

MAINE STATE LEGISLATURE

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November 24, 1975

Etta B. Hall, Executive Secretary

Board of Cosmetology

Leon V. Walker, Jr., Assistant

Attorney General

Biennial Licensing

You ask whether the amendments to your laws, providing for biennial licensing, effective October 1, are sufficient to allow your board to license one half of your licensees one year and the other half the next year.

The amendments do not specify such a procedure, nor even imply it. For instance, 32 M.R.S.A. § 1651, 3rd paragraph provides:

"The fee for a license to operate a beauty shop shall be \$30 for a new shop or change in location or ownership, and \$20 but not exceeding \$35 for each biennial renewal thereof. The license shall run from the first day of July biennially and the fee shall be payable to the Secretary of the Board."

See a similar provision with regard to certificates of registration in 32 M.R.S.A. § 1655, first paragraph, 2nd & 3rd sentences.

The implication of the above statutory language is not that staggered licensing or registration is contemplated as a positive action by the board, but rather that payment of all license fees is to be biennial. Of course, all licenses and registrations become due for renewal by July 1, and to bring about an immediate equalization of license payments each year would require a staggering by that date.

Since staggered licensing is not authorized by present law, and since the Legislature will meet before that time, it is suggested that you have an emergency bill introduced.

Leon V. Walker, Jr.
Assistant Attorney General

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