

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners

Certificate of Board's Adoption of Rules Resolution

I, George Falzone, do hereby certify that I am Secretary of the Board of Barber Examiners, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Barber Examiners duly and properly called and held on November 28, 1977; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that proposed Minn. Reg. BE 79 relating to fees, amended as stated in the Report of the Hearing Examiner, Finding No. 39, is hereby approved and adopted contingent upon no further public comments being received prior to November 29, 1977, and that Adam J. Mikrot, Executive Secretary of the Board of Barber Examiners, or in his absence, George Falzone, Secretary of the Board of Barber Examiners, is hereby authorized to sign an order on November 29, 1977, adopting said rule if there has been no further public comment received and adopting of the Findings of Fact and Conclusions in the Report of the Hearing Examiner dated November 18, 1977.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 28th day of November, 1977.

George Falzone
George Falzone
Secretary
Board of Barber Examiners

Attest

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed
Adoption of Rules by the Board
of Barber Examiners

Findings of Fact
and Conclusions

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 9:00 a.m. on Monday, October 24, 1977, in Room 81 of the State Office Building, St. Paul, Minnesota.

Robert J. Clayton, Special Assistant Attorney General, Fifth Floor, Metro Square Building, appeared as counsel for the Board of Barber Examiners. Francis Singer, Administrative Management Director for the Department of Commerce, and Adam Mikrot, Executive Secretary of the Board, testified on behalf of the Board in support of the proposed rules.

Based upon all the records and proceedings herein, the Board of Barber Examiners hereby adopts as its Findings of Fact and Conclusions, the Findings of Fact and Conclusions stated in the Report of the Hearing Examiner dated November 18, 1977.

Dated: November 29th, 1977.

Adam J. Mikrot

Adam J. Mikrot
Executive Secretary
Board of Barber Examiners

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners

Order Adopting Rules

The above-entitled matter came on for hearing before Peter Erickson, Hearing Examiner of the State Office of Hearing Examiners, on October 24, 1977, at 9:00 a.m., in Room 81, State Office Building, St. Paul, Minnesota after proper notice required by Minn. Stat. 15.0412 (1976) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW THEREFORE IT IS ORDERED that this rule identified as BE 79 in the form attached hereto is hereby adopted this 29th day of November, 1977, pursuant to authority vested in me by Minn. Stat. 214.06 (1976) and by Resolution of the Board of Barber Examiners dated November 28, 1977.

Adam J. Mikrot
Executive Secretary
Board of Barber Examiners

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners

Statement of Compliance with Manual of Rule Making Procedures

I, Special Assistant Attorney General Robert J. Clayton, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Robert J. Clayton
Special Assistant Attorney General

Dated: November 29, 1977

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Eileen A. Gaiovnik, being first duly sworn, hereby deposes and says:

That at the City of St. Paul, county and state aforementioned, on the 18th day of November, 1977, she did serve the Report of Hearing Examiner, BE-78-001-PE

upon Robert J. Clayton, Special Assistant Attorney General by personally handing to Adam Mikrot, Executive Secretary, Board of Barber Examiners, said Report of Hearing Examiner.

Eileen A. Gaiovnik

Subscribed and sworn to before me this 18th day of November, 1977.

Sandra A. Haven

SANDRA A. HAVEN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires July 29, 1983

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE BOARD OF BARBER EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 9:00 a.m. on Monday, October 24, 1977 in Room 81 of the State Office Building, St. Paul, Minnesota.

Robert J. Clayton, Special Assistant Attorney General, Fifth Floor, Metro Square Building, appeared as counsel for the Board of Barber Examiners. Francis Singer, Administrative Management Director for the Department of Commerce, and Adam Mikrot, Executive Secretary of the Board, testified on behalf of the Board in support of the proposed rules.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

The Board of Barber Examiners shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall clearly indicate any changes made to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his report to the Board on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Board shall be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. On August 30, 1977, the Board filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the estimated length and number of people attending the hearing.

2. On September 12, 1977, a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 410.

3. On September 20, 1977, the Board mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On September 28, 1977, the Board filed the following documents:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's list;
(d) The Affidavit of Mailing;
(e) The Secretary of State's Certificate and list;
(f) The Statement of Need; and
(g) The Statement of Evidence, including the names of witnesses to be called;
(h) The names of Department personnel who will represent the agency.
(i) A Department of Finance approval.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open through October 31, 1977, for the receipt of written comments and statements.

6. Statutory authority to promulgate the proposed rules is contained in Minn. Stat. §§ 214.06 and 154.24.

7. The proposed amendments to BE 1 add necessary clarifying language and incorporate present BE 12 for organizational purposes.

8. The proposed amendment to BE 2 allows the Board needed discretion to accept late applications for registered apprentice examinations.

9. In several of the current rules, the lettering and numbering have been changed to comply with the rules of the Minnesota State Register.

10. The proposed amendment to BE 4 changes an age requirement to comply with the statutory age of majority.

11. BE 5 is amended by deleting an unnecessary comma.

12. The proposed amendments to BE 6 clarify the apprentice examination grading procedures and allow the Board to substitute models if the model brought in by the applicant has been precut.

13. BE 7 has been amended to simplify office procedures if an applicant wishes to review his examination.

14. The proposed amendment to BE 9 is necessary to clarify the rule title and education requirements that must be met.

15. BE 10 has been changed to simplify the reporting procedures for barbers who supervise apprentices.

a. The following amendment was proposed to clarify the intent and meaning of BE 10:

> ". . . for a period of 15 months shall mean licensure for not less than 450 days and not less than 2,500 hours of work time."

16. Current BE 12 has been incorporated into proposed BE 1. BE 13, 14 and 15 have been renumbered accordingly. Newly renumbered BE 12 has been changed by deleting fee language which is covered in BE 79.

17. New BE 15 is necessary to specify the licensing procedures to be followed by an apprentice whose certificate expires.

18. The proposed amendments to BE 27 clarify the registered barber examination grading procedures and allow the Board to substitute models if the model brought in by the applicant has been precut.

19. The proposed amendment to BE 28 allows the Board needed discretion to accept late applications for registered barber examinations.

20. The proposed amendments to BE 29 are only relettering and renumbering and no new language has been added as was erroneously shown in the State Register publication.

21. The proposed amendment to BE 30 changes an age requirement to comply with the statutory age of majority.

22. BE 31 has been amended by deleting unnecessary language.

23. New BE 33 is necessary to specify the licensing procedure that must be followed by a registered barber who has failed to renew his certificate for one or more years.

a. New BE 33 should be renumbered to be BE 32, and the line following the rule should read, "BE 33-41 Reserved for further use."

24. The proposed amendment to BE 42 allows the Board needed discretion to accept late applications for registered teacher or instructor examinations.

25. BE 43 has been amended to specify that if any part of the instructor's examination is failed, the entire examination must be retaken.

26. The proposed amendments to BE 45 clarify that teacher training is governed by VoTech requirements and set out new course numbers and titles.

27. BE 56 and 57 have been amended by making minor clarifying changes.

28. The proposed amendment to BE 58 is necessary to specify that hearings held on license transfers, change of location or school expansion are conducted pursuant to Chapter 15.

29. The proposed amendments to BE 61 delete language struck down by the Minnesota Supreme Court and specify that hearings on barber school licenses be conducted pursuant to Chapter 15.

30. BE 63 has been amended by allowing barber students to have either a Mantoux test or a chest X-ray as part of the required physical examination. This alternative is the policy now followed by the Department of Health.

31. The proposed amendment to BE 64 specifies the requirement for classroom instruction.

a. The following language was proposed to further clarify the classroom requirement:

> "Classroom instruction shall be given for 1 1/2 hours each day for each 8 hour day and 1 hour for each 6 1/2 hour day."

32. The proposed amendments to Rule 2 of BE 77 specify a sanitation alternative to submersion of instruments and mandate that one sterilizer be provided for each barber chair.

33. The proposed amendment to Rule 4 of BE 77 mandates that one sink or lavatory be provided for each booth or compartment where barbers work. The Board has found it necessary to impose this requirement so that proper sanitary methods are followed.

34. Rule 13 of BE 77 has been amended by clarifying the penalties that may be imposed for a violation of the sanitation requirements.

