

MAINE STATE LEGISLATURE

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March 3, 1964

William H. Hughes, Superintendent

Boys Training Center

Courtland D. Perry, Asst. Atty. Gen'l.

Attorney General

Establishment of a Barber School at Boys Training Center.

FACTS:

It is considered desirable to establish a Barber School as a part of the rehabilitative program at the Boys Training Center.

QUESTION: (1)

"Does the law prohibit the establishment of such a school at the Boys Training Center (Section 230-B-III-C)?"

ANSWER: (1)

No.

OPINION: (1)

R.S. 1954, c. 25, §230-B-III-C is inapplicable to the question of the establishment of a Barber School; the exception contained therein, merely allows inmates of institutions to have their hair cut at the institution instead of in a licensed barber shop. The Rules and Regulations of the State Board of Barbers and §230-H of Chapter 25 set forth the requirements necessary to be met by a Barber School in order to be approved by the State Board of Barbers, and which must be met in order to produce candidates for examination and certificate. §230-H reads as follows:

"No school of barbering shall be approved by the board until it shall attach to its staff a physician duly licensed to practice medicine in the state where the school is located, who shall instruct the students by lectures or demonstrations at least twice but not more than 4 times during the course on subjects of sanitation, sterilization, general anatomy and diseases, nor unless it has a minimum requirement of a continuous course of study of 1,000 hours distributed over a term of not less than 6 months, including practical demonstrations, written or oral tests and theoretical and practical instruction in sanitation, fundamentals for barbing, hygiene, histology of the hair, skin, face and neck, diseases of the skin, hair, glands and nails, massaging and manipulating the muscles of the upper body, hair cutting, shaving and arranging, dressing, coloring, bleaching, tinting the hair, sterilization and the

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use of antiseptics, cosmetics and electrical appliances customarily used in the practice of barbering, which course of study and instruction shall be subject to the approval of said board. No school of barbering shall be an approved school until approval shall be recorded in the records of said board and until it shall receive a certificate of approval issued by said board. The fee for such certificate shall be \$50 and it shall be good for one year from date when issued, unless sooner suspended. Said certificate may, so long as such school continues to meet the approval of said board, be renewed from year to year upon payment of a fee of \$50 for each renewal. When the board believes a license should be suspended or revoked it shall file a statement or complaint with the hearing officer designated in chapter 20-A.

No person shall be engaged to instruct in any practice of barbering as defined in section 230-B unless said instructor has a certificate to practice barbering under sections 230-A to 230-P, excepting physicians as specified."

QUESTION: (2)

"Can the State Board of Barbers refuse a boy, who has completed the required course, the privilege of taking an examination in order to obtain a certificate of registration (Section 230-P)?"

ANSWER: (2)

Yes.

OPINION: (2)

Under R.S. 1954, c. 23, §230-P, the applicant for examination must furnish the State Board of Barbers satisfactory evidence of qualifications, which qualifications are found in §§ 230-A through 230-P, and include the minimum age of 17 years, "good respectable character and temperate habits," as well as the prescribed training—or experience.

Whether the evidence of qualification furnished by the applicant is satisfactory is a determination entirely within the discretion of the Board.

Courtland D. Parry
Assistant Attorney General

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