

# MAINE STATE LEGISLATURE

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July 2, 1969

Bernard C. Taylor, Chairman  
Leon V. Walker, Jr., Assistant

Board of Barbers  
Attorney General

**Application for Barber Shop License by State Institution**

**SYLLABUS:**

The licensing provisions of 32 M.R.S.A. Chapter 7, are not applicable to State institutions, and the State Board of Barbers has no jurisdiction to issue a barber shop license to such an institution.

**FACTS:**

The Boys Training Center, South Portland, has requested and received an inspection of its barber shop by the Barber Board in connection with its application for a barber shop license. The shop met the standards set by the Board's rules and regulations, promulgated in accordance with 32 M.R.S.A. § 352, but it is the consensus of the Board that it should not issue a barber shop license to a State institution.

**QUESTION:**

Is a State institution under the jurisdiction of the State Board of Barbers in connection with the licensing and inspection of its barber shop under the provisions of 32 M.R.S.A. Chapter 7?

**ANSWER:**

No.

**OPINION:**

32 M.R.S.A. § 301, subsection 3, provides:

"Cutting of hair, barbering and the practice of barbering shall be done only in a licensed barber shop by persons duly registered to practice barbering in this State, except in the following situations:

. . .

"C. When done upon inmates of institutions; . . . ."

Although State institutions are not specifically precluded from applying for a barber shop license, they are specifically exempted from the necessity of complying with the licensing provisions of the statute by the above-quoted section. This exemption indicates the intent of the Legislature that State institutions shall not be within the jurisdiction of the State Board of Barbers.

The license requested by the Boys Training Center may not be issued by the Board.

Leon V. Walker, Jr.  
Assistant Attorney General

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