

The department may not set a fee higher than fifty dollars for issuing or renewing a certificate of registration.

NEW SECTION. Sec. 3. The following acts or parts of acts are each repealed:

- (1) Section 42, chapter 99, Laws of 1979 and RCW 43.131.231; and
- (2) Section 84, chapter 99, Laws of 1979 and RCW 43.131.232.

NEW SECTION. Sec. 4. Section 3 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 29, 1983.

Passed the Senate March 23, 1983.

Passed the House April 15, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

CHAPTER 75

[Engrossed Substitute Senate Bill No. 3081]

BARBERS—LICENSING

AN ACT Relating to licensing barbers and men's hairstylists; amending section 2, chapter 75, Laws of 1923 as last amended by section 2, chapter 223, Laws of 1967 and RCW 18.15.020; amending section 6, chapter 75, Laws of 1923 as last amended by section 11, chapter 158, Laws of 1979 and RCW 18.15.050; amending section 7, chapter 101, Laws of 1957 and RCW 18.15.051; amending section 7, chapter 75, Laws of 1923 as last amended by section 6, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as last amended by section 12, chapter 158, Laws of 1979 and RCW 18.15.065; amending section 12, chapter 75, Laws of 1923 as last amended by section 11, chapter 223, Laws of 1967 and RCW 18.15.070; amending section 13, chapter 75, Laws of 1923 as last amended by section 4, chapter 16, Laws of 1951 and RCW 18.15.080; amending section 2, chapter 84, Laws of 1959 as last amended by section 8, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.095; amending section 13, chapter 223, Laws of 1967 as last amended by section 9, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.097; amending section 8, chapter 172, Laws of 1901 as last amended by section 10, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.100; amending section 7, chapter 209, Laws of 1929 as last amended by section 9, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.110; [amending] section 4, chapter 101, Laws of 1957 as amended by section 19, chapter 223, Laws of 1967 and RCW 18.15.130; amending section 11, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.210; amending section 12, chapter 148, Laws of 1973 1st ex. sess. as amended by section 12, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.220; amending section 10, chapter 2, Laws of 1983 and RCW 43.24.085; adding new sections to chapter 18.15 RCW; repealing section 38, chapter 99, Laws of 1979 and RCW 43.131.223; repealing section 80, chapter 99, Laws of 1979 and RCW 43.131.224; repealing section 1, chapter 75, Laws of 1923, section 1, chapter 211, Laws of 1927, section 1, chapter 52, Laws of 1957, section 1, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.010; repealing section 2, chapter 75, Laws of 1923, section 1, chapter 209, Laws of 1929, section 1, chapter 199, Laws of 1937, section 1, chapter 51, Laws of 1949, section 1, chapter 16, Laws of 1951, section 2, chapter 223, Laws of 1967, section 3 of this 1983 act and RCW 18.15.020; repealing section 3, chapter 75, Laws of 1923, section 2, chapter 199, Laws of 1937, section 2, chapter 51, Laws of 1949, section 2, chapter 16, Laws of 1951, section 1, chapter 101, Laws of 1957, section 3, chapter 223, Laws of 1967, section 4, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.040; repealing section 3, chapter 148, Laws of 1973 1st ex. sess. and

