

LEGISLATIVE BILL 66

Approved by the Governor March 19, 1975

Introduced by R. Lewis, 38

AN ACT to amend sections 71-208.05, 71-216, and 71-219.01, Reissue Revised Statutes of Nebraska, 1943, and section 71-219, Revised Statutes Supplement, 1974, relating to the practice of barbering; to provide that the Board of Barber Examiners shall set fees to be charged as prescribed; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 71-208.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-208.05. Registered barbers who can certify under oath that they have had twelve consecutive months' practice as an instructor in a Nebraska licensed barber school or college prior to January 1, 1971, shall be eligible for a license as a barber instructor, by payment of the an annual fee of twenty-five dollars in an amount set by the Board of Barber Examiners. Application for license as barber instructor, under this section, shall be made to the Board of Barber Examiners within sixty days after August 27, 1971.

Sec. 2. That section 71-216, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-216. Every registered barber instructor, registered assistant barber instructor, registered barber, and every registered apprentice who continues in active practice or service, shall on or before June 30 of each year renew his certificate of registration, which certificate shall be effective as of July 1 of each year, and which certificate shall terminate on June 30 of the next succeeding year and shall pay the required fee. Every barber school shall annually, on or before June 30 of each year, obtain renewal of its approval and pay the required fee, which renewal of approval shall be effective as of July 1 of each year and shall expire on June 30 of the next succeeding year. Any barber desiring to withdraw from the active practice of barbering may request that he be placed on inactive status and shall, on or before July 1 of each year, pay an inactive status license fee of five dollars in an amount to be set by the

board. Any registered barber who is on an inactive status for not more than five years may renew his certificate of registration upon the payment of the required restoration fee. No apprentice barber may renew an apprentice license more than three times.

Sec. 3. That section 71-219, Revised Statutes Supplement, 1974, be amended to read as follows:

71-219. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering or as a barber instructor is twenty-five dollars, and for the issuance of the certificate, five dollars. The fee to be paid by an applicant for registration as an assistant barber instructor is ten dollars. The fee to be paid for the renewal of a certificate of registration to practice barbering is ten dollars, and for the restoration of an expired certificate, twenty-five dollars. Provided, that for a certificate as a registered barber, registered apprentice, assistant barber instructor, barber instructor, barber shop or barber school, the fee in 1972 shall be one-half of the fee provided in this section; and thereafter the fee shall revert to the fee provided in this section. The fee to be paid for the renewal of a certificate of registration to practice as a barber instructor or assistant barber instructor is twenty-five dollars, and for the restoration of an expired certificate, fifty dollars. Any barber instructor who desires to withdraw from the active practice of the teaching of barbering may request that he be placed on inactive status and he shall, on or before July 4 of each year, pay an inactive status license fee of ten dollars. Any barber instructor who is on an inactive status for not more than five years may renew his certificate of registration upon the payment of the required restoration fee. The fee to be paid by an applicant for an examination to receive a certificate of registration to practice as an apprentice is twenty-five dollars, and for the issuance of a certificate, five dollars. The fee to be paid for the renewal of a certificate of registration to practice as an apprentice is five dollars, and for the restoration of an expired certificate, ten dollars. Application for a license to establish a barber shop or barber school shall be made on a form furnished by the Board of Barber Examiners. It shall contain such information relative to ownership, management, sanitation, and other data concerning said business as may be required by the board. The board shall collect with such application, in addition to the annual license fee paid for that year, a fee of fifty dollars. A fee of twenty-five dollars shall be collected for the transfer of license or change of ownership of a barber shop;

~~Provided, that no fee shall be collected if the ownership results merely from a present license holder incorporating his business. Every barber shop shall be inspected by the state barber inspector at least once each year in order to be eligible for an annual permit to conduct a barber shop, and no license shall be issued unless the results of such inspection have been complied with. The annual fee for a license to conduct a school of barbering shall be one hundred dollars. The annual fee for a license to conduct a barber shop shall be five dollars and for restoration of an expired license, ten dollars. The Board of Barber Examiners shall set the fee to be paid:~~

(1) By an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering or as a barber instructor, and for the issuance of the certificate;

(2) By an applicant for registration as an assistant barber instructor;

(3) For the renewal of a certificate of registration to practice barbering, and for restoration of an expired certificate;

(4) For the renewal of a certificate of registration to practice as a barber instructor or assistant barber instructor, and for the restoration of an expired certificate;

(5) By an applicant for an examination to receive a certificate of registration to practice as an apprentice, and for the issuance of a certificate;

(6) For the renewal of a certificate of registration to practice as an apprentice, and for the restoration of an expired certificate;

(7) For an application for a license to establish a barber shop or barber school;

(8) For the transfer of license or change of ownership of a barber shop;

(9) For a license to conduct a school of barbering; and

(10) For a license to conduct a barber shop, and for restoration of an expired license.

Sec. 4. Any barber instructor who desires to withdraw from the active practice of the teaching of

barbering may request that he be placed on inactive status and he shall, on or before July 1 of each year, pay an inactive status license fee in an amount to be set by the board. Any barber instructor who is on the inactive status for not more than five years may renew his certificate of registration upon the payment of the required restoration fee.

Sec. 5. Application for a license to establish a barber shop or barber school shall be made on a form furnished by the Board of Barber Examiners. It shall contain such information relative to ownership, management, sanitation, and other data concerning such business as may be required by the board. The board shall collect with such application, in addition to the annual license fee paid for that year, a fee to be set by the board. A fee shall be collected for the transfer of license or change of ownership of a barber shop, but no fee shall be collected if the ownership results merely from a present license holder incorporating his business. Every barber shop shall be inspected by the state barber inspector at least once each year in order to be eligible for an annual permit to conduct a barber shop, and no license shall be issued unless all deficiencies found by inspection of such shop have been corrected.

Sec. 6. That section 71-219.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-219.01. Application for the license to operate a barber school or college shall be made on a form furnished by the Board of Barber Examiners. It shall contain such information relative to ownership, management, instructors, number of students, and other data concerning such business as may be required by the board. The board shall collect, in addition to the annual approval fee, a fee of ~~three-hundred-dollars in an amount set by the board~~ for every barber school opened after August 27, 1971. The annual fee for approval of a barber school or college, ~~the fee shall be one-hundred dollars, and for reinstatement of a delinquent license, three-hundred-dollars. A fee of twenty-five dollars shall be collected and the fee~~ for the transfer of license or change of ownership of a barber school or college ~~shall be set by the board. Provided, that no~~ fee shall be collected if the change in ownership is caused by a present license owner incorporating.

Sec. 7. The Board of Barber Examiners shall set the fees at a level sufficient to provide for all actual and necessary expenses and salaries of the board and in such a manner that unnecessary surpluses are avoided.

The board shall annually file a report with the Attorney General and the Legislative Fiscal Analyst stating the amount of the fees set by the board. Such report shall be submitted on or before July 1 of each year.

Sec. 8. That original sections 71-208.05, 71-216, and 71-219.01, Reissue Revised Statutes of Nebraska, 1943, and section 71-219, Revised Statutes Supplement, 1974, are repealed.

Sec. 9. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.