35. Proposed new Rule 14, section 1, of BE 77 mandates that toilet facilities must be available to the patrons of every barber shop. Section 2 sets out requirements for the operation of a barber shop in a building used for other purposes and for the joint operation of beauty and barber shops.

a. Ms. Cynthia Allen, a member of the State Board of Cosmetology, proposed that language be added to Section 2 requiring that a six-foot high partition be placed between jointly operated barber and beauty booths or compartments. She stated that a partition is necessary for the protection of consumers who may not realize the differences in training and services rendered.

b. James Grassman spoke in opposition to a partition requirement and stated that no notice as to the proposed requirement was served on anyone. That many more persons would be very interested in the use of a partition had they known the idea would be considered.

c. The Board of Barber Examiners responded to the issue by commenting that if an amendment to require a partition is appropriate at this time, they are in favor of it.

36. Rule 15 of BE 77 has been amended by requiring that a floor plan be submitted at least 30 days prior to the opening of a new shop and by deleting duplicated sanitation rules.

37. The Board proposed to correct a printed mistake in Rule 1 of BE 77 by revising the final sentence to read:

> "These requirements shall include the proper cleaning of floors, shelves, cabinets, chairs, trays[,] and other barber shop or barber school equipment."

38. BE 78 has been amended by incorporating a reference to Chapter 15 regarding hearings on certain violations.

a. The Board proposed to delete the language "gated thereunder" which was erroneously printed at the end of BE 78, paragraph C.

39. Proposed BE 79 sets out a new fee structure which was approved by the Department of Finance on August 24, 1977.

a. The Board proposed to amend BE 79 by deleting the language after the word "Fees" and the entire "Present Fee" structure as it is unnecessary and confusing to the rule.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate legal notice of the hearing was properly served and filed by the Board of Barber Examiners. All other substantive and procedural requirements of statute or rule have been complied with.

2. Pursuant to Minn. Stat. § 15.052, subd. 3, it is the duty of the Hearing Examiner to: ". . . (4) make a report on each proposed agency action . . . taking notice of the degree to which the agency has (i) documented its statutory authority to take the proposed action, (ii) fulfilled all relevant, substantive and procedural requirements of law or rule, and (iii) demonstrated the need for and reasonableness of its proposed action with an affirmative presentation of facts."

3. The Examiner concludes that the proposed rules be amended as set out in Findings 15a, 23a, 31a, 37, 38a and 39a for the reasons stated therein.

4. The Examiner concludes that the fee schedule was shown to be reasonable.

5. Presently, the State Board of Cosmetology is about to publish adopted rules which contain the following provision:

> MSCB 40K. A beauty shop and a barber shop may be operated in the same physical area if they are physically separated, the beauty shop area must be properly identified by a prominently displayed sign stating "beauty shop" with letters at least two inches high and the beauty shop area must have a minimum of 120 square feet of area.

Minn. Stat. § 154.19(6) states that, "a barber shop and beauty parlor may be operated in conjunction, without the same being separated

by partition of ceiling height." Minn. Stat. § 154.04(4) states that, "Persons practicing beauty culture. . . shall not . . . practice their occupation in a barber shop." Minn. Stat. § 155.19 prohibits barbers from practicing barbering in a beauty shop.

The Cosmetology rule, MSBC 40K., speaks of a physical separation between jointly operated barber and beauty shops. Section 154.19 states that ceiling-high partitions are not required; however, §§ 154.04 and 155.19 prohibit a barber or cosmetologist from operating in the other's shop. The Examiner concludes that proposed BE 77, Rule 14, section 2, which requires only that a single sign with two-inch high letters reading "Barber Shop" be posted in the barbering area, is not sufficient to guard against the commingling of barbers and cosmetologists. Some kind of physical separation between the barbering and beauty area is necessary for consumer protection and to comply with §§ 154.19 and 154.04. The Board of Barber Examiners could adopt BE 77, Rule 14, section 2, as proposed, however, as the soon-to-be effective Cosmetology rule will provide for the necessary "physical separation."

Mr. Grassman's "notice" objection to this issue is well taken. The Examiner concludes that the inclusion of a partition requirement would be a major substantive change which would invite further reaction if the public had been put on notice. See Minn. Rule HE 108. As such, it would be a substantial change.

Needless to say, the joint operation of Barber and Beauty shops is embroiled in both legislative and regulatory controversy. See also, SBC-77-007-PE issued September 14, 1977. It appears that a legislative directive will be necessary to resolve the issue.

6. The Examiner concludes that the Board has documented its statutory authority to promulgate the proposed rules and demonstrated the reasonableness of the proposed rules (bearing in mind the discussion in Conclusion 5) by an affirmative presentation of facts.

7. The Examiner concludes that the amendments he is suggesting to the rules make the rules more reasonable, and that none of these amendments constitute a substantial change.

Based upon the foregoing Conclusions, the Examiner makes the following:

RECOMMENDATION

That the Board of Barber Examiners adopt the proposed rules as recommended to be amended in this Report.

Dated this 18th day of November, 1977.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

BE-78-001-PE

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE BOARD OF BARBER EXAMINERS

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES BY THE BOARD)
OF BARBER EXAMINERS.)

REPORT OF THE
CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 24, 1977, before Peter C. Erickson, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Board of Barber Examiners on November 18, 1977; and

WHEREAS, the Board of Barber Examiners has now determined to adopt only Rule BE 79 relating to fees and to withhold adoption of the balance of the rules as proposed at the hearing, said rule adoption being pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Board of Barber Examiners has submitted said rule to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rule is not substantially different from that proposed at the public hearing and that the Board of Barber Examiners has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Board of Barber Examiners has the responsibility of submitting the complete hearing record and the rule as adopted by the Board to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 29th day
of November, 1977.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

FOR THE BOARD OF BARBER EXAMINERS

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES BY THE BOARD OF BARBER EXAMINERS.

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 24, 1977, before Peter C. Erickson, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Board of Barber Examiners on November 18, 1977; and

WHEREAS, the Board of Barber Examiners has now determined to adopt only Rule BE 79 relating to fees and to withhold adoption of the balance of the rules as proposed at the hearing, said rule adoption being pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Board of Barber Examiners has submitted said rule to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rule is not substantially different from that proposed at the public hearing and that the Board of Barber Examiners has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Board of Barber Examiners has the responsibility of submitting the complete hearing record and the rule as adopted by the Board to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 29th day of November, 1977.

Duane R. Harves

DUANE R. HARVEY

Chapter Seven: Fees

BE 79 Fees

	Fee
Examination and Certificate___ Registered Barber	$ 48.00
Examination and Certificate___ Apprentice	46.00
Examination ___ Instructor	150.00
Certificate ___ Instructor	35.00
Renewal of License___ Registered Barber	18.00
Renewal of License ___ Apprentice	16.00
Renewal of License ___ Instructor	35.00
Student Permit	10.00
Initial Shop Registration	50.00
Initial School Registration	1,000.00
Renewal Shop Registration	10.00
Renewal School Registration	200.00
Restoration of Registered Barber License	25.00
Restoration of Apprentice License	25.00
Restoration of Shop Registration	25.00

APPROVED AS TO FORM AND LEGALITY

_____ 19____

WARREN ANNAUS, ATTORNEY GENERAL

BY DEC 3 0 1977 /s/ Michael B. Miller

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 20 1977
Joan Anderson Growe
Secretary of State
4:20 P.M.

PROPOSED RULES

State Board of Barber Examiners

Proposed Adoption of Rules by the Board of Barber Examiners

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, (1976) in Room 81, State Office Building Saint Paul, Minnesota 55155, commencing at 9 a.m. on October 24, 1977, and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have the opportunity to participate concerning the adoption of the proposed rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, witness statements or material may be submitted by mail to Hearing Examiner Peter Erickson, Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, Telephone: (612) 296-8118 either before the hearing or within 5 days after the close of the hearing.

All such statements will be entered into and become a part of the record. Testimony and other evidence to be submitted for consideration should be pertinent to the matter at hand. For those wishing to submit written statements or exhibits, it is requested that at least 3 copies be furnished. In addition, it is suggested to save time and to avoid duplication, those persons, organizations, or associations having a common viewpoint or interest in these proceedings join together where possible and present a single statement in behalf of such interests.

Please note that all persons have the right to be notified of the date on which the Hearing Examiner's report will be available after which date the agency may not take any final action on the rules for a period of 5 working days. All persons have the right to be informed that the hearing record has been submitted to the Attorney General by the Board of Barber Examiners. If you desire to be so notified, you may do so by so indicating at the hearing or by written request sent to the Hearing Examiner prior to the close of the record.