RCW 18.15.045; repealing section 6, chapter 75, Laws of 1923, section 5, chapter 211, Laws of 1927, section 3, chapter 209, Laws of 1929, section 4, chapter 51, Laws of 1949, section 3, chapter 16, Laws of 1951, section 4, chapter 84, Laws of 1959, section 4, chapter 223, Laws of 1967, section 2, chapter 148, Laws of 1973 1st ex. sess., section 5, chapter 30, Laws of 1975 1st ex. sess., section 11, chapter 158, Laws of 1979, section 4 of this 1983 act and RCW 18.15.050; repealing section 7, chapter 101, Laws of 1957, section 5 of this 1983 act and RCW 18.15.051; repealing section 8, chapter 101, Laws of 1957, section 5, chapter 223, Laws of 1967 and RCW 18.15.052; repealing section 9, chapter 101, Laws of 1957, section 6, chapter 223, Laws of 1967 and RCW 18.15.053; repealing section 10, chapter 101, Laws of 1957 and RCW 18.15.054; repealing section 11, chapter 101, Laws of 1957, section 1, chapter 188, Laws of 1967, section 28, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.055; repealing section 12, chapter 101, Laws of 1957, section 8, chapter 223, Laws of 1967 and RCW 18.15.056; repealing section 7, chapter 75, Laws of 1923, section 6, chapter 211, Laws of 1927, section 4, chapter 209, Laws of 1929, section 14, chapter 101, Laws of 1957, section 9, chapter 223, Laws of 1967, section 2, chapter 266, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1973 1st ex. sess., section 6, chapter 30, Laws of 1975 1st ex. sess., section 6 of this 1983 act and RCW 18.15.060; repealing section 3, chapter 84, Laws of 1959, section 10, chapter 223, Laws of 1967, section 5, chapter 148, Laws of 1973 1st ex. sess., section 7, chapter 30, Laws of 1975 1st ex. sess., section 12, chapter 158, Laws of 1979, section 7 of this 1983 act and RCW 18.15.065; repealing section 12, chapter 75, Laws of 1923, section 9, chapter 211, Laws of 1927, section 11, chapter 223, Laws of 1967, section 8 of this 1983 act and RCW 18.15.070; repealing section 13, chapter 75, Laws of 1923, section 10, chapter 211, Laws of 1927, section 4, chapter 199, Laws of 1937, section 5, chapter 51, Laws of 1949, section 4, chapter 16, Laws of 1951, section 9 of this 1983 act and RCW 18.15.080; repealing section 14, chapter 75, Laws of 1923, section 11, chapter 211, Laws of 1927, section 6, chapter 209, Laws of 1929, section 1, chapter 102, Laws of 1947, section 12, chapter 223, Laws of 1967, section 6, chapter 148, Laws of 1973 1st ex. sess., section 13, chapter 158, Laws of 1979, section 4, chapter 283, Laws of 1981 and RCW 18.15.090; repealing section 2, chapter 84, Laws of 1959, section 14, chapter 223, Laws of 1967, section 8, chapter 30, Laws of 1975 1st ex. sess., section 10 of this 1983 act and RCW 18.15.095; repealing section 5, chapter 283, Laws of 1981 and RCW 18.15.096; repealing section 13, chapter 223, Laws of 1967, section 7, chapter 148, Laws of 1973 1st ex. sess., section 9, chapter 30, Laws of 1975 1st ex. sess., section 11 of this 1983 act and RCW 18.15.097; repealing section 8, chapter 172, Laws of 1901, section 5, chapter 75, Laws of 1923, section 3, chapter 199, Laws of 1937, section 3, chapter 51, Laws of 1949, section 2, chapter 101, Laws of 1957, section 5, chapter 84, Laws of 1959, section 15, chapter 223, Laws of 1967, section 8, chapter 148, Laws of 1973 1st ex. sess., section 10, chapter 30, Laws of 1975 1st ex. sess., section 12 of this 1983 act and RCW 18.15.100; repealing section 7, chapter 209, Laws of 1929, section 6, chapter 51, Laws of 1949, section 6, chapter 84, Laws of 1959, section 16, chapter 223, Laws of 1967, section 9, chapter 148, Laws of 1973 1st ex. sess., section 13 of this 1983 act and RCW 18.15.110; repealing section 15, chapter 75, Laws of 1923, section 17, chapter 223, Laws of 1967 and RCW 18.15.120; repealing section 13, chapter 101, Laws of 1957, section 7, chapter 84, Laws of 1959, section 18, chapter 223, Laws of 1967, section 11, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.125; repealing section 4, chapter 101, Laws of 1957, section 19, chapter 223, Laws of 1967, section 14 of this 1983 act and RCW 18.15.130; repealing section 5, chapter 101, Laws of 1957, section 20, chapter 223, Laws of 1967, section 29, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.140; repealing section 6, chapter 101, Laws of 1957, section 21, chapter 223, Laws of 1967 and RCW 18.15.150; repealing section 17, chapter 75, Laws of 1923, section 12, chapter 211, Laws of 1927, section 8, chapter 209, Laws of 1929, section 22, chapter 223, Laws of 1967 and RCW 18.15.160; repealing section 10, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.200; repealing section 11, chapter 148, Laws of 1973 1st ex. sess. section 15 of this 1983 act and RCW 18.15.210; repealing section 12, chapter 148, Laws of 1973 1st ex. sess., section 12, chapter 30, Laws of 1975 1st ex. sess., section 16 of this 1983 act and RCW 18.15.220; repealing section 13, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.230; repealing section 14, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.240; repealing section 15, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.250; repealing section 19, chapter 75, Laws of 1923 and RCW 18.15.900; repealing section 1

