

Centre County, not exceeding seventy acres, including all buildings and improvements, for the Department of Military Affairs. The said department shall have power to acquire said property subject to the existing lease of the 'Twenty-eighth Division Officers' Club, and to turn said property over to the Department of Military Affairs for management.

Section 2. The Department of Military Affairs shall set aside approximately twenty-eight acres of the tract so acquired for use as a military cemetery, as contemplated by section one thousand four hundred and six of the Administrative Code of one thousand nine hundred and twenty-nine, and approximately thirty acres as a military reservation. The portion set aside for a military cemetery shall include the tract upon which is located the shrine erected by the officers of the Twenty-eighth Division.

Military cemetery.

Military reservation.

Section 3. The sum of twenty-six thousand five hundred dollars (\$26,500), or so much thereof as may be necessary, is hereby specifically appropriated to the Department of Property and Supplies, for the payment of the land acquired and the cost of title searches in connection therewith.

Appropriation.

APPROVED—The 12th day of June, A. D. 1931.

GIFFORD PINCHOT

No. 202

AN ACT

To promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops, barber schools and barber colleges, and apprentices and students therein; conferring certain powers and duties on the Department of Public Instruction; and providing penalties.

Section 1. Be it enacted, &c., That it shall be unlawful for any person to follow the occupation of barber in this Commonwealth unless he or she shall have first passed an examination and obtained a certificate of registration as provided in this act. Nothing contained in this act, however, shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided.

Barbers.

Examination and licensure.

Department of Public Instruction.

Section 2. Every person now engaged in the occupation of a barber shall, within ninety days after the effective date of this act, file with the Department of Public Instruction, hereinafter termed department, an application under oath or affirmation, which shall set forth his or her name, age, residence, and length of

Barbers engaged in occupation.

Application for certificate of registration.

Affidavit of physicians.	time during which, and the place where, he or she has practiced said occupation, and which shall be accompanied by an affidavit of a practicing physician that the applicant was examined and is free from all contagious and infectious disease. The applicant, at the time of filing these papers, shall pay to the department the sum of two dollars. Thereupon the department shall issue to such applicant a certificate of registration entitling him or her to practice such occupation.
Fee.	
Applicants for license.	Section 3. Any person not holding a certificate of registration under the provisions of the preceding section, and desiring to obtain a license under this act, shall make application under oath or affirmation, in such form as the department shall prescribe. Such application shall be accompanied by an affidavit, which shall be made by a practicing physician, and shall set forth that the applicant was examined and is free from all contagious and infectious disease. The applicant, at the time of filing such application and affidavit, shall pay to the department an examination fee of five dollars or such other fee as may be fixed by the department, and shall present himself or herself at the next examination of applicants as hereinafter provided. The department shall thereupon proceed to examine such person. If satisfied that he or she is above the age of sixteen years, free from contagious and infectious disease, and has either (a) studied the occupation for a period of two years as apprentice under a qualified and practicing barber, or (b) studied the occupation in a properly appointed and conducted barber school under the instruction of a competent barber for a period of at least two years, or (c) practiced the occupation in another State for a period of at least two years and is possessed of requisite skill in said occupation to properly perform all the duties thereof, including his or her knowledge and ability in the antiseptic preparation of tools, shaving, hair cutting, and all the duties and services incident thereto, and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation, the department shall enter his or her name in the register hereinafter provided for, and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation.
Application and affidavit.	
Fee.	
Examination. Qualifications.	
Certificate of registration.	
Registered barber of another state.	Section 4. Any person who holds a certificate of registration granted after examination by a board of barber examiners of any other state, who shall present credentials showing that he or she is a qualified barber under the laws of that state, and who shall file an affidavit made by a practicing physician as hereinbefore

provided, may be granted a certificate of registration by the department, without practical examination, upon the payment of the registration fee of two dollars or such other fee as may be fixed by the department.

Registration without examination.

Fee.

Section 5. Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth, or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered barber authorized to practice such occupation in this Commonwealth: Provided, That such apprentice or student shall apply to the department to have his or her name registered with the department, in a book which shall be kept by the department for the registering of apprentices or students, and secure a permit, upon the payment of a fee of one dollar, to practice as an apprentice or student under a duly registered barber—such permit to be displayed in front of his or her working chair. After having practiced the occupation for two years under a registered barber, such apprentice or student shall be eligible to become a registered barber, and shall present himself or herself at the next examination of applicants and pay the fee as provided for in section three of this act. In case the applicant fails to pass such examination, he or she shall secure a new permit upon the payment of a fee of one dollar, which shall be valid for a period of one year, during which time the applicant shall present himself or herself for re-examination and pay the proper examination fee.

Apprentices and students.

Proviso.

Permit.

Fee.

Display of permit.

Two years' apprenticeship.

Re-examination.

Section 6. The department shall hold public examinations on the first Tuesdays in March, June, September and December, in the cities of Philadelphia, Pittsburgh, Scranton, Harrisburg and Erie, at such hours as the board shall prescribe.

Time and place of examination.

Section 7. The department shall furnish to each person to whom a certificate of registration is issued a certificate, stating that the holder thereof is entitled to practice the occupation of barber. The holder of such certificate shall display the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve.

Certificate.

Display.

Section 8. The certificate shall be renewed on or before the first day of January in each year, and the holders of said certificates of registration shall pay to the department the sum of two dollars or such other sum as may be fixed by the department for a renewal card. Upon the failure of any holder of a certificate of registration to apply for a renewal of his or her certificate on or before the first day of January in each year, his or her certificate of registration shall be revoked by the department, and a new certificate of registration

Annual renewal.

