

course at a recognized school of pharmacy. In like manner, by virtue of the mandatory provisions of Section 1305, *supra*, a person seeking reciprocal registration without examination must show compliance with that requirement at the time of the examination in the state in which he is registered in order to obtain a certificate in this state.

Your communication points out that at the time the applicant mentioned therein took the examination in the sister state he was a citizen of the United States, twenty-one years of age, a graduate of a two year course in a school of pharmacy recognized by your Board, and the possessor of eighteen months of practical experience in a drug store in charge of a registered pharmacist where physicians' prescriptions are compounded. Comparing his qualifications with those contained in Section 1302, *supra*, it will readily be seen that the applicant in question fails by six months to meet the two year practical experience qualification required under the provisions of said section. The several qualifications in Section 1302, *supra*, are not in the alternative, and it is therefore essential that all be met by an applicant in order to qualify for admission to the examination. The failure to satisfy any one of such qualifications would clearly disqualify an applicant.

In view of the fact that the applicant for reciprocal registration, referred to in your communication, had only eighteen months' practical experience at the time he took the examination in the state in which he is registered, it is my opinion that he fails to qualify for such registration and your Board may not register him without examination as a pharmacist and issue him a certificate of such registration as provided in Section 1305, *supra*.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

683.

COSMETOLOGIST—WHERE LICENSE OF MANAGING COSMETOLOGIST LAPSED—RETIREMENT FROM PRACTICE—MAY BE RESTORED—COMPLIANCE WITH SECTION 1082-13, G. C.

SYLLABUS:

When the license of a managing cosmetologist has lapsed because of retirement from practice, said party is entitled to have the manager's license restored upon compliance with the requirements of Section 1082-13, General Code.

COLUMBUS, OHIO, June 1, 1939.

State Board of Cosmetology, 810 Wyandotte Building, Columbus, Ohio.

MESDAMES: You have requested my opinion on the following question: If the license of a managing operator lapses by reason of non-

practice and the party is re-examined and passes the examination, shall the applicant be licensed as an operator or as a managing operator.

The question you have presented involves the interpretation of Section 1082-13, General Code, which provides in part as follows:

“Any licensed cosmetologist or manicurist who retires from practice may have his or her license restored only upon payment of all lapsed renewal fees; provided, however, that no cosmetologist or manicurist, who has retired from practice for more than three years, may have his or her license restored, without examination.”

At the outset it should be pointed out that the term “cosmetologist” includes both an operator and a managing operator.

The answer to your question may be found in the express provisions of said section. It will be noted that said section provides that the license may be restored upon compliance with the requirements of Section 1082-13, *supra*. The word “restore” according to Webster’s New International Dictionary means, “to give back something which has been lost or taken away; to make restitution of; to return”. Furthermore, it is a fundamental principle of statutory construction that unless otherwise defined, the Legislature intended for words to be given their natural and ordinary meaning.

It clearly appears from the above that in order to comply with Section 1082-13, *supra*, the Board of Cosmetology must issue to the applicant the same type of license that he or she had prior to the lapse. To issue a different type of license in that situation would not constitute a “restoration” of a license as is required by Section 1082-13, *supra*.

Therefore, in specific answer to your inquiry, I am of the opinion that when the license of a managing cosmetologist has lapsed because of retirement from practice, said party is entitled to have the manager’s license restored upon compliance with the requirements of Section 1082-13, General Code.

Respectfully,

THOMAS J. HERBERT,
Attorney General.