of this 1983 act and RCW 18.15....; repealing section 2 of this 1983 act and RCW 18.15....; providing an effective date; and declaring an emergency.

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

NEW SECTION. Sec. 1. There is added to chapter 18.15 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

- (1) "Department" means the department of licensing.
- (2) "Director" means the director of licensing.

NEW SECTION. Sec. 2. The department shall conduct a study on the level of regulation required within the cosmetology and barbering industries to protect the public. In conducting this study, the department shall also consider:

- (1) The feasibility of combining the practice of barbering and cosmetology;
- (2) The minimum education and training qualifications required to practice safely; and
- (3) The feasibility of an apprenticeship program.

The department shall meet with all interested parties in the cosmetology and barbering industries, as well as consider the concerns of the general public and the needs of consumers. The department shall report to the legislature no later than January, 1984, and prepare proposed legislation to implement its findings.

Sec. 3. Section 2, chapter 75, Laws of 1923 as last amended by section 2, chapter 223, Laws of 1967 and RCW 18.15.020 are each amended to read as follows:

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: ~~((+)) 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. 4. Section 6, chapter 75, Laws of 1923 as last amended by section 11, chapter 158, Laws of 1979 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 licensing)) 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. An applicant must receive a score of not less than seventy-five percent in each branch of the examination in order to pass it.

~~((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 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 possesses 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 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended, 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended, 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 licensed under chapter 18.15 RCW as a permit barber on the effective date of this act shall be issued a license to practice barbering.

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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended, 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.

Sec. 5. Section 7, chapter 101, Laws of 1957 and RCW 18.15.051 are each amended to read as follows:

Barber examinations shall be conducted by the barber examining committee. The barber examining committee shall consist of five members appointed by the ~~((governor))~~ director, who shall designate one of the committee members to serve ~~((both))~~ as chairman ~~((and secretary))~~.

The first terms for members of the examining committee shall be as follows: One member for five, four, three, two and one years respectively. Thereafter the terms shall be for five years and until their successors are appointed and qualified.

The examining committee shall be under the direct supervision of the director ~~((of licensing))~~.

Members may be removed by the ~~((governor))~~ director for cause.

Any vacancy shall be filled by the ~~((governor))~~ director within ninety days after it occurs by an appointment for the remainder of the unexpired term. No member may serve more than two full terms.

The director shall appoint one staff person from the department to act as executive secretary for the examining committee. The executive secretary shall not have a vote on the examining committee.

The director may, when considered necessary, appoint no more than two alternate members meeting the qualifications set forth in RCW 18.15.052 to perform the examination functions and responsibilities of regularly appointed members if because of unavoidable circumstances the regularly appointed member is unable to attend and participate in a scheduled examination.

Sec. 6. Section 7, chapter 75, Laws of 1923 as last amended by section 6, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.060 are each amended to read as follows:

Every person licensed as a barber ~~((or a permit barber))~~ before the effective date of this 1983 act shall pay an annual license fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended, for a license ~~((or permit))~~ renewal certificate on or before the thirtieth day of June each year. After the effective date of this 1983 act, the department shall issue new licenses or renew licenses for a three-year period. 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))~~ licensee, and payment of a fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended plus all lapsed fees. Should the ~~((licentiate or permittee))~~ licensee allow his license ~~((or permit))~~ to elapse for more than three years, he must be reexamined as for a new license ~~((or permit))~~.

