

provisions of chapter 41.05 RCW.

Sec. 12. Section 1, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.010 are each amended to read as follows:

Unless the context clearly indicates otherwise, words used in this chapter have the following meaning:

(1) "Board" means the state employees' insurance board established under the provisions of RCW 41.05.020.

(2) "Employee" shall include all full time and career seasonal employees of the state, whether or not covered by civil service; elected and appointed officials of the executive branch of government, including full time members of boards, commissions or committees; and shall include any or all part time and temporary employees under the terms and conditions established by the board; justices of the supreme court and judges of the court of appeals and the superior courts; and members of the legislature who are elected to office after February 20, 1970.

(3) "Panel medicine plan" means a health care plan which can be offered by a health care service contractor which itself furnishes the health care service contracted for by means of a group practice prepaid medical care plan.

(4) "Trustee" shall mean the director of personnel.

NEW SECTION. Sec. 13. Nothing contained in this 1973 amendatory act shall be deemed to amend, alter or affect the provisions of Chapter 23, Laws of 1972, Extraordinary Session, and RCW 28B.10.840 through 28B.10.844 as now or hereafter amended.

NEW SECTION. Sec. 14. There is appropriated from the state employees' insurance revolving fund to the state employees' insurance board the sum of one hundred thousand dollars, or so much thereof as may be necessary, to supplement other funds related to health care coverage and to provide the necessary staff and studies attendant to the investigation and review of other insurance plans for state employees.

Passed the Senate April 13, 1973.

Passed the House April 12, 1973.

Approved by the Governor April 24, 1973.

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CHAPTER 148

[Engrossed Senate Bill No. 2088]

BARBERS, COSMETOLOGISTS, HAIR
STYLISTS--REGULATION

AN ACT Relating to business and professions; 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 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 223, Laws of 1967 and RCW 18.15.050; amending section 7, chapter 75, Laws of 1923 as last amended by section 2, chapter 266, Laws of 1971 ex. sess. and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as amended by section 10, chapter 223, Laws of 1967 and RCW 18.15.065; amending section 14, chapter 75, Laws of 1923 as last amended by section 12, chapter 223, Laws of 1967 and RCW 18.15.090; amending section 13, chapter 223, Laws of 1967 and RCW 18.15.097; amending section 8, chapter 172, Laws of 1901 as last amended by section 15, chapter 223, Laws of 1967 and RCW 18.15.100; amending section 7, chapter 209, Laws of 1929 as last amended by section 16, chapter 223, Laws of 1967 and RCW 18.15.110; amending section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.010; amending section 8, chapter 215, Laws of 1937 and RCW 18.18.020; amending section 1, chapter 215, Laws of 1937 as amended by section 2, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.030; amending section 18, chapter 215, Laws of 1937 and RCW 18.18.040; amending section 2, chapter 180, Laws of 1951 as last amended by section 3, chapter 324, Laws of 1959 and RCW 18.18.050; amending section 2, chapter 324, Laws of 1959 as amended by section 3, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.065; amending section 5, chapter 180, Laws of 1951 as last amended by section 6, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.090; amending section 7, chapter 215, Laws of 1937 as amended by section 7, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.100; amending section 4, chapter 313, Laws of 1955 as amended by section 9, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.110; amending section 8, chapter 180, Laws of 1951 as last amended by section 12, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.190; amending section 7, chapter 180, Laws of 1951 as last amended by section 3, chapter 266, Laws of 1971 ex. sess. and RCW 18.18.140; amending section 15, chapter 215, Laws of 1937 as amended by section 8, chapter 324, Laws of 1959 and RCW 18.18.220; amending section 11, chapter 52, Laws of 1957 as last amended by section 17, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.260; and amending section 12, chapter 52, Laws of 1957 and RCW 18.18.270; adding new sections to chapter 18.15 RCW; and adding a new section to chapter 18.18 RCW.

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 and RCW 18.15.010 are each amended to read as follows:

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 or to persons engaged in the care or treatment of patients in health facilities or engaged in the care of residents of boarding homes and similar residential care facilities: PROVIDED, FURTHER, That a certified men's hair stylist may perform the following additional practices: (1) Hair analysis, reconditioning, and restoration procedures, as required; (2) the chemical processing of the hair, including temporary or permanent body waving, curl correction, or straightening, as well as the application of other chemicals in the process of barbering; and (3) the fitting and servicing of wigs, wefts, and hair pieces.

Sec. 2. Section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 223, Laws of 1967 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~~) motor vehicles 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.

