

# MAINE STATE LEGISLATURE

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May 29, 1947

To E. W. Campbell, Chief Clerk, Board of Barbers and Hairdressers  
Re: Expenses

Receipt is acknowledged of your memo of May 15th, which is as follows:

"Chapter 22, Revised Statutes of 1944, Section 205, next to the last paragraph, provides as follows: 'Each member of the board shall be allowed the sum of \$10 per day and their necessary traveling expenses for actual attendance upon any examination of candidates for registration, and for any necessary hearings and board meetings.'

"The third paragraph of Section 207 provides: 'Any member of the board shall have power to enter and make reasonable examination of any such shop or establishment during business hours, for the purpose of ascertaining whether or not the rules and regulations are being observed.'

"It has previously been considered that although authority has been conferred upon any member of the board to make examinations as stated, no authority had been conferred by this section to provide compensation for such member for traveling expenses for making such inspections, as the authority and duty of making inspections is expressly provided as a duty of the Executive Secretary, in the last paragraph of Section 205.

"Will you please advise if the above interpretation of this section is correct or if some other interpretation should be made."

The only provision for compensation to members of the board in said chapter is found in the paragraph above quoted. Consequently, compensation and traveling expenses may be allowed only in connection with the duties devolving upon them in conducting examinations of candidates for registration and in their attendance on necessary board hearings and board meetings.

In 1935, Chapter 112 of the Public Laws of that year provided in Section 10 for the necessary expenses to be paid to members of the board for sanitary inspections; but in 1937, by Chapter 190, this provision was eliminated, thus limiting their compensation and traveling expenses to the performance of their duties as provided in Section 205, above quoted.

It would also seem to us from the history of the previous legislation that the provisions of Section 207 above quoted merely confer a power on any member of the board to enter and make a reasonable examination of any shop, but he is not required to do so. Since compensation and travel are limited as above provided, this department is of the opinion that no travel or other compensation may be allowed for any act done under Section 207.

Abraham Breitbard  
Deputy Attorney General

AB:c