Sec. 7. Section 3, chapter 84, Laws of 1959 as last amended by section 12, chapter 158, Laws of 1979 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 licensing)~~). Each application for a license shall be accompanied by a fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended.

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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended, 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, a penalty fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended will be made, prior to issuance of a license.

All licenses issued under this section prior to the effective date of this 1983 act shall expire on the first day of July next succeeding the date of issue. After the effective date of this 1983 act, the department shall issue new licenses or renew licenses for a three-year period. Each such license shall be renewable (~~(annually)~~) on or before the expiration date, and the application for renewal shall be accompanied by a fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended. 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended, upon satisfactory inspection.

Sec. 8. Section 12, chapter 75, Laws of 1923 as last amended by section 11, chapter 223, Laws of 1967 and RCW 18.15.070 are each amended to read as follows:

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.

Sec. 9. Section 13, chapter 75, Laws of 1923 as last amended by section 4, chapter 16, Laws of 1951 and RCW 18.15.080 are each amended to read as follows:

It shall be the duty of the holder of any license to practice barbering(~~;~~ permit to practice barbering) or student barber certificate issued under this chapter to post the same in a conspicuous place in front of his working chair, where it may be readily seen by all persons whom he may serve.

Sec. 10. Section 2, chapter 84, Laws of 1959 as last amended by section 8, chapter 30, Laws of 1975 1st ex. sess. 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. Each application for a school location license shall be accompanied by a fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended.

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, if 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.

~~((A))~~ Licenses issued under this section prior to the effective date of this 1983 act 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended. After the effective date of this 1983 act, the department shall issue new licenses or renew licenses for a three-year period. 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended.

Sec. 11. Section 13, chapter 223, Laws of 1967 as last amended by section 9, chapter 30, Laws of 1975 1st ex. sess. 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 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))~~ (5) 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))~~ (6) take an examination administered by the examining committee covering such subjects as are usually taught in barber schools and colleges in practical and theory work; ~~((8))~~ (7) 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended. Each license shall be renewed on or before July 1st; the renewal fee shall be determined by the director as provided in RCW 43.24.085 as now or hereafter amended. If application for a renewal is not received on or before July 1st, the renewal fee shall include a penalty fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended. After the effective date of this 1983 act, the department shall issue new licenses or renew licenses to instructors for a three-year period. 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. 12. Section 8, chapter 172, Laws of 1901 as last amended by section 10, chapter 30, Laws of 1975 1st ex. sess. 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. 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended, which fee shall accompany his application. The director 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 determined by the director as provided in RCW 43.24.085 as now or hereafter amended: 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. Each applicant shall pay a fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended plus an amount equal to the annual renewal fee, which fee shall accompany his application. The director 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. 13. Section 7, chapter 209, Laws of 1929 as last amended by section 9, chapter 148, Laws of 1973 1st ex. sess. 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; (2) histology of the hair, skin and scalp; (3) structure of the head, face and neck; (4) coloring and bleaching the hair; (5) use of chemicals, creams, lotions and solutions as applied in the practice of barbering.

Any basic textbook, or textbooks, may be used in barber schools and colleges, however, a specific textbook (or textbooks) 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.

Sec. 14, section 4, chapter 101, Laws of 1957 as amended by section 19, chapter 223, Laws of 1967 and RCW 18.15.130 are each amended to read as follows:

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 chapter.

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 chapter.

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.

Sec. 15. Section 11, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.210 are each amended 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.

Sec. 16. Section 12, chapter 148, Laws of 1973 1st ex. sess. as amended by section 12, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.220 are each amended 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. The fee for such examination and certificate shall be determined by the director as provided in RCW 43.24.085 as now or hereafter amended; and the application and fee shall 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.