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 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.

Any person holding a current manager-operator license of this state issued under the provisions of chapter 18.18 RCW shall be deemed qualified to apply to the director to be examined for a license to practice barbering, pursuant to the provisions of this chapter: PROVIDED, That any such applicant who fails said examination must then enroll in a licensed barber school of this state and complete a course of instruction of not less than two hundred fifty hours before applying to be reexamined for a barber license. The curriculum for such course of instruction shall be determined by the barber examining committee and approved by the director.

NEW SECTION. Sec. 3. There is added to chapter 18.15 RCW a new section to read as follows:

Any person with a permit to barber in this state who is indentured as a barber apprentice pursuant to chapter 49.04 RCW and who has successfully completed the related training course as approved by the barber examining committee and the state department of labor and industries, apprenticeship council, and who has served the required number of months under the direct supervision of a licensed barber of this state as provided in this chapter, shall be deemed qualified to receive a license to practice barbering in this state without a final examination. Upon application and payment of a sum equal to the annual license renewal fee, the director shall issue him a license to practice as a barber in this state: PROVIDED, That the applicant meets all of the other requirements of this chapter.

Sec. 4. Section 7, chapter 75, Laws of 1923 as last amended by section 2, chapter 266, Laws of 1971 ex. sess. and RCW 18.15.060 are each amended to read as follows:

Every person licensed as a barber or a permit barber shall pay an annual license fee of not ((more)) less than ((ten)) five dollars nor more than fifteen dollars, ((to be determined by the director as provided in RCW 43.24.005)) for a license or permit renewal certificate on or before the thirtieth day of June each year. The annual license and permit renewal fee shall be determined by the

director under the provisions of chapter 34.04 RCW. Failure to pay the annual license or permit renewal fees before delinquency shall work a forfeiture of the license or permit, but the license or permit may be renewed within three years thereafter without examination upon application therefor by the licentiate or permittee, and payment of a fee of fifteen dollars plus all lapsed fees. Should the licentiate or permittee allow his license or permit to elapse for more than three years, he must be reexamined as for a new license or permit.

Sec. 5. Section 3, chapter 84, Laws of 1959 as amended by section 10, chapter 223, Laws of 1967 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))~~ motor vehicles. Each application for a license shall be accompanied by a fee of ~~((four))~~ twenty-five dollars.

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))~~ twenty-five 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))~~ a penalty 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. 6. Section 14, chapter 75, Laws of 1923 as last amended by section 12, chapter 223, Laws of 1967 and RCW 18.15.090 are each amended to read as follows:

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))~~ motor vehicles 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)) motor vehicles 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 or manager-instructor under the provisions of this chapter((;)).

Every school or college shall at all times maintain one barber duly licensed as a manager-instructor or instructor, and there shall be at least one such licensed instructor or manager-instructor for each twenty students or fraction thereof, in attendance; and there shall be at least one such instructor or manager-instructor on the floor at all times when the barber school or college is open to serve the public, which said instructor or manager-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, or use in any advertisement, 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 application 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 examination for a manager-instructor's license, shall in addition to the requirements for an instructor's license, include business management as related to barber shops and barber schools, state laws and regulations relating to the operation of barber schools and barbering, and such other subjects relating to the operation of barber schools or colleges as the examining committee may prescribe. 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.

Sec. 7. Section 13, Chapter 223, Laws of 1967 and RCW 18.15.097 are each amended to read as follows:

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)) he 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))~~ fifty 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. 8. Section 8, chapter 172, Laws of 1901 as last amended by section 15, chapter 223, Laws of 1967 and RCW 18.15.100 are each amended to read as follows:

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 plus an amount equal to the annual renewal fee, 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. 9. Section 7, chapter 209, Laws of 1929 as last amended by section 16, chapter 223, Laws of 1967 and RCW 18.15.110 are each amended to read as follows:

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 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.

Any basic textbook, or text books, may be used in barber schools and colleges, however, a specific text book (or text books) as recommended by the barber examining committee and designated by the director in accordance with the provisions of chapter 34.04 RCW shall be used in the preparation of examinations.

A detailed curriculum approved by the barber examining committee and adopted by the director in accordance with the provisions of chapter 34.04 RCW shall be followed by all barber schools and colleges.

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.

NEW SECTION. Sec. 10. There is added to chapter 18.15 RCW a new section to read as follows:

The legislature finds that there is a distinct difference between the practice of barbering and the practice of men's hairstyling.