The proposed rules, if adopted, would amend the rules of the Minnesota Board of Barber Examiners as follows:

(1) Make numerous changes in the numbering of existing rules;

(2) Make numerous changes clarifying the language and organization of existing rules;

(3) Adopt a schedule of fees for all licenses;

(4) Make changes in examination procedures and requirements;

(5) Make changes in the sanitation requirements for licensees;

(6) Adopt standards for barber shops operated in residences and operated in conjunction with beauty shops;

(7) Make changes in course requirements for barber instructors;

(8) Make changes in the hearing process and requirements for barber school applications;

(9) Allowing a Mantoux test or a chest xray for applicants to a barber school;

(10) Changing reporting requirements for apprentices;

(11) Requiring reexamination in certain situations when licenses expire or lapse;

(12) Specifying penalties for violations;

(13) Specifying procedures for handling complaints.

Copies of the proposed rules are now available, and at least one free copy may be obtained by writing the Minnesota Board of Barber Examiners, Fifth Floor, Metro Square Building, Saint Paul, Minnesota 55101. Additional copies will be available at the door on the date of the hearing. A Statement of Need explaining the Board of Barber Examiners position relative to the necessity for the proposed rule changes and a statement of the evidence outlining the testimony and evidence which will be introduced by the Board of Barber Examiners in support of the proposed rules will be filed with the Hearing Examiner's office at least 25 days prior to the hearing and will be available there for public inspection. Statutory authority of the Board of Barber Examiners to promulgate and adopt these rules is contained in Minn. Stat. §§ 154.24 and 214.06 (1976).

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the Ethical Practices Board within 5 days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 per year for lobbying or any individual who is engaged for

pay or authorized to spend money by another individual or association and who spends more than $250 per year or 5 hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, phone (612) 296-5615.

Adam Mikrot,
Executive Secretary
State Board of Barber Examiners

Rules as Proposed

Chapter One: Registered Apprentices

BE 1 Additional six-month practice-form 1A. An applicant who fails to satisfactorily pass an examination for a Certificate of Registration to practice as a registered barber, must file [with the Board a], **within 30 days after he begins his practice,** Form 1A **with the Board** to extend his registration for six months and enable him to continue practice as an apprentice. (See Form 1A). **The additional six-month practice required by MSA 154.05 (5) shall include not less than 1,040 hours of work time. The registered barber who supervises the additional six-month practice will file quarterly reports with the Board during the additional practice period.**

BE 2 Application — filing dates. An applicant for examination as a registered apprentice shall file his application with the Board not later than the 20th day of the month preceding the month in which the examination is to be given[.], **provided, however, that the Board may, in its sole discretion, upon the showing of a hardship, accept applications at a later date.**

BE 3 Apprentices from other states — qualifications.

[(a)] **A.** The Board must find the following to determine that another state or country has substantially the same requirements for registration of an apprentice as provided under Minn. Stat. ch. 154:

[(1)] **1.** The same educational requirements as MSA 154.06 (1).

[(2)] **2.** Graduation from a barber school that requires:

[(i)] **a.** Approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota does.

[(ii)] **b.** Instructors to have the same qualifications as MSA 154.065 Subd. 2 except the examination referred to in paragraph (e) shall be prescribed and conducted by the Barber Board of the state in which an instructor is teaching.

[(iii)] **c.** A curriculum that is equivalent to MSA 154.07 and rules and regulations of the Minnesota Board adopted pursuant thereto.

BE 4 Apprentices from other states — references. A person making application for examination pursuant to MSA 154.12 shall file with the Board as part of his application three character references from any person over eighteen **(18)** [twenty-one (21)] years of age who is not related to the applicant.

BE 5 Examination dates. Examinations for a certificate as a registered apprentice shall be held the first week in February, May, August[,] and November of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held.

BE 6 Examinations — grading. The **apprentice examinations** [examination] given pursuant to MSA 154.09 shall be graded as follows:

[(a)] **A.** Each examination shall have six parts, consisting of four practical performances, including a haircut, shave, and two other practical performances, an oral part and a written part.

[(b)] **B.** The grading criteria for the written part of the examination and the passing grade thereon will be established for each written examination at the time of its preparation; however, the lowest passing grade established hereunder shall never be less than 55. **The grading for the practical performances and the oral part of the examination will be on a scale of 1 to 100 with 100 representing a perfect score. A score of 70 will be the minimum passing grade for the haircut portion, and 70 will also be the minimum passing score for the average of the remaining parts of the practical performances. The minimum passing score for the oral portion of the examination will be 70. If an applicant does not receive at least the established minimum passing grade on the written portion of the examination, or at least a grade of 70 on the oral portion of the examination, the haircut portion of the examination, or score an average of at least 70 on the remaining parts of the practical examination, such applicant will have failed the entire examination, and thereafter may only retake the entire examination after**

KEY: Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

paying the necessary fee and meeting the requirements of MSA 154.06.

[(c An apprentice application must receive a minimum grade of at least 70 on the haircut examination, and an average of 70 on the remaining parts of the practical performances and must achieve passing grades in both the practical performances and the written part of the examination to be qualified for a certificate.]

C. The Board of Barber Examiners, at its discretion, may change, supply or reject models for an applicant's use in the practical parts of the examination.

BE 7 Examinations — review. An applicant, upon written request, may review his examination [with at least two members of the Board.] **at the office of the Board of Barber Examiners during usual business hours.**

BE 8 Grading system. The grade of an examination conducted pursuant to MSA 154.09 shall be determined under the following grading system: (See grading card.)

BE 9 Home study course. The 15 months practice of a registered apprentice pursuant to MSA 154.05 shall include completion of the program entitled "Related Home Study Course for Apprentice Barbers" prepared by the Minnesota Department of Education[.]: Vocational-**Technical** Education [(See related Home Study Course.)] **Division, and such course must be passed before the examination may be taken.**

BE 10 Quarterly reports. The requirement of MSA 154.05 (4) [for] **regarding the** practicing as a registered apprentice for a period of 15 months shall mean not less than 450 days and not less than 2500 hours.

The registered barber who supervises the practice of a registered apprentice [shall file a quarterly report as follows:] **will file a quarterly report during the 15-month apprenticeship period.** (See quarterly report.)

BE 11 Requirements of MSA 154.05 (4). A registered apprentice meets the requirements of MSA 154.05 (4) if he completes his 15 months practice at any time prior to or within the week in which the examination is given pursuant to MSA 154.05 (5).

[BE 12 Six-Month Practice

The additional six-month practice required by MSA 154.05 shall include not less than 1040 hours of recorded work time as an apprentice.]

[BE 13] **BE 12** Student permit fee. An applicant for a Certificate of registration to practice as an apprentice who is required to complete a further course of study of not less than 500 hours pursuant to MSA 154.06 shall not be required to pay an additional Student Permit Fee [of $3.00 as provided for in MSA 154.07, providing], **provided, however, that** there is no interruption in his course of study.

[BE 14] **BE 13** Supervision of practice — form 1. A registered apprentice who practices under the immediate personal supervision of a registered barber must file the following form with the Board to receive credit for the practice. This form must be filed within 30 days after the registered apprentice begins his practice. (See Form 1.)

[BE 15] **BE 14** Supervision terminated — form 11. A registered apprentice who ceases to practice under the immediate personal supervision of a registered barber must file the following form with the Board before he will be allowed to file another Form 1: (See Form 11.)

BE 15 Expiration of certificate. Upon the expiration of a certificate of registration to practice as an apprentice pursuant to MSA 154.06, an individual will be required to pass an apprentice Examination to attain apprentice status. If the applicant fails the apprentice examination so taken, the applicant must complete an additional 500 hours of training in a duly licensed Minnesota Barber School to qualify to retake the apprentice examination.

BE 16-25 Reserved for future use.

Chapter Two: Registered Barbers

BE 26 Examinations — dates. Examinations for a certificate as a registered barber shall be held in the second week of February, May, August[,] and November of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held.

BE 27 Examinations — grading. **The registered barber** examinations given pursuant to MSA 154.09 shall be graded as follows:

[(a)] **A.** Each examination shall have six parts, consisting of four practical performances, including a haircut, shave, and two other practical performances, an oral part and a written part.

