *A registered barber or a registered apprentice who has defaulted in renewing his certificate of registration may be reinstated within one year of such default, without examination, upon the payment of the required restoration fee.*”

Sec. 8. **Refusal of certificates or renewals and suspension or revocation of certificates.**—Mason's Minnesota Statutes of 1927, Section 5846-16, as amended by Laws 1929, Chapter 270, is amended so as to read as follows:

“5846-16. The board may either refuse to issue or renew, or may suspend or revoke any certificate of registration for any one or combination of the following causes:

(a) Gross malpractice or gross incompetency.

(b) Continued practice by a person having an infectious or contagious disease.

(c) Advertising by means of knowingly false or deceptive statements.

(d) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit-forming drugs.

(e) Immoral or unprofessional conduct *or practice*.

(f) The commission of any of the offenses described in sub-divisions c, d, e, f, g, or h of Section 19 hereof.

(g) The failure to practice for the period of *one* year prior to the date of application for issuance of renewal of license, or prior to such suspension or revocation of license.

(h) Violation of so-called Sunday closing laws, being Sections 10234 to 10236, both inclusive, of General Statutes of Minnesota, 1923.

(i) *A registered apprentice working in a barber shop in which he has a financial interest."*

Sec. 9. Offenses—Penalties.—Mason's Minnesota Statutes of 1927, Section 5846-19, as amended by Laws 1929, Chapter 270, is amended so as to read as follows:

"5846-19. Each of the following constitutes a misdemeanor.

(a) The violation of any of the provisions of Section 1 of this act.

(b) Permitting any person in one's employ, supervision or control to practice as *a registered barber, registered apprentice or student* unless that person has a certificate of registration as a registered *barber, registered apprentice or student's permit*.

(c) Obtaining or attempting to obtain a certificate of registration for money other than the required fee or any other thing of value, or by fraudulent misrepresentation.

(d) Practicing or attempting to practice by fraudulent misrepresentations.

(e) The wilful failure to display a certificate of registration as required by Section 14, and

(f) The use of any room or place for barbering which is also used for residential or business purposes except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, candies in original package and such commodities as

are used and sold in barber shops, and except that shoe-shining and an agency for the reception and delivery of laundry, or either, may be conducted in a barber shop without the same being construed as a violation of this section, unless a substantial partition of ceiling height separates the portion used for residential or business purposes *and where a barber shop is situated in a residence, poolroom, confectionery, store, restaurant, garage, clothing store, liquor store, hardware store or soft drink parlor there must be an outside entrance leading into said barber shop independent of any entrance leading into such business establishment, except that this provision as to an outside entrance shall not apply to barber shops in operation at the time of the passage of this act*, and except that a barber shop and beauty parlor may be operated in conjunction, without the same being separated by a partition of ceiling height.

(g) The failure or refusal by any barber or other person in charge of any barber shop or any person in barber schools or colleges doing barbering service work, to use separate and clean towels for each customer or patron, or to discard and launder such towel after once being used.

(h) The failure or refusal by any barber or other person in charge of any barber shop or barber school or barber college to supply clean hot and cold water in such quantities as may be necessary to conduct such shop, or the barbering service of such school or college in a sanitary manner, or the failure, or refusal of any such person to have water and sewer connections from such shop, or barber school or college, with municipal water and sewer systems where the latter are available for use, or the failure or refusal of any such person to maintain a receptacle for hot water of a capacity of less than five gallons.

(i) *For the purposes of this act barbers, students, apprentices or the proprietor or manager of a barber shop or barber college or barber school shall be responsible for all violations of the sanitary provisions of this act, and if any barber shop or barber college or barber school, upon inspection, shall be found to be in an unsanitary condition, the person making such inspection shall immediately issue an order to place the said barber shop or barber school or barber college in a sanitary condition in a manner and within a time satisfactory to the Board and for the failure to comply with such order the Board shall immediately file a complaint for the arrest of the person upon which the order was issued and any licensed barber who shall fail to comply with the rules and regulations*

*adopted by the Minnesota Barbers' Examining Board with the approval of the Minnesota State Department of Health, or the violation or commission of any of the offenses described in Section 16, subdivision a, b, c, d, e, f, h, i, and of Section 19 subdivision a, b, c, d, e, f, g, h, i, shall be fined not less than \$10.00 or 10 days and not more than \$100.00 or 90 days or both.*

**Sec. 10. Governing body of municipalities may regulate hours.**—*The governing body of any city or village of this state may regulate, by ordinance, the opening and closing hours of barber shops within its municipal limits.*

Approved April 22, 1935.

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#### CHAPTER 230—H. F. No. 808

*An act relating to corporations, and amending Mason's Minnesota Statutes of 1927, Sections 7470-4 and 7475.*

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

**Section 1. Minimum price of shares of stock.**—Mason's Minnesota Statutes of 1927, Section 7470-4, is hereby amended so as to read as follows:

"7470-4. For the purpose of determining the minimum or maximum capital prescribed by law for stock corporations, but for no other purpose, such shares shall be taken to be of the value of \$10.00 each."

**Sec. 2. Fees for filing.**—Mason's Minnesota Statutes of 1927, Section 7475, is hereby amended so as to read as follows:

"7475. Domestic corporations shall pay to the state treasurer the following fees:

(1) For filing articles of incorporation or instruments extending or renewing corporate existence, \$25.00 for the first \$25,000.00 or fraction thereof, of the par value of its authorized shares and 50 cents for each additional \$1,000.00, or fraction thereof.

(2) For filing any amendment of articles of incorporation increasing the authorized number of shares, or the par value of shares previously authorized, or both, 50 cents for each \$1,000.00, or fraction thereof, of such increase.

(a) For the purpose of determining the fees prescribed by this section, but for no other purpose, shares without par