The legislature further finds that it is necessary to distinguish between the two practices to enable those persons currently within the profession of barbering to advance themselves professionally to become duly certified men's hairstylists and recognized as such. Therefore, it shall be the policy of the state to make laws regulating the practice of men's hairstyling.

NEW SECTION. Sec. 11. There is added to chapter 18.15 RCW a new section to read as follows:

In addition to the practice of barbering any one or any combination of the following practices when done upon the upper part of the human male 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 constitutes the practice of men's hairstyling: Straightening, curling, temporary waving, permanent waving, bleaching, or applying chemicals as related to men's hairstyling, or doing similar work thereon by the use of the hands or any method of mechanical application or appliances.

NEW SECTION. Sec. 12. There is added to chapter 18.15 RCW a new section to read as follows:

Any person duly licensed as a barber in this state, and who has satisfactorily completed a course of instruction in the practice of men's hairstyling as approved by the barber examining committee, shall be entitled to make application to be examined for a Washington state men's hairstyling certificate. Fee for such examination and certificate shall be fifty dollars; application and fee to be submitted to the director at least fifteen days prior to an examination date. Any applicant for a certificate under this chapter 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 examining committee that he possesses the required professional skill and ability to properly perform each of the said men's hairstyling services, shall be entitled to receive, and the

director shall issue to him an official Washington state men's hairstyling certificate, recognizing him as a certified men's hairstylist, and when accompanied by a current barber license of this state, shall entitle him to practice men's hairstyling.

PROVIDED, That persons engaged in the practice of men's hairstyling under this chapter are authorized to perform body waving and permanent waving to the extent necessary to style or arrange the hair on male patrons, but persons engaged in the practice of men's hairstyling under this chapter are not authorized to otherwise engage in the practice of cosmetology unless such person is licensed under chapter 18.18 RCW.

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

The barber examining committee shall prescribe the curriculum and examination for a men's hairstyling certificate in accordance with the provisions of chapter 34.04 RCW.

NEW SECTION. Sec. 14. There is added to chapter 18.15 RCW a new section to read as follows:

The barber examining committee shall adopt such reasonable rules and regulations as necessary to regulate the practice of men's hairstyling under this chapter pursuant to chapter 34.04 RCW.

NEW SECTION. Sec. 15. There is added to chapter 18.15 RCW a new section to read as follows:

The committee, with the approval of the director, shall meet at least once annually with the manager-instructors and/or instructors of each barber school or barber college in this state to discuss current trends and examinations.

Sec. 16. Section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.010 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section:

(1) "Practice of hairdressing" or "hairdressing" means the arranging, dressing, curling, waving, permanent waving, cleansing, bleaching or coloring of the hair, fitting and dressing of wigs and hair pieces on or off the head other than ~~((incident))~~ incidental to ~~((original))~~ retail sales, or doing similar work thereon by use of the hands or any method of mechanical application or appliances or the practice of haircutting ~~((on female persons))~~;

(2) "Hairdresser" means any person, firm or corporation who engages in the practice of hairdressing;

(3) "Practice of ~~((beauty culture))~~ cosmetology" or ~~((("beauty culture")))~~ "cosmetology" means the massaging, cleansing, stimulating, manipulating, exercising or beautifying of the scalp, face, arms, bust or upper part of the body, or doing similar work thereon with

the hands or with any mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptic tonics, lotions, creams, similar preparations or compounds, and manicuring the nails or removing superfluous hair or the practice of haircutting ((on female persons));

((4)) ("Beauty culturist") "Cosmetologist" means any person, firm or corporation who engages in the practice of ((beauty culture)) cosmetology;

((5)) "Practice of manicuring" means the manicuring of nails of the hands and feet, also the administration of facials, by the use of hands and appliances;

((6)) "Manicurist" means any person who engages in the practice of manicuring;

((5)) ((7)) ((7)) A "student" is any person of the age of seventeen or over who has graduated from an accredited high school, or has an equivalent education as determined by the director whose determination shall be conclusive, who attends a duly licensed ((beauty)) cosmetology school, and who does not receive any wage or commission: PROVIDED, That the amendments to this subdivision shall not apply to any person attending as a student prior to the effective date of this amendatory section;

((6)) ((8)) ((8)) An "operator" is a person of the age of eighteen years or over, who has been licensed to practice hairdressing and ((beauty culture)) cosmetology under the direct supervision and direction of a manager operator;