[(b)] **B.** The grading criteria for the written part of the examination and the passing grade thereon will be established for each written examination at the time of its preparation; however, the lowest passing grade established hereunder shall never be less than 55. **The grading for the practical performances and the oral part of the examination will be on a scale of 1 to 100 with 100 representing a perfect score. A score of 75 will be the minimum passing grade for the haircut portion, and 75 will also be the minimum passing score for the average of the remaining**

parts of the practical performances. The minimum passing score for the oral portion of the examination will be 75. If an applicant does not receive at least the established minimum passing grade on the written portion of the examination, or at least a grade of 75 on the oral portion of the examination, the haircut portion of the examination, or score an average of at least 75 on the remaining parts of the practical examination, such applicant will have failed the entire examination, and thereafter may only retake the entire examination after paying the necessary fee and meeting the requirements of MSA 154.05.

[(c) A registered barber applicant must receive a minimum grade of at least 74 on the haircut examination, and an average of 75 on the remaining parts of the practical performances, and must achieve passing grades in both the practical performances and the written part of the examination to be qualified for a certificate.]

C. The Board of Barber Examiners, at its discretion, may change, supply or reject models for an applicant's use in the practical parts of the examination.

BE 28 Examinations, filing. An applicant for examination as a registered barber shall file his application with the Board not later than the 20th day of the month preceding the month in which the examination is to be given[.], **provided, however, that the Board may, in its sole discretion, upon the showing of a hardship, accept applications at a later date.**

BE 29 Out of state barbers — qualifications.

[(a)] A. The Board must find the following to determine that another state or country has substantially the same requirements for licensing or registering barbers as provided under Minn. Stat. ch. 154:

[(1)] 1. The same educational requirements as MSA 154.05 (1).

[(2)] 2. Graduation from a barber school that requires:

[(i)] a. Approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota does.

[(ii)] b. An instructor to have the same qualifications as MSA 154.065 subd. 2 except the examination referred to in paragraph (e) shall be prescribed and conducted by the Barber Board of the state in which the instructor is teaching.

[(iii)] c. A curriculum that is equivalent to MSA 154.07 and rules and regulations of the Minnesota Barber Board adopted pursuant thereto.

[(3)] 3. The same practice requirements for a registered apprentice as set forth in MSA 154.05 (4).

BE 30 Out of state barbers -- references. A person making application for examination under MSA 154.11 must file with the Board, together with his application, character references from three individuals over the age of [twenty-one **(21)] eighteen** years who are not related to the applicant.

BE 31 Practicing barber — a registered barber. The following phrases contained in MSA 154.11 have the following [meaning] **meanings:**

[(a)] A. "[The] **A** license or certificate of registration as practicing barber" means [that the person holds] a current **certificate** of registration as a certified barber and not just as an apprentice.

[(b)] B. "Has practiced as a barber" means that [the] **a** person has performed the acts of barbering [for at least five (5) years] under a certificate of registration as either a registered barber or a registered apprentice.

[BE 32-41 Reserved for Future Use]

BE 33 Failure to renew certificate within one year period. A registered barber who has failed to renew his certificate of registration for one year or more from the date of expiration, must take and pass the registered barber examination before a certificate of registration may be issued.

BE 34-41 Reserved for future use.

Chapter Three: Barber School Instructors.

BE 42 Applications — filing date. an applicant for examination as a registered teacher or instructor in a barber school shall file his application with the Board not later than the 20th day of the month preceding the month in which the examination is to be given[.], **provided, however, that the Board may, in its sole discretion, upon the showing of a hardship, accept applications at a later date.**

BE 43 Examinations — grading. Examinations given to applicants for an instructor's license shall be graded as follows:

[(a)] A. An applicant for an instructor's certificate must

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receive a minimum grade of at least 70 on each phase of the examination and an average of at least 75 on all phases to pass the examination[.], **and if any part of the examination is failed, the entire examination must be retaken.**

BE 44 Instructor's license — renewal. The Board will not renew an instructor's license if the person does not hold a current vocational teacher's certificate.

BE 45 Vocational teacher's certificate — procedure.

[(a)] **A.** The procedure for a person making application for examination pursuant to MSA 154.065 (2) (c) as a registered teacher in a barber school shall be as follows:

[(1)] **1.** The Trade and Industrial Unit of the State Board of Education will verify teacher training credits of individuals contemplating the instructor's exam. It will also require verification of at least three years of practical experience beyond apprenticeship.

[(2)] **2.** The Trade and Industrial Unit will issue a memorandum to the Barber Board stating that the individual is (or is not) qualified for a vocational certificate.

[(3)] **3.** The Board will then admit the individual for the instructor's examination.

[(4)] **4.** Upon passing the examination and when the individual has obtained his job in a school, the Trade and Industrial Unit will issue the regular vocational certificate for which the person has previously qualified providing the [three dollar] **proper** fee is paid and a recommendation as to character, **and** competency, etc., is received from the employer.

[(5)] 5. The [F]first certificate will be issued for a period of two years upon evidence of at least 24 clock hours of teacher training. Renewals are for one year and will be renewed only on evidence of additional teacher training from a recognized vocational teacher trainer. The final 5 year renewal is given on completion of 192 clock hours. [This total is subject to revisions upward with anticipated revision of the State Plan for Vocational Education.] **The teacher training provided by this regulation is subject to requirements imposed by the Minnesota Department of Education; Vocational-Technical Education Division.**

[(6)] **6.** To qualify for an instructor's vocational certificate in barbering the applicant, other than temporary teacher, must satisfactorily complete the Board's recommended Course Sequence.

Course Sequence must contain:

[35 Fundamentals of Vocational Education or 125 Philosophy and Practices
40 or 135, Analysis, Course Organization
101 Tests in Industrial Subjects
100 Industrial Instructions;]
[Together with at least two of the following alternate choices:
90 Independent Study (in barbering)
105 Administration
103-136 Instruction Aids
106 Industrial Education Workshops, or
(Any other Course approved in writing by the Board)]

EITHER

VO. ED.	**5300**	**Philosophy and practice of vocational education, or**
IND.	**5325**	**Philosophy and practice of industrial education**
		And each of the following:
IND.	**5330**	**Industrial course instruction**
IND.	**5301**	**Tests in industrial subjects**
IND.	**5360**	**Industrial instruction:**
		Together with at least two of the following alternate choices:
IND.	**3900**	**Independent study (In barbering)**
IND.	**5314**	**Administration of industrial education**
IND.	**5303**	**Industrial aids**
IND.	**5306**	**Industrial education workshop**
IND.	**5600**	**Instruction materials laboratory, or (Any other course approach in writing by the Board)**

BE 46-55 Reserved for future use.

Chapter Four: Barber Schools

BE 56 License — requirement. No person shall operate a barber school in Minnesota without having first obtained a license therefor from the Board of Barber Examiners. [Person] **Persons** holding a permit for the conduct of a barber school which was issued prior to the adoption of these rules shall have a period of sixty (60) days after the adoption of these rules to file the necessary documents showing conformance with these rules with the exception of the course outline required by Rule BE-57 [(6)] **6.** After the date of adoption of these rules all barber schools operating or requesting a license to operate will be governed by and shall proceed in accordance with these rules.

BE 57 License — Contents of application.

[(a)] **A.** A person desiring to operate a barber school in Minnesota shall present to the Board a verified statement showing at least the following:

[(1)] **1.** All information required by Minn. Stat. ch. 154 or elsewhere in these rules.

[(2)] **2.** The name of the applicant or applicants together with their occupations and residences for the ten years immediately prior to making applications.

[(3)] **3.** The address of the proposed school.

[(4)] **4.** A complete financial statement showing all assets and liabilities of the applicant or applicants and their plan of financing.

[(5)] **5.** A plan of operation of the school setting forth the following information:

[(i)] **a.** Drawings showing the number of chairs to be installed and showing a minimum of five feet between barber chairs, measuring from center to center. Waiting area must be separate from work stations.

[(ii)] **b.** Drawings showing classroom space with a minimum area of 25 square feet available for each proposed student in classroom space.

[(iii)] **c.** A statement showing that the following will be available[:]: [1] One desk for each student enrolled; [1] One chart on skin and hair; [1] One chart on blood supply to face and neck; [1] One chart on the muscles of the face, head and neck; [1] One chart on the nerves of the face, head and neck; [1] One chart on the bones of the face, head and neck; and [1] One blackboard of a size not less than 6 feet by 3-½ feet.