Sec. 17. Section 10, chapter 2, Laws of 1983 and RCW 43.24.085 are each amended to read as follows:

It shall be the policy of the state of Washington that the director of licensing shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or registration of professions, occupations, or businesses, administered by the business and professions administration in the department of licensing. In fixing said fees the director shall, insofar as is practicable, fix the fees relating to each profession, occupation, or business in such a manner that the income from each will match the anticipated expenses to be incurred in the administration of the laws relating to each such profession, occupation, or business. All such fees shall be fixed by rule adopted by the director in accordance with the provisions of the administrative procedure act, chapter 34.04 RCW: PROVIDED, That

(1) In no event shall the license or registration renewal fee in the following cases be fixed at an amount in excess of forty dollars:

(a) Auctioneer trainee;

- (b) Barber;
- (c) Student barber;
- (d) Cosmetologist (manager-operator);
- (e) Cosmetologist (operator);
- (f) Cosmetologist (instructor-operator);
- (g) Apprentice embalmer;
- (h) Manicurist;
- (i) Apprentice funeral director;
- (j) Registered nurse;
- (k) Licensed practical nurse;
- (l) ~~((Permit barber;~~
- ~~((~~m~~)))~~ Manicurist (manager-operator);
- ~~((~~m~~)))~~ (m) Animal technician; and

(2) In no event shall the license or registration renewal fee in the following cases be fixed at an amount in excess of fifty dollars:

- (a) Dental hygienist;
- (b) Barber instructor;
- (c) Barber manager instructor;
- (d) Psychologist;
- (e) Embalmer;
- (f) Funeral director;
- (g) Veterinarian;
- (h) Cosmetology shop;
- (i) Barber shop;
- (j) Physician's assistant;
- (k) Osteopathic physician's assistant;
- (l) Certified registered nurse;
- (m) Physical therapist;
- (n) Manicurist shop; and

(3) In no event shall the license or registration renewal fee in the following cases be fixed at an amount in excess of one hundred dollars:

- (a) Architect;
- (b) Dentist;
- (c) Engineer;
- (d) Land surveyor;
- (e) Midwife;
- (f) Podiatrist;
- (g) Chiropractor;
- (h) Drugless therapeutic;
- (i) Osteopathic physician;
- (j) Osteopathic physician and surgeon;
- (k) Physician and surgeon;
- (l) Optometrist;
- (m) Dispensing optician;

- (n) Landscape architect;
 - (o) Nursing home administrator;
 - (p) Hearing aid fitter;
 - (q) Massage operator;
 - (r) Massage business owner/operator;
 - (s) Ocularist; and
- (4) In no event shall the license or registration renewal fee in the following cases be fixed at an amount in excess of three hundred dollars:
- (a) Auctioneer;
 - (b) Engineer corporation;
 - (c) Engineer partnership;
 - (d) Cosmetology school;
 - (e) Barber school;
 - (f) Debt adjuster agency;
 - (g) Debt adjuster branch office;
 - (h) Debt adjuster;
 - (i) Employment agency;
 - (j) Employment agency branch office;
 - (k) Collection agency;
 - (l) Collection agency branch office;
 - (m) Funeral establishment;
 - (n) Massage business.

NEW SECTION. Sec. 18. The following acts or parts of acts are each repealed:

- (1) Section 38, chapter 99, Laws of 1979 and RCW 43.131.223; and
- (2) Section 80, chapter 99, Laws of 1979 and RCW 43.131.224.