((7)) ((9)) ((9)) A "manager operator" is any person having practiced as an operator under the supervision of a manager operator for at least one year;

((8)) ((10)) ((10)) A "shop" is any building or structure, or any part thereof, other than a school, wherein the practice of hairdressing and ((beauty culture)) cosmetology is conducted;

((9)) ((11)) ((11)) A "school" is an institution of learning devoted exclusively to the instruction and training of students in the practice of hairdressing and ((beauty culture)) cosmetology;

((10)) ((12)) ((12)) An "instructor operator" is a person who gives instruction in the practice of hairdressing and ((beauty culture)) cosmetology in a school and who has the qualifications of a manager operator and who has passed an instructor examination: PROVIDED, That the provisions of this subdivision shall not apply to any person acting as an instructor operator on March 16, 1951. An instructor operator shall not perform in a ((beauty)) cosmetology school, ((beauty culture)) cosmetology services for members of the public except for instructional purposes;

((11)) ((13)) ((13)) "Director" means the state director of ((licenses)) motor vehicles;

((42)) [14] "Committee" means the ((beauty culture)) cosmetology examining committee;

((43)) [15] "Board" means the hearing board.

Sec. 17. Section 8, chapter 215, Laws of 1937 and RCW 18.18.020 are each amended to read as follows:

The director of ((licenses)) motor vehicles shall, in addition to other duties imposed by law, adopt rules for carrying out the provisions of this chapter and conducting examinations of applicants for licenses; for governing the recognition of, and the credits to be given to, the study of hairdressing and ((beauty culture)) cosmetology under a hairdresser and ((beauty culturist)) cosmetologist or any school of hairdressing and ((beauty culture)) cosmetology licensed under the laws of another state, territory or the District of Columbia, and shall, subject to the approval of the state board of health, promulgate rules for the prevention of infectious or contagious diseases in hairdressing and ((beauty culture)) cosmetology shops and schools, and shall furnish to each person, firm or corporation licensed under this chapter a copy of such rules; shall hold examinations of all applicants for a license under this chapter, and grant licenses to those qualified. The director of ((licenses)) motor vehicles shall keep all examination papers on file for at least one year, which file shall be open to the inspection of the applicant or his agent.

Sec. 18. Section 1, chapter 215, Laws of 1937, as amended by section 2, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.030 are each amended to read as follows:

It shall be unlawful for any person, firm or corporation to engage in the practice of hairdressing and ((beauty culture)) cosmetology, or the practice of manicuring, for compensation, or hold himself or itself out as qualified to engage in the practice of, or solicit the practice of, hairdressing and ((beauty culture)) cosmetology, or the practice of manicuring, or to own, manage, conduct, or give instruction in a hairdressing and ((beauty culture)) cosmetology shop or school unless licensed to do so as in this chapter provided.

Every hairdressing and ((beauty culture)) cosmetology establishment for the teaching of any branch thereof shall be classified as a school of hairdressing and ((beauty culture)) cosmetology within the meaning of this chapter, and shall be required to comply with its provisions.

Sec. 19. Section 18, chapter 215, Laws of 1937 and RCW 18.18.040 are each amended to read as follows:

Nothing in this chapter shall prohibit any person authorized under the laws of this state to practice medicine, surgery, or dentistry from engaging in the practice for which they are licensed;

nor require a license under this chapter for any barber from performing any service for which he may be licensed; nor prohibit manicuring in barber shops when performed by a manicurist licensed under the provisions of this chapter; but the provisions hereof shall not be construed to authorize any person other than a student or person licensed under this chapter to do permanent, or temporary waving of the hair.

This chapter shall not apply to persons engaged in the care or treatment of patients in health facilities or engaged in the care of residents of boarding homes and similar residential care facilities.

NEW SECTION. Sec. 20. There is added to chapter 18.18 RCW a new section to read as follows:

Within ninety days after the effective date of this 1973 amendatory act the examining committee, under the supervision and direction of the director of motor vehicles, shall devise the qualifications necessary for and an examination for the practice of manicuring, for which a separate license shall hereafter be required under this chapter, except for persons holding a valid license in the practice of beauty culture: PROVIDED, That any person engaged in the practice of manicuring for at least one year prior to the effective date of this 1973 amendatory act shall be deemed qualified for such a license without an examination therefor. Applications for licenses shall be made on such form and require such information and certificates, as required by the examining committee and be accompanied by the proper application fee. Examinations shall be held at regular intervals throughout the year as the examining committee deems necessary. The provisions of RCW 18.18.110 shall not be applicable hereto.

