

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

ary allowance given to the employee by the employer for the purchase, maintenance or use of any chainsaws or skidders used in the employee's occupation, provided such employment or occupation had continued on the part of the employer for at least 200 full working days during the year immediately preceding said that injury. For purposes of this paragraph, a "reasonable and customary allowance" is the allowance provided in a negotiated contract between the employee and the employer, or if not provided for by a negotiated contract, an allowance determined by the Department of Labor, Bureau of Employment Security. Except that in the case of piece workers and other employees whose wages during said that year have generally varied from week to week, such wages shall be averaged in accordance with the method provided under paragraph B.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 24, 1983.

CHAPTER 339

H.P. 293 - L.D. 352

AN ACT to Permit Barbers to Cut Hair Outside of Barber Shops.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §302, sub-§2, ¶F, as enacted by PL 1977, c. 398, §3, is amended to read:

F. Upon a hotel or motel occupant in that person's hotel or motel room; and

Sec. 2. 32 MRSA §302, sub-§2, ¶G is enacted to read:

G. Upon a person in the person's residence, if the barber maintains or is employed in a licensed barber shop.

Sec. 3. 32 MRSA §352, sub-§2, as amended by PL 1977, c. 694, §§550 and 551, is further amended to read:

2. Rules and regulations. The board shall make

rules and regulations commensurate with this chapter, subject to the Maine Administrative Procedure Act, Title 5, section 8051 et seq., except as otherwise provided in this subsection, and subject to the approval of the Commissioner of Human Services.

The rules and regulations shall include rules and regulations concerning the proper use of appliances, apparatus and electrical machines used in any establishment for or in connection with any of the practices defined in section 301, and prescribing the sanitary requirements to be observed by proprietors of barber shops and schools and by persons engaged in this practice and shall make regulations not contrary to law relative to the applications for licenses and certificates of registration. The board shall cause such rules and regulations to be printed in suitable form and a copy thereof to be sent to the proprietors of such shops, which copy shall be kept posted in a conspicuous place in such shops so as to be easily read by customers.

The rules and regulations shall include rules and regulations prescribing the requirements for the construction, operation, maintenance and sanitation of any school of barbering, subject to a license under this chapter. The rules may include reasonable requirements governing the practice of barbering by licensees outside of licensed shops, as permitted by section 302, subsection 2, including proper sanitary requirements.

The rules and regulations in effect on October 24, 1977, shall be considered temporary rules and regulations. Thereafter, the board shall adopt rules and regulations in accordance with the Maine Administrative Procedure Act, Title 5, section 8051 et seq. Before any rules or regulations can be adopted, the board shall hold a public hearing prior to which it shall send a copy of all proposed rules to all persons licensed under this chapter. A copy of all rules and regulations which are adopted by vote of the board after the hearing and which are approved by the Commissioner of Human Services shall be sent to all persons licensed under this chapter and shall not take effect until 30 days after the date of that vote.

Effective September 23, 1983.
