

state; nor shall any agreement to submit to incarceration or reincarceration pursuant to the terms of this amendment be construed as a waiver of any rights which the prisoner would have had if he had been incarcerated or reincarcerated in any appropriate institution of the sending state, except that the hearing or hearings, if any, to which a parolee or probationer may be entitled (prior to incarceration or reincarceration) by the laws of the sending state may be had before the appropriate judicial or administrative officers of the receiving state. In this event, said judicial and administrative officers shall act as agents of the sending state after consultation with appropriate officers of the sending state.

(f) Any receiving state incurring costs or other expenses under this amendment shall be reimbursed in the amount of such costs or other expenses by the sending state unless the states concerned shall specifically otherwise agree. Any two or more states party to this amendment may enter into supplementary agreements determining a different allocation of costs as among themselves.

(g) This amendment shall take effect when ratified by any two or more states party to the compact and shall be effective as to those states which have specifically ratified this amendment. Rules and regulations necessary to effectuate the terms of this amendment may be promulgated by the appropriate officers of those states which have ratified this amendment.

Section 2. This act shall take effect immediately.

APPROVED—The 20th day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 208

AN ACT

SB 1240

Amending the act of May 3, 1933 (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," making editorial corrections, further regulating apprentices, students, and public and private schools of beauty culture, changing eligibility requirements for examinations, establishing separate curriculums for shop managers and teachers and further providing for rules by the board and penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title and section 1, act of May 3, 1933, (P. L. 242), entitled "An act to promote the public health and safety by providing

for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," are amended by amending the title and the definition of "department" in section 1 and adding a new definition at the end of section 1 to read:

AN ACT

To promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Commissioner of Professional and Occupational Affairs in the Department of [Public Instruction] State; providing for appeals to certain courts by applicants and licensees; and providing penalties.

Section 1. Be it enacted, &c., That—Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

* * *

"Department" means the [Department of Public Instruction of this Commonwealth] Commissioner of Professional and Occupational Affairs in the Department of State.

* * *

"School of Beauty Culture" includes any individual, partnership, association, business corporation, nonprofit corporation, municipal corporation, school district or any group of individuals however organized whose purpose is to provide courses of instruction in beauty culture, the management of beauty culture shops, or the teaching of beauty culture.

Section 2. Section 2 of the act, is amended to read:

Section 2. Practice of Beauty Culture without Registration Prohibited.—It shall be unlawful for any person to practice or teach beauty culture, or manage a beauty shop, or to use or maintain any place for the practice [or teaching] of beauty culture, for compensation, or to use or maintain any place for the teaching of beauty culture, unless he or she shall have first obtained from the department 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 any such occupation, except as hereinafter provided.

Section 3. Section 4 of the act, amended November 19, 1959 (P. L. 1533), is amended to read:

Section 4. Eligibility Requirements for Examination.—No person shall be permitted by the board to take an examination to receive a certificate as an operator unless such person (1) shall be at least sixteen years of age and of good moral character at the time of making application, and (2) shall have completed a tenth grade education or the equivalent thereof, or in lieu of such education or the equivalent thereof shall have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry, and (3) shall have either (i) completed not less than one thousand two hundred fifty hours as a student in a duly registered school of beauty culture as hereinafter provided in this act, or (ii) shall have been registered and served as an apprentice at least [two] three years in a licensed beauty shop as hereinafter provided in this act, or (iii) established to the satisfaction of the board that he or she has been an operator in the active practice of beauty culture for at least twenty-four months prior to the date of filing application for admission to an examination. No person shall be permitted to take an examination for a certificate to teach beauty culture [or act as manager of a beauty shop unless such person shall be at least eighteen years of age, and has had at least eighteen months' experience as an operator in a beauty shop or has had training in a duly registered school of beauty culture of fifteen hundred hours inclusive of the studies necessary to become an operator] unless such person shall have an operator's license, be at least eighteen years of age, shall have completed a twelfth grade education or the equivalent thereof and have had five hundred hours of specialized training as set forth in section 6 of this act which hours shall be in addition to the hours necessary to qualify for an operator's license. No person shall be permitted to take an examination for a certificate to act as a manager of a beauty shop unless such person shall have an operator's license, be at least eighteen years of age, shall have completed a tenth grade education or the equivalent thereof and have had at least eighteen months' experience as an operator in a beauty shop or have had three hundred hours of specialized training as set forth in section 6 of this act which hours shall be in addition to the hours necessary to qualify for an operator's license.

Section 4. The act is amended by adding after section 4.1, two new sections to read:

Section 4.2. Eligibility Requirements for Enrolling in a School of Beauty Culture.—No person shall be permitted to enroll as a student in a school of beauty culture nor shall a school of beauty culture enroll a student until an application for a student permit shall have been filed with the board and a student permit issued by the board. No student permit shall be issued unless the prospective student applying therefore shall have established to the satisfaction of the board that he or she is of good moral character and has completed a ninth grade education or the equivalent thereof in lieu of such education or the equivalent thereof shall have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry.

Section 4.3. Eligibility Requirements for Registration as an Apprentice.—No person shall be permitted to register as an apprentice of beauty culture nor shall a licensed beauty shop employ or cause to be registered a person until an application for an apprentice permit shall have been filed with the board and an apprentice permit issued by the board. No apprentice permit shall be issued unless the prospective apprentice applying therefor shall have established to the satisfaction of the board that he or she is of good moral character and has completed a tenth grade education or the equivalent thereof or in lieu of such education or the equivalent thereof shall have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry.