Sec. 21. Section 2, chapter 180, Laws of 1951 as last amended by section 3, chapter 324, Laws of 1959 and RCW 18.18.050 are each amended to read as follows:

An operator's license shall be issued to a student who: (1) Is of the age of eighteen years or over; (2) is of good moral character and temperate habits; (3) has graduated from an accredited high school or the equivalent thereof as determined by the director whose determination shall be conclusive: PROVIDED, That this subdivision shall not apply to those holding a valid operator's license or attending a recognized ((beauty)) cosmetology school prior to the effective date of this amendatory section but such persons shall be subject to the law in existence prior to the effective date of this amendatory section; (4) is a citizen of the United States or declared his intention to become a citizen; (5) has completed a course of training of not less than two thousand hours in a recognized ((beauty)) cosmetology school, such training not to exceed eight hours in any one day; and (6) who has satisfactorily passed the

hairdressing and ((beauty culture)) cosmetology examination in this state.

Sec. 22. Section 2, chapter 324, Laws of 1959 as amended by section 3, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.065 are each amended to read as follows:

It shall be unlawful for any person, firm, or corporation to operate a ((beauty)) cosmetology shop or a ((beauty)) cosmetology school without a shop or school location license for each ((beauty)) cosmetology shop or ((beauty)) cosmetology school. Application therefor shall be made on forms furnished by the director and shall contain such information as the director may reasonably require. Upon receipt of such application and the fee required by this chapter, the director shall issue a location license if such shop or school meets the other requirements of this chapter.

Sec. 23. Section 5, chapter 180, Laws of 1951 as last amended by section 6, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.090 are each amended to read as follows:

Each application shall be accompanied by the following fees: Student enrollment, five dollars; manicurist, seven dollars and fifty cents; operator, ten dollars; instructor operator, fifteen dollars; manager operator, five dollars; shop, twenty-five dollars; school, one hundred fifty dollars. Any applicant who fails to pass the examination may take the next succeeding examination with payment of an additional fee of seven dollars and fifty cents.

Sec. 24. Section 7, chapter 215, Laws of 1937 as amended by section 7, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.100 are each amended to read as follows:

All examinations for license shall be conducted and given by the examining committee under the supervision and direction of the director of ((licenses)) motor vehicles, in the manner provided by law. No person shall, however, be appointed as a member of an examining committee for the purpose of conducting examinations and performing other duties imposed by this chapter unless he is an operator and of the age of at least twenty-five years, has the qualifications of an instructor, has been a citizen of the state for at least three years immediately prior to his appointment, has been engaged in actual practice as a hairdresser, ((beauty culturist)) cosmetologist, or instructor for at least five years, is not connected directly or indirectly with any school of hairdressing and ((beauty culture)) cosmetology, and is not connected directly or indirectly in the business of the manufacturing, renting or selling of hairdressing or ((beauty culture)) cosmetology appliances and supplies at wholesale.

Sec. 25. Section 4, chapter 313, Laws of 1955 as amended by section 9, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.110 are

each amended to read as follows:

All examinations for licenses shall be conducted six times a year, an examination to be given once every two months.

The examination shall consist of written and oral questions and answers and practical tests. Written examinations shall cover each of the branches of hairdressing and ((beauty culture)) cosmetology required in the course of study.

Practical tests shall consist of actual demonstrations in hairdressing and ((beauty culture)) cosmetology under the direction and supervision of the committee.

Applicants shall also be required to pass an examination in anatomy, physiology, hygiene, sanitation, sterilization and the use of antiseptics in hairdressing and ((beauty culture)) cosmetology.

Passing grades shall be based upon the standard of one hundred percent.

An applicant who receives a passing grade of not less than seventy-five percent in each branch, and in addition thereto passes the required examination in anatomy, physiology, hygiene, sanitation, sterilization and the use of antiseptics, shall be entitled to a license as an operator.

An instructor's examination shall consist of a lesson plan and a demonstration in the art of teaching at least two subjects of the ((beauty culture)) cosmetology law.

Sec. 26. Section 8, chapter 180, Laws of 1951 as last amended by section 12, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.190 are each amended to read as follows:

The courses of instruction in theory and practical application in every school shall comprise at least the following:

- (1) Shampooing, soap and dry;
- (2) Care of the face and massaging, including make up and care of eyebrows and lashes;
- (3) Care of the scalp and massaging, rinses and packs;
- (4) Hair coloring and bleaching;
- (5) Cold permanent waving;
- (6) Iron curling or waving;
- (7) Finger waving;
- (8) Hair fashioning, shaping and cutting;
- (9) Manicuring;
- (10) Electricity as applied to cosmetology, and the use and application of electrical appliances;
- (11) The study of the law on ((beauty culture)) cosmetology of the state of Washington;
- (12) Shop management, ownership, and business ethics.
- (13) Theory and science of cosmetology.