[(iv)] **d.** Plans showing the following: Separate toilet and washroom facilities for men and women; plumbing and sewer system appropriate to the size and use of the building as a barber school; a statement regarding the availability and intended use of municipal sewer and water supplies.

[(v)] **e.** Plans for appropriate lighting and ventilating systems.

[(vi)] **f.** Plans showing use of a type of floor material such as tile or linoleum which may be easily kept clean and sanitary.

[(vii)] **g.** Plans for proper sanitization facilities including the following:

One sink for each barber chair; One closed cabinet for clean towels for each barber chair; One closed container for soiled towels for each barber chair; One time clock; One hair dryer; two mechanical hand vibrators for each 15 chairs; and two stimulator machines for scalp manipulations for each 15 chairs.

[(viii)] **h.** Plans for adequate waiting chairs and clothes racks.

[(6)] **6.** All barber schools shall submit to the Board a full course outline including each instructional unit, showing a course of instruction comprising an aggregate of not less than 1500 hours to be completed within 12 months, of not more than eight work instruction hours in any one working day. A copy of each school's curriculum will be filed with the Board. In the case of applicants for a license to operate a barber school submitted to the Board after the adoption of these rules, the application will contain the foregoing statements. Barber schools in existence at the time of adoption of these rules shall have two months from the date of adoption for submission of the outline prescribed by this rule. All schools shall submit a complete student course syllabus to the Board at the time of application for license and any renewal thereof.

[(7)] **7.** All barber schools shall maintain on a current basis an observation sheet upon which will be recorded an analysis of the behavior and attitude of each student enrolled. The observation sheets will be open to inspection by the Board, any member of the Board, or a duly authorized agent of the Board at all times.

[(8)] **8.** Applicants for a license to operate a barber school shall submit a copy of a brochure which will be made available to students upon approval of their application. This brochure shall list the fees which will be charged; together with enrollment and termination procedures for students. Any change in the tuition fee listed in this brochure must be immediately reported, in writing, to the Board.

[(9)] **9.** Owners of barber schools shall make annual application for renewal of their licenses in accordance with the rules and regulations of the Board. The Board shall make a new determination annually that the school meets the requirements of Minn. Sta., ch. 154, as amended, and the rules and regulations of the Board before renewal of the license shall issue.

BE 58 License — location.

[(a)] **A.** Licenses shall issue for only a specific location upon the application of an individual who is to operate the school. Licenses shall not be transferable to any other individual or location without the approval by the Board. The

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facilities of an approved barber school shall not be expanded or increased without the prior approval of the Board, as provided in paragraph [(b)] **B.** of this section.

[(b)] **B.** The licensee may, by written application to the Board, request a hearing for transfer of a license, change of location of the barber school facility, or expansion of the school. [The Board shall cause within 45 days of receipt of the application notice of a public hearing to be published as deemed appropriate by the Board.] **Upon receipt of such an application, the Board shall conduct a public hearing in accordance with Minnesota Statutes, Chapter 15, and regulations promulgated thereunder.** The criteria for determining the application for a transfer, change of location, or expansion shall be the same standards applicable to the issuance of an original license.

BE 59 License applicants. No license shall issue to a corporation.

BE 60 License — considerations involved in issuance.

[(a)] **A.** The Board shall give consideration upon receipt of an application for the establishment of a barber school to the following factors:

[(1)] **1.** Any detriment to the public welfare and the need for barber school facilities in the community and neighborhood where the proposed barber school is to be located, giving particular consideration to:

[(i)] **a.** the economic character of the community and neighborhood;

[(ii)] **b.** the effect on existing barber shops and barber schools in the community;

[(iii)] **c.** the availability of adequate support for the proposed barber school in the community and neighborhood with particular regard to adequate practice for students;

[(iv)] **d.** the extent to which the proposed barber school would draw patrons from adjacent communities or neighborhoods and the character thereof[.];

[(v)] **e.** the effect of the establishment of a barber school on the social and economic aspects of the community and neighborhood and adjacent communities and neighborhoods in regard to the proposed site.

[(2)] **2.** For purposes of this rule, it is deemed by the Board as not being in the interest of the public welfare to approve the issuance of a license for the establishment of a barber school in a municipality of less than 100,000 population, or where there would be in excess of one barber school for each 75,000 of population.

[(3)] **3.** No applicant to whom a license for the operation of a barber school has been issued shall commence operation of such school with fewer than ten students enrolled.

[(4)] **4.** "License" as used herein contemplates an enrollment of 15 students per license issued.

BE 61 License — public hearing.

[(a)] **A.** [The Board shall cause within 45 days of] **upon** receipt of an application for the establishment of a barber school [notice of a public hearing to be published as deemed appropriate by the Board.], **the Board shall conduct a public hearing in accordance with Minn. Stat., ch. 15, and regulations promulgated thereunder.** The applicant shall show at such hearing, by competent evidence, the factual basis of the assertions of his application and his qualifications as required by Minn. Stat., ch. 154, and the rules and regulations of the Board. The applicant shall further show his financial qualifications and it shall be a sufficient reason for denial of the application that the Board considers the financial resources of the applicant to be insufficient to maintain and operate a barber school and assure the graduation of students who are registered in such school and have paid their tuition. [The Board shall find a public necessity for an additional barber school before granting a license.[

[(b)] **B.** In the event that a license is not renewed by the Board upon application pursuant to these rules, the aggrieved applicant may by written notice to the Board request a public hearing concerning the denial of his application[. Thereafter, the Board shall cause within 45 days of receipt of the written request of the application to be published notice of a public hearing as deemed appropriate by the Board. Thereafter, the applicant shall proceed as provided in paragraph (a) of this section.] **in accordance with Minn. Stat., ch. 15, and regulations promulgated thereunder.**

BE 62 Instructors.

[(a)] **A.** The provisions of MSA 154.07 requiring one instructor for every 15 students or minor fraction in excess thereof applies to classroom instruction as well as practical instruction. An applicant shall name in his application the names of all instructors. The Board will not issue a temporary instructor's certificate for a new school.

[(b)] **B.** A barber school student must complete all services given to the patron of a barber school. Under no circumstances will the barber school owner or instructor finish the services on patrons.

BE 63 Barber schools-students.

[(a)] **A.** Each barber school shall be required to give an

aptitude test to each prospective student. The aptitude test shall be approved by the Board of Barber Examiners and shall include examination for dexterity in addition to examinations for other aptitudes.

[(b)] **B.** Each student shall receive a physical examination for communicable or infectious diseases and **either a mantoux test or** a chest x-ray. The Student shall, upon completion of such examination, submit a doctor's certificate to the Board that he is free from contagious or infectious disease.

BE 64 Hours of instruction. The course of instruction required by MSA 154.07 shall include a training day including both classroom and practical instruction. Practical instruction shall not be given for more than 6-½ hours per day. **Classroom instruction shall be given for 1½ hours each day.**

BE 65 Student report — monthly.

[(a)] **A.** All approved barber schools shall file with the Board of Barber Examiners a monthly student report in substantially the following form: (See monthly report.) Failure to comply with this requirement shall be grounds for denial of an annual barber school permit authorized under MSA 154.07.

BE 66 Miscellaneous.

[(a)] **A.** No barber school shall act as an agent in any respect to either students or prospective students regarding any attempt to transfer, sell or assign a student's place in a barber school.

[(b)] **B.** No barber school shall advertise for patrons.

[(c)] **C.** All barber schools shall have prominently displayed a sign stating "BARBER SCHOOL — ALL WORK DONE BY STUDENTS" with letters at least 6" high.

BE 67-76 Reserved for future use.

Chapter Five: Barber Shops

BE 77 Sanitary rules and regulations governing barber shops and barber schools in the State of Minnesota.

Rule 1. Walls, Ceiling, Floor and Furniture:

The walls, ceilings, floor[,[and furniture in every barber shop or barber school shall be kept clean and in good repair. Floors of barber shops or barber schools shall be covered with hardwood, linoleum, composition tile, or some other washable and nonporous material. These requirements shall include the proper cleaning of floors, shelves, cabinets, chairs, trays[,[or face must be thoroughly cleaned and equipment.