Section 5. Section 6 of the act, is amended to read:

Section 6. Requirements of a School of Beauty Culture.—No school of beauty culture shall be granted a certificate of registration unless it shall attach to its staff, as a consultant, a person licensed by this Commonwealth to practice medicine, and employ and maintain a sufficient number of competent teachers, registered as such, and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum, shall keep a daily record of the attendance of each student, shall maintain regular class and instruction hours, shall establish grades and hold examinations before issuance of diplomas, and shall require a day school term of training of not less than one thousand two hundred fifty hours within a

period of not less than [six] nine consecutive months or a night school term of training for a period of not less than [twelve] fifteen consecutive months for a complete course, comprising all or a majority of the practices of cosmetology, as provided by this act, and to include practical ¹ demonstrations and theoretical studies, and study in sanitation, sterilization, and the use of antiseptics, cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to beauty culture or any practice thereof. The hours of training required shall be accomplished within four consecutive years. In no case shall there be less than one teacher to each twenty-five pupils. A separate curriculum of five hundred hours shall be established for persons seeking to become teachers of beauty culture which shall include methods of teaching, principles of education and shop management: Provided, however, That teachers in public school programs of beauty culture who have shop managers' licenses and who meet the standards established by the Department of Public Instruction for vocational education teachers in the public schools shall be deemed to have satisfied such additional separate curriculum for teachers. A separate curriculum of three hundred hours shall be established for persons seeking to become managers of a beauty shop.

Section 6. Sections 10 and 11 of the act, amended May 12, 1949 (P. L. 1285), are amended to read:

Section 10. Apprentices in Beauty Shops.—Any cosmetologist, hairdresser, or cosmetician, who is a beauty shop owner, at least twenty-three years of age, who is a high school graduate or the equivalent thereof, who has had at least five years experience as a licensed beautician in Pennsylvania, and who is a holder of a teacher's certificate, may instruct apprentices in a duly licensed beauty shop, provided that there shall be no less than two licensed operators in addition to the teacher for each apprentice in any shop and there shall be no more than two apprentices in any shop, and provided such shop is not held out as a school of beauty culture. Such apprentices may apply for examination at the end of their apprenticeship at the

¹ "demonstration" in original.

next regular examination held by the board, and, if successful therein, shall be registered as operators. Registered apprentices upon completion of their required term of apprenticeship, may apply for, and receive from the department, a temporary permit to practice as an operator until the next regular examination.

Section 11. Rules by Board.—The board after at least one public hearing shall prescribe reasonable rules for its conduct, and for the [qualifications,] registration and examination of applicants to practice or teach beauty culture, and for the registration of [apprentices,] teachers, students, and managers of beauty shops or schools of beauty culture, and for temporary licenses to be issued by the department, and generally for the conduct of persons, copartnerships, associations or corporations affected by this act. Rules established by the board shall be printed and supplied to applicants and license holders.

Section 7. Section 20 of the act, amended May 3, 1945 (P. L. 412), is amended to read:

Section 20. Penalties.—(a) Any person who shall practice or teach beauty culture, or act in any capacity wherein registration is required, without complying with this act, shall upon conviction, in a summary proceeding, be sentenced to pay a fine not exceeding [fifty dollars (\$50.00)] two hundred dollars (\$200.00), and, in default of the payment of such fine and costs, shall be sentenced to imprisonment not exceeding [thirty (30) days] six (6) months.

(b) Any operator, manager, teacher, student or apprentice who shall practice the occupation of beauty culture while knowingly 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 thereof, shall be sentenced to pay a fine not exceeding one hundred dollars (\$100.00), or undergo an imprisonment not exceeding thirty (30) days, or both, at the discretion of the court.

(c) Any operator, manager, teacher, student or apprentice 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 (\$500.00), or to undergo an imprisonment not exceeding six months, or both, at the discretion of the court.

(d) All fines and penalties shall be paid to the department and by it paid into the State Treasury through the Department of Revenue.

(e) The owner or manager of any shop employing an unlicensed operator shall, upon conviction, be sentenced to pay a fine not exceeding five hundred dollars (\$500.00), or to undergo imprisonment not exceeding six ¹ (6) months, or both, at the discretion of the court.

¹“(6)” not in original.

Section 8. This act shall take effect in ninety days.

APPROVED—The 20th day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 209

AN ACT

SB 1541

Amending the act of July 19, 1935 (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," transferring jurisdiction of administering and enforcing the provisions thereof from the Department of Internal Affairs to the Department of Mines and Mineral Industries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title of the act of July 19, 1935 (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," is amended to read:

AN ACT

To regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of [Internal Affairs] Mines and Mineral Industries; and providing penalties.

Section 2. Section 1 of the act, amended May 15, 1945 (P. L. 563), is amended to read:

Section 1. Be it enacted, &c., That the term "solid fuel," when used in this act, shall mean anthracite, semi-anthracite, bituminous, semi-bituminous, or lignite coal, briquettes, boulets, coke, gas-house coke, petroleum coke, carbon, charcoal, or any other natural, manufactured, or patented fuel not sold by liquid or metered measure.

The term "person," when used in this act shall be construed to include any individual, partnership, unincorporated association, corporation, association, agent, firm, representative, or employe thereof.

The term "licensed weighmaster," when used in this act, shall include a person licensed to weigh solid fuel by this Commonwealth or by a bordering state issuing such licenses and recognizing licenses and weigh certificates issued by such licensees in this Commonwealth.