NEW SECTION. Sec. 19. The following acts or parts of acts are repealed, effective June 30, 1984:

- (1) Section 1, chapter 75, Laws of 1923, section 1, chapter 211, Laws of 1927, section 1, chapter 52, Laws of 1957, section 1, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.010;
- (2) Section 2, chapter 75, Laws of 1923, section 1, chapter 209, Laws of 1929, section 1, chapter 199, Laws of 1937, section 1, chapter 51, Laws of 1949, section 1, chapter 16, Laws of 1951, section 2, chapter 223, Laws of 1967, section 3 of this 1983 act and RCW 18.15.020;
- (3) Section 3, chapter 75, Laws of 1923, section 2, chapter 199, Laws of 1937, section 2, chapter 51, Laws of 1949, section 2, chapter 16, Laws of 1951, section 1, chapter 101, Laws of 1957, section 3, chapter 223, Laws of 1967, section 4, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.040;
- (4) Section 3, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.045;
- (5) Section 6, chapter 75, Laws of 1923, section 5, chapter 211, Laws of 1927, section 3, chapter 209, Laws of 1929, section 4, chapter 51, Laws of 1949, section 3, chapter 16, Laws of 1951, section 4, chapter 84, Laws of

1959, section 4, chapter 223, Laws of 1967, section 2, chapter 148, Laws of 1973 1st ex. sess., section 5, chapter 30, Laws of 1975 1st ex. sess., section 11, chapter 158, Laws of 1979, section 4 of this 1983 act and RCW 18.15.050;

(6) Section 7, chapter 101, Laws of 1957, section 5 of this 1983 act and RCW 18.15.051;

(7) Section 8, chapter 101, Laws of 1957, section 5, chapter 223, Laws of 1967 and RCW 18.15.052;

(8) Section 9, chapter 101, Laws of 1957, section 6, chapter 223, Laws of 1967 and RCW 18.15.053;

(9) Section 10, chapter 101, Laws of 1957 and RCW 18.15.054;

(10) Section 11, chapter 101, Laws of 1957, section 1, chapter 188, Laws of 1967, section 28, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.055;

(11) Section 12, chapter 101, Laws of 1957, section 8, chapter 223, Laws of 1967 and RCW 18.15.056;

(12) Section 7, chapter 75, Laws of 1923, section 6, chapter 211, Laws of 1927, section 4, chapter 209, Laws of 1929, section 14, chapter 101, Laws of 1957, section 9, chapter 223, Laws of 1967, section 2, chapter 266, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1973 1st ex. sess., section 6, chapter 30, Laws of 1975 1st ex. sess., section 6 of this 1983 act and RCW 18.15.060;

(13) Section 3, chapter 84, Laws of 1959, section 10, chapter 223, Laws of 1967, section 5, chapter 148, Laws of 1973 1st ex. sess., section 7, chapter 30, Laws of 1975 1st ex. sess., section 12, chapter 158, Laws of 1979, section 7 of this 1983 act and RCW 18.15.065;

(14) Section 12, chapter 75, Laws of 1923, section 9, chapter 211, Laws of 1927, section 11, chapter 223, Laws of 1967, section 8 of this 1983 act and RCW 18.15.070;

(15) Section 13, chapter 75, Laws of 1923, section 10, chapter 211, Laws of 1927, section 4, chapter 199, Laws of 1937, section 5, chapter 51, Laws of 1949, section 4, chapter 16, Laws of 1951, section 9 of this 1983 act and RCW 18.15.080;

(16) Section 14, chapter 75, Laws of 1923, section 11, chapter 211, Laws of 1927, section 6, chapter 209, Laws of 1929, section 1, chapter 102, Laws of 1947, section 12, chapter 223, Laws of 1967, section 6, chapter 148, Laws of 1973 1st ex. sess., section 13, chapter 158, Laws of 1979, section 4, chapter 283, Laws of 1981 and RCW 18.15.090;

(17) Section 2, chapter 84, Laws of 1959, section 14, chapter 223, Laws of 1967, section 8, chapter 30, Laws of 1975 1st ex. sess., section 10 of this 1983 act and RCW 18.15.095;

(18) Section 5, chapter 283, Laws of 1981 and RCW 18.15.096;

(19) Section 13, chapter 223, Laws of 1967, section 7, chapter 148, Laws of 1973 1st ex. sess., section 9, chapter 30, Laws of 1975 1st ex. sess., section 11 of this 1983 act and RCW 18.15.097;