Rule 2. Section 1, Instruments:

Razors, shears, combs, clipper blades, hairbrush [,] and all other instruments or appliances that come in contact with the head, neck [,] or face must be thoroughly cleaned and sanitized by submersion [of] for a minimum of two minutes after use on each patron. **As an alternative to submersion, clipper blades and shears may be treated by spraying them with a commercial spray containing active ingredients not less than 0.25% o-Phenyl phenol, 11.00% Isopropyl alcohol, and 88.75% Inert ingredients.** When not in use, they must be kept in a clean closed compartment provided for and used only for storage of such equipment. Styptic pencil and lump alum are positively prohibited.

Section 2, Sanitization:

All barber shops and barber schools shall have in use at all times at each chair, a wet or dip sanitizer which is adequate in size to accommodate all instruments to be used on each patron. The wet sanitizer shall contain a suitable chemical bactericide solution which shall be bacteriologically effective, such as 0.1% suitable quaternary ammonium compound, or by other means having a solution equivalent to 5% phenol, or other chemical sanitizing agent having equivalent bactericidal effect. The chemical solution shall be changed daily, or [oftener] **more often,** as needed.

One dip disinfectant solution container will be kept for each barber chair in operation. Instruments immersed in the dip disinfectant solution container will be carefully rinsed in warm running water before use. Failure to provide a sink or dip disinfectant solution container constitutes prima facie evidence that instruments are not properly sanitized.

Rule 3. Towels:

A separate, clean towel or neck band shall be used for each patron. All barber shops and barber schools shall have sufficient closed sanitary towel cabinets for storage of clean towels and closed hampers for soiled towels. All soiled towels after use on each customer shall be placed in a closed hamper and shall not be left on the lavatory or workstand.

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The headrest shall be provided with a clean towel or clean paper for each patron served.

Rule 4. Water Supply:

The water supply, sewage disposal system, and toilet facilities shall comply with the requirements of the Minnesota State Board of Health. Water heating equipment capable of supplying ample hot water of at least 160 degrees Fahrenheit shall be provided. **At least one sink or lavatory shall be provided in each room, booth, stall, compartment or other area in which barbers work. If more than two barber chairs are in any room, booth, stall or compartment, at least one sink or lavatory will be provided for each two barber chairs at which barbers are currently working, with each barber having free access to such sink or lavatory without obstruction from other chairs, partitions, wall dividers or other barriers. The failure to provide a sink or lavatory as herein provided is prima facie evidence that proper sterilization and hand washing does not occur.**

Rule 5. Cleanliness of Personnel:

The operator shall wear clean uniforms or clean clothes at all times. The operator shall cleanse his hands thoroughly with soap and clean water before attending each patron.

Rule 6. Medical Treatment:

No barber, apprentice barber, or student barber shall undertake to treat any disease of the skin nor shall he apply any medicine or treatment which administration is not distinctly a part of barbering. No barber shall apply drops to the eyes.

Rule 7. Licensing:

No person shall practice, or attempt to practice barbering without a certificate of registration issued pursuant to the provisions of Chapter 154.

Rule 8. Lighting and Ventilation:

Barber shops and barber schools shall have adequate lighting and be properly ventilated.

Rule 9. Right of Entry:

Any duly authorized employee of the Minnesota Board of Barber Examiners, Minnesota Board of Health, or Local Board of Health shall have authority to enter upon and inspect any barber shop or barber school at any time during business hours.

Rule 10. Health of Personnel:

No owner or manager shall permit any person suffering from a communicable disease to act as a barber.

Rule 11. Posting Regulations:

The owner or manager of any barber shop or barber school shall post a copy of these Rules and Regulations in a conspicuous place where they can be read by the patrons of the establishment.

Rule 12. Responsibility:

For the purpose of this Act, barbers, apprentice barbers, student barbers, or the proprietor or manager shall be responsible for all violations of the sanitary provisions of the Act.

Rule 13. Establishment:

For the purpose of this Act, no establishment shall be open for service to the public until all sanitary provisions of this Act have been complied with. These Rules and Regulations pursuant to Minn. Stat. § 154 have been approved by the Minnesota Board of Barber Examiners and the Minnesota Board of Health. A violation of any of these Rules and Regulations shall be [punishable by a fine not less than $10 nor more than $100 or imprisonment for not less than 10 days nor more than 90 days.] **a misdemeanor and cause for suspension or revocation of a certificate of registration or shop registration card.**

Rule 14. Facilities:

Section 1.

Unless equipped public facilities are available in the building in which a barber shop is located, each barber shop shall have sanitary, clean and operating toilet facilities. These facilities shall include a water flush toilet, including a wash basin with hot and cold running water, and soap and adequate drying facilities.

Section 2.

No person shall use any room or part of a place which is also used for residential purposes, or any business purpose other than barbering, unless such areas are separated by substantial partition, extending from the floor to the ceiling. Further, any door or other entrance leading into the residential or other business portion of the building must be used only for the passage of barbers or other employees. Each barber shop must have a main entrance, designated as a barber shop entrance, to the outside, or to a main corridor or public passage used exclusively for the transportation of persons to and from the outside. The foregoing notwithstanding, a beauty shop and a barber shop may be operated in conjunction, without the same being separated by a partition of ceiling height. When a barber shop is operated in conjunction with a beauty shop, the barber shop area must be

designated as such by a prominently displayed sign stating "Barber Shop" with letters at least two inches high. Barber chairs must be spaced not less than five feet apart center to center. Any barber shop approved in a residence or residential building must have separate toilet and handwashing facilities within the barber shop for use of the barber shop patrons only. This Section 2 of Rule 14 does not apply to shops in operation prior to January 1, 1978, with respect to persons operating such shops, but will, however, apply when a change of ownership or operation is made.

Rule 15. Shop Registration Card:

Upon application for a barber shop's first shop registration card pursuant to MSA 154.085, a proposed floor plan will be submitted for the Board's approval at least 30 days prior to the scheduled shop opening date.

[Additional Sanitary Rules and Regulations Governing Barber Schools:

Rule 1. An adequate sanitation system for toilets, at least one for men and one for women.

Rule 2. There must be at least one sink for each barber chair.

Rule 3. There must be at least one closed cabinet for clean towels for each barber chair.

Rule 4. There must be at least one closed container for soiled towels for each barber chair.]

Chapter Six: Inspectors

BE 78 Inspection — procedure. An inspector employed pursuant to MSA 154.23 shall fill out an inspection slip for each inspection he makes and shall insert the time of the inspection on his first and last inspection slips for the day and each of those slips shall be signed by the barber of the place that was inspected.

Inspectors hired by the Board shall make their inspections in conformity with the following procedures:

A. Minnesota Board of Barber Examiners shall periodically designate the area in which inspection shall be made.

B. The Minnesota Board of Barber Examiners will periodically advise inspectors of those violations under MSA 154 concerning which the inspectors may summarily file complaints with the local Civil authorities. Inspectors will make written reports to the Board of all such complaints filed.

C. Any **and all** violations of MSA 154 [other than those designated by the Board pursuant to paragraph 2 above,] shall be submitted to the Board by the inspectors. Thereafter, the Board [shall[**may, at its discretion,** take appropriate action regarding [procedure in disposing of the complaint.] **Such violations in accordance with Minn. Stat., ch. 15 and regulations promulgated thereunder. gated thereunder.**

D. All written reports made by the inspector shall contain the name and address of the offender, the exact nature of the violation, the section of the Statute violated, the date of the violation, and the action taken by the inspector.

E. Each barber shop in the State of Minnesota must be permanently located at one address, due to the difficulty of implementation of inspection procedures.

Chapter Seven: Fees

BE 79 Fees. Upon the approval of the Commissioner of Finance pursuant to MSA 214.06, the Board shall set fees so that the total fees collected will as closely as possible equal anticipated expenditures.

	Present Fee	Proposed Fee
Examination and Certificate — Registered Barber	$ 30.00	$ 48.00
Examination and Certificate — Apprentice	17.00	46.00
Examination — Instructor	25.00	150.00
Certificate — Instructor	25.00	35.00
Renewal of License — Registered Barber	10.00	18.00
Renewal of License — Apprentice	7.00	16.00
Renewal of License — Instructor	25.00	35.00
Student Permit	5.00	10.00
Initial Shop Registration	25.00	50.00
Initial School Registration	100.00	1,000.00
Renewal Shop Registration	5.00	10.00
Renewal School Registration	100.00	200.00
Restoration of Registered Barber License	15.00	25.00
Restoration of Apprentice License	10.00	25.00
Restoration of Shop Registration	10.00	25.00

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STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners

CORRECTION TO PROPOSED RULES AS PUBLISHED

BE 29 A - Only the numbering is new. The balance of the bold face type is in error inasmuch as the language of the rule is unchanged from the present rule.

