

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-122)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 48, L.D. 57, Bill,  
"AN ACT to Establish Registration of Electrologists."

Amend the Bill by striking out everything after the  
enacting clause and inserting in its place the following:

'Sec. 1. 32 MRSA c. 18 is enacted to read:

CHAPTER 18

ELECTROLOGISTS

SUBCHAPTER I

GENERAL PROVISIONS

§1221. Definitions

As used in this chapter, unless the context otherwise  
indicates, the following terms shall have the following meanings.

1. Department. "Department" shall mean the Department of  
Human Services.

2. Electrology. "Electrology" shall mean the practice  
of removing hair permanently by applying electricity to the  
hair follicle to cause growth inactivity of the hair root.

3. Person. "Person" shall mean any individual, firm,  
partnership, corporation or other association or organization.

§1222. Registration; penalty

1. Registration required. No person may practice electrology  
in this State unless that person is registered with the  
department under this chapter.

2. Penalty. Any person who practices electrology in

violation of subsection 1 is guilty of a Class E crime.

§1223. Exception

This chapter shall not apply to any person who is licensed to practice any healing art or science, as defined in section 3751, and who is practicing electrology in the course of that practice.

§1224. Maine Administrative Procedure Act

The provisions of this chapter and anyone acting under them are subject to the Maine Administrative Procedure Act.

SUBCHAPTER II  
REGISTRATION

§1231. Procedure

Except as provided in section 1233, the department shall register any person under this chapter who passes an inspection under <sup>section</sup> 1243 within 60 days before that person is registered.

§1232. Valid for one year

Registration under this chapter shall be valid for one year from the date of registration.

§1233. Grounds for refusal, suspension or revocation

The following shall be grounds for the department's refusal to register any person or for the Administrative Court's suspension or revocation of the registration of any person:

1. Noncompliance with rules. Noncompliance with the rules adopted by the department under this chapter;
2. Conviction of crime. Conviction of any crime directly related to that person's practice of electrology; and

3. Registering by fraud. Attempting to register or registering under this chapter by means of fraud or under false pretenses.

SUBCHAPTER III

DEPARTMENT OF HUMAN SERVICES

§1241. Powers and duties

The department shall register or refuse to register persons under this chapter, investigate, inspect, examine and review as necessary to properly administer this chapter, and make any appropriate complaint to the Administrative Court.

§1242. Rules

The department shall adopt:

1. Administration. Rules for the proper administration of this chapter; and

2. Practices of electrology. Rules governing the practice of electrology relating to health, safety, sanitation, equipment, electrolysis procedures and recordkeeping.

~~the~~ the department shall not adopt rules relating to personal qualification, including, but not limited to, a person's age, education, training, experience or residency.

§1243. Inspections

Upon any person's request and payment of his reasonable necessary expenses, the department shall inspect that person's place of practice and equipment for compliance with the rules adopted by the department under this chapter.

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Sec. 2. 32 MRSA §1554, as enacted by PL 1977, c. 398, §10,  
is repealed.'

Statement of Fact

The purpose of this bill is to establish a simple registration procedure for electrologists, principally to ensure that basic health, safety and sanitation standards are maintained in the practice of electrology.

Reported by the Committee on Business Legislation  
Reproduced and distributed under the direction of the  
Clerk of the House.  
3/22/79 (Filing No. H-122)