Fee.

shall not be issued to such person until he or she shall again comply with all the provisions of this act in the same manner as if he or she had never been registered.

Suspension or revocation of registration.

Section 9. The department may suspend or revoke any certificate of registration granted by it under this act to any person who (a) habitually indulges in the use of ardent spirits, narcotics, or other stimulants to such an extent as, in the opinion of the department, incapacitates such person from the duties of a barber; (b) has or imparts any contagious or infectious disease to any recipient of such person's services as a barber; (c) performs work in an unsanitary or filthy manner or place; or (d) who is grossly incompetent. Before any certificate shall be suspended or revoked for any of the reasons contained in this section, the holder thereof shall have notice in writing of the charge or charges against him or her, and shall, at a day specified in said notice, which shall be at least five days after the service thereof, be given a public hearing before a duly authorized representative of the department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her. Any person whose certificate of registration has been so suspended or revoked may, after the expiration of ninety days, on application, have the same reissued to him or her upon satisfactory showing that the disqualification has ceased, except where such certificate was suspended or revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year, and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered.

Notice.

Hearing.

Reissuance when disqualification ceases.

Rules and regulations for shops, etc.

Section 10. The department may adopt reasonable rules and regulations prescribing the sanitary requirements of each barber shop, barber school or barber college, in cooperation with the Department of Health, and shall cause the rules and regulations so approved to be printed in a suitable form and may transmit a copy thereof to the proprietor or person operating such barber shop, school, or barber college, which shall at all times be kept conspicuously displayed in such shop, school or college. Any officer or duly authorized agent of the department may enter and make reasonable examination of any barber shop, barber school or barber college, during the business hours, for the purpose of ascertaining the sanitary conditions thereof. Any barber shop, barber school, barber college, or tools, appliances, and furnishings in use therein, kept in an unclean and unsanitary condition as to be a danger to health, is hereby declared to be a public nuisance, and

Inspection.

Unsanitary.

Public nuisance.

the department may suspend or revoke the certificate of the proprietor thereof or any person operating such barber shop, school or barber college, or the permit hereinafter required for such shop, school or college, or both the certificate and permit.

Suspension or revocation of registration or permit.

Section 11. The department shall keep a register in which shall be entered the names of all persons to whom certificates of registration or permits for serving apprenticeship or as students are issued under this act, which register shall be open to public inspection during the business hours of the department.

Department to keep register.

Section 12. In no barber shop shall there be more than one apprentice to two barbers authorized under this act to practice such occupation. All barber shops having but one chair shall be entitled to at least one apprentice. All barber schools or barber colleges shall keep prominently displayed a sign, reading "Barber College" or "Barber School." Any co-partnership, corporation, or person, desiring to operate or conduct a barber shop or barber college, shall first secure from the department a permit to do so, and shall keep the same prominently displayed. The department may pass upon the qualifications, appointments, and course of study in said college, which shall be not less than two years. All barber schools or barber colleges shall have not less than one teacher or instructor for every twelve students.

Number of apprentices.

Display of sign.

Permit for shop or college.

Course of study.

Section 13. To shave or trim the beard or regular hair cutting, to give facial and scalp massaging, facial and scalp treatments, with any preparations made for this purpose, either by hand or by mechanical appliances, to singe and shampoo the hair or apply any makes of hair tonics, and to dye the hair of any person, for hire by the person performing such service, shall be construed as practicing the occupation of barber within the meaning of this act: Provided, however, That nothing contained in this act shall be construed to include so called beauty shops or hair-dressing parlors or schools of beauty culture patronized by women, except that it shall be unlawful and a violation of this act for any person to employ or to accept employment, in any such shops, parlors or schools, who has been refused a certificate by the department.

Occupation of barber defined.

Proviso.

Section 14. All fees, fines and penalties, or other moneys collected, received, recovered or imposed under this act, shall be paid into the State Treasury, through the Department of Revenue.

Disposition of fees, etc.

Section 15. Any barber, apprentice or student, who shall practice the occupation of barber while suffering from contagious or infectious disease, or who shall knowingly serve any person afflicted with such disease, shall be guilty of a misdemeanor, and, upon conviction

Practice while suffering from contagious disease, etc.

Misdemeanor.

Penalty.	thereof, shall be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding thirty days, or both, at the discretion of the court.
Spread of infection, etc.	Any barber, apprentice or student, who shall infect any person, or who shall impart any contagious or infectious disease by reason of carelessness or negligence in the practice of such occupation, shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding six months, or both, at the discretion of the court.
Misdemeanor. Penalty.	Any person who shall violate any of the other provisions of this act, except as herein otherwise provided, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars, or to undergo an imprisonment not exceeding ninety days, or both, at the discretion of the court.
Other violations.	Any person who shall violate any of the other provisions of this act, except as herein otherwise provided, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars, or to undergo an imprisonment not exceeding ninety days, or both, at the discretion of the court.
Penalty.	Section 16. The provisions of this act are severable, and in the event any provisions thereof shall be declared unconstitutional, it is hereby declared to be the legislative intent that the remaining portions would be enacted notwithstanding such judicial determination of the invalidity of any particular provision or provisions in any respect.
Provisions severable.	Section 17. This act shall become effective on and after the first day of January, one thousand nine hundred and thirty-two.
Legislative intent.	Section 18. All act and parts of acts inconsistent with this act are repealed.
Effective date.	
Repeal.	

APPROVED—The 19th day of June, A. D. 1931.

GIFFORD PINCHOT

No. 203

AN ACT

Establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act.

State highways.

Section 1. Be it enacted, &c., That the following sections of township roads are hereby adopted by the Commonwealth as State highways, to be taken over upon the