

MAINE STATE LEGISLATURE

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May 8, 1940

Elmer W. Campbell, Chief Clerk
State Board of Barbers and Hairdressers
State House
Augusta, Maine

Dear Sir:

In your letter of May 1, you request an opinion as to whether or not orders passed by the State Board for the Regulation of the Practice of Hairdressing and Beauty Culture on May 8, 1934, remain in effect although there have been changes in the personnel of the Board and additions to it by subsequent acts of Legislature.

It is my opinion that, owing to the fact that each subsequent act of the Legislature to that of Chapter 282, of the Public Laws of 1933, Special Session, have been amendments to the said act, and have not subsequently changed its initial organization nor duties, but merely provided additional personnel and duties, specifically retaining its original organization with such additions and specifically providing that all officers of the said Board, as heretofore established, shall continue in office and carry out such additional duties as provided in Section 7 of Chapter 190, Public Laws of 1937, the orders passed at the initial organization meeting of the Board will remain in force and effect until such time as they are repealed or amended by vote of the Board, or by act of the Legislature.

You further make inquiry as to whether or not the executive secretary under the Statute and orders of the Board has a right to decline to renew a license and at the same time to order a person before the Board without authority of the Board in each case.

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It is my opinion that, inasmuch as Section 8, of Chapter 282, Public Laws of 1933, expressly provides that the executive secretary of said Board shall keep a record of all proceedings, issue all notices, certificates of registration, and licenses, and attest all such papers and orders as said Board shall direct, the executive secretary, and the chief clerk of the Board acting under his direction may properly decline to renew a license if they have knowledge that an applicant may be disqualified by reasons stated in Section 16, of Chapter 190, Public Laws of 1937, and at that time may order such applicant to appear before the Board for a hearing in order that the Board may then decide whether or not such license should be renewed.

Very truly yours,

Franz U. Burkett
Attorney General

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