(20) Section 8, chapter 172, Laws of 1901, section 5, chapter 75, Laws of 1923, section 3, chapter 199, Laws of 1937, section 3, chapter 51, Laws of 1949, section 2, chapter 101, Laws of 1957, section 5, chapter 84, Laws of 1959, section 15, chapter 223, Laws of 1967, section 8, chapter 148, Laws of 1973 1st ex. sess., section 10, chapter 30, Laws of 1975 1st ex. sess., section 12 of this 1983 act and RCW 18.15.100;

(21) Section 7, chapter 209, Laws of 1929, section 6, chapter 51, Laws of 1949, section 6, chapter 84, Laws of 1959, section 16, chapter 223, Laws of 1967, section 9, chapter 148, Laws of 1973 1st ex. sess., section 13 of this 1983 act and RCW 18.15.110;

(22) Section 15, chapter 75, Laws of 1923, section 17, chapter 223, Laws of 1967 and RCW 18.15.120;

(23) Section 13, chapter 101, Laws of 1957, section 7, chapter 84, Laws of 1959, section 18, chapter 223, Laws of 1967, section 11, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.125;

(24) Section 4, chapter 101, Laws of 1957, section 19, chapter 223, Laws of 1967, section 14 of this 1983 act and RCW 18.15.130;

(25) Section 5, chapter 101, Laws of 1957, section 20, chapter 223, Laws of 1967, section 29, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.140;

(26) Section 6, chapter 101, Laws of 1957, section 21, chapter 223, Laws of 1967 and RCW 18.15.150;

(27) Section 17, chapter 75, Laws of 1923, section 12, chapter 211, Laws of 1927, section 8, chapter 209, Laws of 1929, section 22, chapter 223, Laws of 1967 and RCW 18.15.160;

(28) Section 10, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.200;

(29) Section 11, chapter 148, Laws of 1973 1st ex. sess., section 15 of this 1983 act and RCW 18.15.210;

(30) Section 12, chapter 148, Laws of 1973 1st ex. sess., section 12, chapter 30, Laws of 1975 1st ex. sess., section 16 of this 1983 act and RCW 18.15.220;

(31) Section 13, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.230;

(32) Section 14, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.240;

(33) Section 15, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.250;

(34) Section 19, chapter 75, Laws of 1923 and RCW 18.15.900;

(35) Section 1 of this 1983 act and RCW 18.15.....; and

(36) Section 2 of this 1983 act and RCW 18.15.....

NEW SECTION. Sec. 20. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 21. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 17, 1983.

Passed the House April 14, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

CHAPTER 76

[Senate Bill No. 3084]

INCORPORATION PROCEEDINGS—BOUNDARY REVIEW BOARD— PROPOSAL REVIEW—EXTENSIONS

AN ACT Relating to boundary review boards; and amending section 10, chapter 189, Laws of 1967 as amended by section 1, chapter 220, Laws of 1982 and RCW 36.93.100.

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

Sec. 1. Section 10, chapter 189, Laws of 1967 as amended by section 1, chapter 220, Laws of 1982 and RCW 36.93.100 are each amended to read as follows:

The board shall review and approve, disapprove, or modify any of the actions set forth in RCW 36.93.090 when any of the following shall occur within sixty days of the filing of a notice of intention:

(1) The chairman or any three members of the boundary review board files a request for review;

(2) Any governmental unit affected files a request for review;

(3) A petition requesting review is filed and is signed by

(a) five percent of the registered voters residing within the area which is being considered for the proposed action (as determined by the boundary review board in its discretion subject to immediate review by writ of certiorari to the superior court); or

(b) an owner or owners of property consisting of five percent of the assessed valuation within such area.

If a period of sixty days shall elapse without the board's jurisdiction having been invoked as set forth in this section, the proposed action shall be deemed approved.

If a review (~~concerning a proposed incorporation of a city or town~~) of a proposal is requested, the board shall make a finding as prescribed in RCW 36.93.150 within one hundred twenty days after the filing of such a