"BE 33" - Should read "BE 32".

"BE 34-41 Reserved for future use." Should read "BE 33-41 Reserved for future use."

BE 77 Rule 1 - The final sentence should read "These requirements shall include the proper cleaning of floors, shelves, cabinets, chairs, trays[,] and other barber shop or barber school equipment.

BE 78 C - Delete the language "gated thereunder." at the end of the provision.

Dated: October 24, 1977

Adam J. Mikrot

Adam Mikrot, Executive Secretary
State Board of Barber Examiners

Bd Ex 9

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

RECEIVED
SEP 28 1977
OFFICE OF HEARING EXAMINERS

In the Matter of the Proposed
Adoption of Rules by the Board
of Barber Examiners

NOTICE
OF
HEARING

NOTICE IS HEREBY GIVEN that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, (1976) in Room 81, State Office Building, Saint Paul, Minnesota 55155, commencing at 9 a.m. on October 24, 1977, and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have the opportunity to participate concerning the adoption of the proposed rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, witness statements or material may be submitted by mail to Hearing Examiner Peter Erickson, Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, Telephone: (612) 296-8118 either before the hearing or within 5 days after the close of the hearing.

All such statements will be entered into and become a part of the record. Testimony and other evidence to be submitted for consideration should be pertinent to the matter at hand. For those wishing to submit written statements or exhibits, it is requested that at least 3 copies be furnished. In addition, it is suggested to save time and to avoid duplication, those persons, organizations, or associations having a common viewpoint or interest in these proceedings join together where possible and present a single statement in behalf of such interests.

Please note that all persons have the right to be notified of the date on which the Hearing Examiner's report will be available after which date the agency may not take any final action on the rules for a period of 5 working days. All persons have the right to be informed that the hearing record has been submitted to the Attorney General by the Board of Barber Examiners. If you desire to be so notified, you may do so by so indicating at the hearing or by written request sent to the Hearing Examiner prior to the close of the record.

The proposed rules, if adopted, would amend the rules of the Minnesota Board of Barber Examiners as follows:

(1) Make numerous changes in the numbering of existing rules;
(2) Make numerous changes clarifying the language and organization of existing rules;
(3) Adopt a schedule of fees for all licenses;
(4) Make changes in examination procedures and requirements;
(5) Make changes in the sanitation requirements for licensees;
(6) Adopt standards for barber shops operated in residences and operated in conjunction with beauty shops;
(7) Make changes in course requirements for barber instructors;
(8) Make changes in the hearing process and requirements for barber school applications;

Bd Ex 4

(7)

(9) Allowing a Mantoux test or a chest xray for applicants to a barber school;
(10) Changing reporting requirements for apprentices;
(11) Requiring reexamination in certain situations when licenses expire or lapse;
(12) Specifying penalties for violations;
(13) Specifying procedures for handling complaints.

Copies of the proposed rules are now available, and at least one free copy may be obtained by writing the Minnesota Board of Barber Examiners, Fifth Floor, Metro Square Building, Saint Paul, Minnesota 55101. Additional copies will be available at the door on the date of the hearing. A Statement of Need explaining the Board of Barber Examiners position relative to the necessity for the proposed rule changes and a statement of the evidence outlining the testimony and evidence which will be introduced by the Board of Barber Examiners in support of the proposed rules will be filed with the Hearing Examiner's office at least 25 days prior to the hearing and will be available there for public inspection. Statutory authority of the Board of Barber Examiners to promulgate and adopt these rules is contained in Minn. Stat. § 154.24 and 214.06 (1976).

Please be advised that Minn. Stat. Ch. 10A requires each lobbyist to register with the Ethical Practices Board within 5 days after he commences lobbying. Lobbying includes attempting to influence rule making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than $250 per year or 5 hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, phone (612) 296-5615.

Dated: August 26, 1977

Adam Mikrot

Adam Mikrot, Executive Secretary
State Board of Barber Examiners

RECEIVED
SEP 28 1977
OFFICE OF HEARING
EXAMINERS

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

STATE OF MINNESOTA)
)SS
COUNTY OF RAMSEY)

Re: In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners

AFFADAVIT OF SERVICE

Adam J Nibert, being first duly sworn, deposes and says:

That on the 20th ~~day of~~ September, 1977, at the City of St. Paul, County of Ramsey, State of Minnesota, he~~/she~~ served the attached Notice of Hearing by depositing in the United States mail, or in the case of State employees, in the inter office mail, at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State.

Adam J Nibert

Subscribed and sworn to before me
this 20th day of
September, 1977.

Sally O'Brien

SALLY O'BRIEN
Notary Public, Hennepin Co., Minn.
My Commission Expires
April 10, 1982

Bd Ex 5

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EXAMINERS

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed
Adoption of Rules by the Board
of Barber Examiners

AFFIDAVIT

Adam J. Mikrot, being duly sworn on oath deposes and says:

1) That he is the Executive Secretary of the Board of Barber Examiners of the State of Minnesota.

2) That on the Nineteenth of September, he went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the Nineteenth of September, in response to the above request, the Secretary of State provided him with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Adam J. Mikrot

Subscribed and sworn to before me
this 19th day of September 1977

Audrey S. Ostergren

Notary Public,

Ramsey County, Minnesota

My Commission expires

AUDREY S. OSTERGREN
Notary Public, Ramsey Co., Minn.
My Commission Expires
Sept. 30, 1982

BJ Ex 6

(9)

RECEIVED
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STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed Adoption
of Rules of the Board of Barber Examiners

CERTIFICATE OF DELIVERY
SECRETARY OF STATE LIST

I hereby certify that the attached 492 Labels 2 sheets constitute the complete list of persons, associations, and other interested groups who as of 3:30 o'clock P.M., this 19th day of September, 1977, have requested pursuant to M.S. 1977, Sec. 15.0412, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Secretary of State

Joan Anderson Growe

By Cheri L. Mattson

Bd Ex 7

10

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

RECEIVED
AUG 30 1977
OFFICE OF HEARING EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners.

PROPOSED ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above-captioned rules be held in Room 81, State Office Building, Saint Paul, Minnesota 55155, on October 24, 1977, commencing at 9:00 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons or representatives of associations or other interested groups who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 29, 1977

Adam J. Mikrot

Adam J. Mikrot, Executive Secretary
State Board of Barber Examiners

(2)

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

RECEIVED
AUG 30 1977
OFFICE OF HEARING EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners

PROPOSED NOTICE OF HEARING

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All interested or affected persons will have the opportunity to participate concerning the adoption of the proposed rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, witness statements or material may be submitted by mail to Hearing Examiner Peter Erickson, Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, Telephone: (612) 296-8118 either before the hearing or within 5 days after the close of the hearing.

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Please note that all persons have the right to be notified of the date

on which the Hearing Examiner's report will be available after which date the agency may not take any final action on the rules for a period of 5 working days. All persons have the right to be informed that the hearing record has been submitted to the Attorney General by the Board of Barber Examiners. If you desire to be so notified, you may do so by so indicating at the hearing or by written request sent to the Hearing Examiner prior to the close of the record.

The proposed rules, if adopted, would amend the rules of the Minnesota Board of Barber Examiners as follows:

(1) Make numerous changes in the numbering of existing rules;

(2) Make numerous changes clarifying the language and organization of existing rules;

(3) Adopt a schedule of fees for all licenses;

(4) Make changes in examination procedures and requirements;

(5) Make changes in the sanitation requirements for licensees;

(6) Adopt standards for barber shops operated in residences and operated in conjunction with beauty shops;

(7) Make changes in course requirements for barber instructors;

(8) Make changes in the hearing process and requirements for barber school applications;

(9) Allowing a Mantoux test or a chest xray for applicants to a barber school;

(10) Changing reporting requirements for apprentices;

(11) Requiring reexamination in certain situations when licenses expire or lapse;

(12) Specifying penalties for violations;

(13) Specifying procedures for handling complaints.

