

CHAPTER 155

BEAUTICIANS.

155.01 UNLAWFUL TO ENGAGE IN OCCUPATION OR CONDUCT SHOPS EXCEPT AS AUTHORIZED.

It must be accepted as settled law in Minnesota that the trade or vocation of barbering as well as that of beauticians and cosmetologists has such a relation to public health that in virtue of police powers of the state it may be regulated and those engaged therein licensed. *State v Zeno*, 79 M 80, 81 NW 748; *Luzier v State Board*, 189 M 151, 248 NW 664; *State v DeGuile*, 160 M 191, 199 NW 569; *Johnson v Ervin*, 205 M 84, 285 NW 77.

Where fees are mistakenly paid into this department refundment may be made when approved by the public examiner and commissioner of administration. No refundment may be made of examination fees, except by legislative enactment. OAG May 29, 1946 (33-B-6).

155.02 DEFINITIONS.

A person teaching advance beauty culture to licensed hairdressers is conducting a hairdressing school and must be licensed. OAG Dec. 6, 1939 (33-B-9).

A manicurist being an operator, all rules relating to operators apply. OAG April 29, 1946 (33-B-6).

Licensed operators demonstrating for jobbers and under control of the board, except when the jobbers are demonstrating a product, is agent or employee of the manufacturer. OAG July 5, 1944 (33-B).

155.03 HAIRDRESSING AND BEAUTY CULTURE, WHERE PRACTICED; REGISTRATION; TEACHING.

Hospital employees at Anoka and Moose Lake state institutions may care for the hair of women inmates for health and disciplinary purposes or any purpose except beautification and require no license. OAG June 9, 1947 (33-B-9).

155.09 APPLICANTS FOR EXAMINATION; QUALIFICATIONS; LICENSE FEES.

An applicant from foreign state for manager-operator's license must have had one year experience in the state as operator. OAG Sept. 8, 1943 (33-B-9).

155.10 TEMPORARY LICENSES TO OPERATORS.

A temporary license as manicurist may be issued to a student graduating from an approved school with the required 250 hours in manicuring. OAG April 29, 1946 (33-B-6).

155.11 SCHOOL; APPROVAL; INSTRUCTION.

If the board deems it necessary in order to properly prepare students, it may establish a curriculum reasonably extending the required number of hours in study and preparation. OAG Jan. 17, 1942 (33-B-8).

The statute is silent on the question of graduate or refresher courses. Such courses are not forbidden, but there is no provision for the establishment of a curriculum by the board. OAG Jan. 2, 1947 (33-10-B).

155.14 PRACTITIONERS FROM OTHER STATES.

In examination of applicants under this section the examiner may extend the inquiry beyond the ordinary trade requisites and inquire into general education, morals, and the like, of the applicant. OAG Feb. 3, 1933 (33-B-7).