Sec. 27. Section 7, chapter 180, Laws of 1951 as last amended

by section 3, chapter 266, Laws of 1971 ex. sess. and RCW 18.18.140 are each amended to read as follows:

Licenses may be renewed from year to year upon the payment on or before the first day of each July following their issuance, of a renewal fee as follows: Manicurist, not more than five dollars; operator, not more than five dollars; instructor operator, not more than six dollars; manager operator, not more than six dollars; shop, not more than seven dollars; school, not more than one hundred and fifty dollars, all such fees to be determined by the director as provided in RCW 43.24.085.

A certificate of health is required with an application for an original license, one must also be filed with a renewal application.

Any manicurist, operator, manager operator, or instructor operator whose license has lapsed may have the same renewed upon payment of all fees which the applicant would have been required to pay to keep such license in effect, and an additional fee of five dollars for each lapsed year: PROVIDED, That any person whose license has lapsed for more than three years shall be reexamined, as in the case of any applicant for an original license.

Sec. 28. Section 15, chapter 215, Laws of 1937 as amended by section 8, chapter 324, Laws of 1959 and RCW 18.18.220 are each amended to read as follows:

Any license issued pursuant to this chapter may be revoked for any of the following causes arising after the issuance thereof:

(1) Conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction shall be conclusive evidence;

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

(3) Gross incompetency;

(4) Advertising in any manner by means of knowingly false or deceptive statements;

(5) Performing work authorized by said license in an unsanitary or filthy manner;

(6) Performing either the practice of hairdressing and ((beauty culture)) cosmetology or the practice of manicuring upon the person of another while knowingly suffering from an infectious or contagious disease;

(7) Wilful violation of any of the provisions of this chapter;

(8) Failure to pay an operator the minimum wage required by law.

Sec. 29. Section 11, chapter 52, Laws of 1957 as last amended by section 17, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.260 are each amended to read as follows:

No person shall engage in the practice of hairdressing, and ((beauty culture)) cosmetology in any place other than a hairdressing

and ((beauty culture)) cosmetology shop or school, except in case of his own family or in case of a person whose physical condition prevents his presence at a shop or school.

No person shall sleep in, or use for residential purposes, any room used wholly or in part as a hairdressing and ((beauty culture)) cosmetology shop, nor engage in hairdressing and ((beauty culture)) cosmetology in any room used for sleeping or residential purposes.

Every hairdressing and ((beauty culture)) cosmetology shop shall maintain an outside entrance separate from the entrances to rooms used for sleeping or residential purposes.

From and after July 1, 1959 every hairdressing and ((beauty culture)) cosmetology shop shall provide and maintain for the use of the customers adequate toilet facilities.

No hairdressing or ((beauty)) cosmetology shop shall be operated unless it is under the direct supervision of a manager operator.

No person other than a manicurist limited to the practice of manicuring or an operator in demonstrating, or instructing in the use of any cosmetics or supplies of any kind, shall engage in any of the acts enumerated in RCW 18.18.010 and 18.18.190.

No student shall engage in the practice of hairdressing and ((beauty culture)) cosmetology except in a school under the direct supervision of an instructor.

Sec. 30. Section 12, chapter 52, Laws of 1957 and RCW 18.18.270 are each amended to read as follows:

Every person shall be guilty of a misdemeanor who: (1) Violates any of the provisions of this chapter or any regulation lawfully promulgated by the director; or, (2) permits any person in his employ or under his supervision or control to practice hairdressing and ((beauty culture)) cosmetology without a license where one is required by this chapter; or, (3) attempts to obtain a license by fraudulent means. Each and every day on which such violation occurs shall constitute a separate offense.

Passed the Senate April 13, 1973.

Passed the House April 11, 1973.

Approved by the Governor April 24, 1973.

Filed in Office of Secretary of State April 25, 1973.

CHAPTER 149

[Engrossed Senate Bill No. 2119]

COLLEGES AND UNIVERSITIES--EMPLOYEES'
RETIREMENT PLANS

AN ACT Relating to retirement plans, including old age annuities, for