Copies of the proposed rules are now available, and at least one free copy may be obtained by writing the Minnesota Board of Barber Examiners, Fifth Floor, Metro Square Building, Saint Paul, Minnesota 55101. Additional copies will be available at the door on the date of the hearing. A Statement of Need explaining the Board of Barber Examiners position relative to the necessity for the proposed rule changes and a statement of the evidence outlining the testimony and evidence which will be introduced by the Board of Barber Examiners in support of the proposed rules will be filed with the Hearing Examiner's office at least 25 days prior to the hearing and will be available there for public inspection. Statutory authority of the Board of Barber Examiners to promulgate and adopt these rules is contained in Minn. Stat. § 154.24 and 214.06 (1976).

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Dated: August 26, 1977

Adam Mikrot, Executive Secretary
State Board of Barber Examiners

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

RECEIVED
SEP 28 1977
OFFICE OF HEARING
EXAMINERS

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES BY THE STATE)
BOARD OF BARBER EXAMINERS)

STATEMENT OF NEED

The above-captioned rules are amendments to existing rules of the Board of Barber Examiners. The last time the above-captioned rules were amended was 12/24/68. The need to adopt these rules arises as follows:

I. AMENDMENT TO INCREASE THE AMOUNT OF CERTAIN FEES PAYABLE TO THE BOARD

The Board proposes to amend its regulations by establishing the amount of certain fees to be paid to the Board. The need to adopt a fee schedule is required by legislative mandate. Minn. Stat. §214.06 (1976) requires that the Board by rule adjust any fee which the Board is empowered to assess so that the total fees as closely as possible equal anticipated expenditures; that examination fees shall be set by rule to approximately meet the anticipated cost of administering the examinations; and that the Board may set renewal fees under the same standards. The proposed fees are necessary to implement Section 214.06.

II. AMENDMENTS TO RENUMBER VARIOUS RULES

The Board proposes to amend its existing rules by renumbering them to conform to the rules of the Minnesota State Register.

Bd Ex 1

III. AMENDMENTS TO VARIOUS RULES

The Board also proposes to amend various other rules: (1) In order to eliminate obsolete language and clarify the language and organization of the rules; (2) To improve health and sanitation conditions for consumers; (3) To improve licensing and examination procedures and requirements; (4) To improve regulation of barber shops operated in residences and operated in conjunction with beauty shops; (5) To improve course requirements for barber school instructors; (6) To improve the requirements for barber school license applications and to update the hearing requirements; (7) To improve the requirements for applicants to a barber school; (8) To improve reporting requirements for apprentice barbers; (9) To improve regulation by improved complaint handling procedures and by setting penalties; and (10) To improve regulation by requiring reexamination of licensees in certain situations.

DATED:
9/27/77

Adam J. Mikrot
Executive Secretary
Board of Barber Examiners

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES BY THE STATE)
BOARD OF BARBER EXAMINERS)

STATEMENT OF EVIDENCE

In addition to the Statement of Need which is available for inspection or purchase at the State Office of Hearing Examiners, the Board of Barber Examiners will introduce the following evidence at the hearing in this matter:

1. TESTIMONY

A. Adam J. Mikrot, Executive Secretary of the Board of Barber Examiners will testify as to the following facts:

1. That the proposed renumbering of the Board's rules is reasonable and necessary to bring the format of the rules into compliance with rules adopted by the Office of the State Register.

2. That the proposed amendments to certain of the Board's rules are necessary for reasons of health and sanitation.

3. That the proposed amendments to certain of the Board's rules are necessary to eliminate obsolete language and to clarify the organization of the rules.

4. That the proposed amendments to certain of the Board's rules are necessary to update course requirements for barber instructors.

5. That the proposed amendments to certain of the Board's rules are necessary to allow effective administration of the Board's examination and licensing process, and to set proper requirements for examination and

Bd Ex 2

licensing.

6. That the proposed amendments to certain of the Board's rules are necessary to regulate barber shops operated in residences and operated in conjunction with beauty shops.

7. That the proposed amendments to certain of the Board's rules are necessary to comply with statutory requirements for hearings and to set proper requirements for applications for barber school licenses.

8. That the proposed amendments to certain of the Board's rules are necessary to obtain proper reports on apprentice barbers.

9. That the proposed amendments to certain of the Board's rules are necessary to require proper reexamination of licensees.

10. That the proposed amendments to certain of the Board's rules are necessary to set penalties and complaint handling procedures so that the Board can adequately regulate licensees.

11. That the proposed fees are reasonably related to the activities the Board must perform for the various classes of licensees.

B. Frank Singer will testify with respect to the following facts:

1. That amendment of the Board's rules to provide for increases in the amount of various fees payable to the Board is reasonable and necessary in light of the Board's present and anticipated costs of licensing and inspection.

2. That the fee increases proposed by the Board have been approved by the Commissioner of Finance.

II. DOCUMENTARY EVIDENCE

The Board intends to introduce a memorandum documenting approval of the Commissioner of Finance of the Board's fee increases.

III. STATUTES AND RULES

The Board will be citing the following statutes and laws at the hearing in this matter:

A. Statutes

Minn. Stat. ch. 154 (1976), Minn Stat. §§ 214.001-214.12 (1976), Minn. Stat. §§ 15.0411-15.052 (1976).

B. Rules

Minn. Reg. HE 101-109

DATED:
9/27/77

Adam J. Mikrot
Executive Secretary
Board of Barber Examiners

RECEIVED
SEP 28 1977
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of the Proposed Adoption of Rules by the Board of Barber Examiners.

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above-captioned rules be held in Room 81, State Office Building, Saint Paul, Minnesota 55155, on October 24, 1977, commencing at 9:00 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons or representatives of associations or other interested groups who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 29, 1977

Adam J. Mikrot

Adam J. Mikrot, Executive Secretary
State Board of Barber Examiners

BJ Ex 3

(6)

DEPARTMENT [illegible] Office Memorandum

TO : William H. Lillins
Controller

DATE: 8-23-77

FROM : Adam Mikrot
Executive Secretary

PHONE 6-2364

SUBJECT: Request for Amending Approved Fee Increases

The Board of Barber Examiners submits this amended fee schedule for your review and approval prior to it's public hearing.

The following schedule is submitted for approval:

LICENSES Actual	LICENSES Estimated	TITLE	Present Fee	Proposed Fee
112	120	Exam & Cert- Master	30	48
112	112	Exam & Cert- Apprentice	17	46
3	2	Exam - Instructor	25	150
1	1	Cert - Instructor	25	35
3,248	2,800	Renewal of Lic. - Master	10	18
164	175	Renewal of Lic. - Apprentice	7	16
12	15	Renewal of Lic. - Instructor	25	35
117	120	Student Permit	5	10
25	25	Initial Shop Registration	25	50
0	0	Initial School Registration	100	1,000
1,691	1,500	Renewal - Shop Registration	5	10
5	5	Renewal - School Registration	100	200
		Restoration of Master License	15	25
		Restoration of Apprentice	10	25
		Restoration of Shop Registration	10	25

From: W. H. Lillins, Agency Controller 24 Aug. 77
To: T. Meloy
Forwarded with recommendation for approval.
Lillins

APPROVED:
GERALD W. CHRISTENSON
Commissioner of Finance

BY: Allen A. Yozamp 8/24/77
Allen A. Yozamp, Acting Director
Budget, ~~Planning and~~ Control Division

Bd Ex. 10

STATE OF MINNESOTA

BOARD OF BARBER EXAMINERS

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE STATE BOARD OF BARBER EXAMINERS)	CERTIFICATE OF BOARD'S AUTHORIZING RESOLUTION

I, do hereby certify that I am secretary of the State Board of Barber Examiners, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Barber Examiners duly and properly called and held on the 29th day of August 1977; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

"RESOLVED, that Adam Mikrot, Executive Secretary of the State Board of Barber Examiners, be and he hereby is granted the authority and is directed to call a hearing for the purpose of amending the Board's existing rules by signing an order for hearing and notice of hearing." IN WITNESS WHEREOF, I have hereunto subscribed my name this 29th day of August 1977.

Adam J. Mikrot

Adam Mikrot, Executive Secretary
State Board of Barber Examiners

ATTESTED:

Henry J. Sniezek

Henry Sniezek
Chairman
State Board of Barber Examiners

Bd Ex 11