

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1251

H. P. 864

House of Representatives, February 12, 1963

Referred to Committee on Health and Institutional Services. Sent up for concurrence and 800 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Humphrey of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Revising Laws Relating to Hairdressers.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 25, § 213, amended. The 4th paragraph of section 213 of chapter 25 of the Revised Statutes, as repealed and replaced by section 1 of chapter 359 of the public laws of 1961 and as amended by section 54 of chapter 417 of the public laws of 1961, is repealed and the following enacted in place thereof:

'The board shall employ, subject to the Personnel Law, a full-time executive secretary. The salary of said executive secretary shall be determined by the Personnel Board and shall be paid from funds received under sections 213 to 230. The executive secretary of said board shall keep a record of all proceedings, issue all notices, except those required to be issued by the Hearing Officer under chapter 20-A, certificates of registration and licenses, attest all such papers and orders as said board shall direct, make sanitary inspections at least twice a year of shops and other establishments subject to a license under sections 213 to 230 as directed by said board, and shall report annually to the Governor and Council giving a full statement of all receipts and expenditures and a statement of the work performed by the Board of Hairdressers during the year, together with such recommendations as deemed necessary. The board shall employ, subject to the Personnel Law, inspectors who shall make inspections of shops and other establishments subject to license under direction of the executive secretary. The salary of such inspectors shall be determined by the Personnel Board and shall be paid from funds received under sections 213 to 230. The board shall have the right to dismiss, with cause, the executive secretary or the inspectors provided for in this section. No person operating or employed by a school of hair-

dresser and beauty culture shall be appointed as a member of the board; and if any member of the board after appointment shall affiliate himself in any way with any such school of hairdressing and beauty culture, his membership on the board shall immediately terminate and the vacancy shall be filled by the Governor and Council in the manner provided for the appointment of new members for the remaining unexpired term of their predecessor.'

Sec. 2. R. S., c. 25, § 214, repealed and replaced. Section 214 of chapter 25 of the Revised Statutes, as repealed and replaced by section 1 of chapter 359 of the public laws of 1961, is repealed and the following enacted in place thereof:

'Sec. 214. Definitions. The following words and phrases, when used in sections 213 to 230, shall be construed as follows:

I. Practice of hairdressing and beauty culture. The practice of, teaching of or demonstration of hairdressing and beauty culture shall mean the engaging by any person for hire or reward or without payment for the public, in any one or more of the following practices: The application of the hands or of mechanical or electrical apparatus with or without cosmetic preparations, tonics, lotions, creams, antiseptics or clays to massage, cleanse, stimulate, manipulate, exercise or otherwise to improve or to beautify the scalp, face, neck, shoulders, arms, hands or to manicure the fingernails of any person; or to arrange, dress, curl, wave, cleanse, cut, singe, bleach, color or similarly treat the hair of any person.

II. Student or apprentice. "Student or apprentice" shall mean any person who is engaged in learning and acquiring a knowledge of the practice of hairdressing and beauty culture under the direction and supervision of a person duly authorized under sections 213 to 230 to teach hairdressing and beauty culture and under the rules and regulations of the board relating to students and apprentices.

III. Demonstrator. "Demonstrator" shall mean any person who engages in behalf of a manufacturer, wholesaler, retailer or distributor in demonstrating the use of any machine or other article pertaining to hairdressing without charge to the person who is subject to such demonstration.

Sec. 3. R. S., c. 25, § 217, amended. The 3rd paragraph of section 217 of chapter 25 of the Revised Statutes, as repealed and replaced by section 1 of chapter 359 of the public laws of 1961, is repealed and the following enacted in place thereof:

'No person, firm or corporation shall operate or cause to be operated a shop or establishment where hairdressing and beauty culture are practiced unless such shop or establishment has been duly licensed. The fee for a license to operate a beauty shop shall be \$25 for a new shop or change in location or ownership and \$5 but not exceeding \$10 for each yearly renewal thereof. The license shall run from the first day of July in each year for one year and the fee shall be payable to the secretary of said board.'

Sec. 4. R. S., c. 25, § 220, amended. The last paragraph of section 220 of chapter 25 of the Revised Statutes, as repealed and replaced by section 3 of chapter 359 of the public laws of 1961, is amended to read as follows:

'Each applicant for such examination shall make written application therefor on a form prescribed and supplied by said board, which application shall contain satisfactory evidence of the qualifications required of the applicant under sections 213 to 230, and shall be sworn to by the applicant. Said applications shall be filed with the secretary of said board and shall be accompanied by an examination fee of ~~\$5~~ \$15 which shall include registration, if examination is satisfactory. If not successful, applicant shall have the privilege of taking a 2nd examination ~~without fee by payment of a fee of \$10~~ at any subsequent examination held by the board within a period of one year. ~~Any permit outstanding shall be revoked after the failure of any person to successfully pass the 2nd examination'~~

Sec. 5. R. S., c. 25, § 222, amended. The 4th and 5th sentences of section 222 of chapter 25 of the Revised Statutes, as last repealed and replaced by section 57 of chapter 417 of the public laws of 1961, are amended to read as follows:

'The fee for such certificate shall be ~~\$25~~ \$200 and it shall be good for one year from the 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 ~~\$25~~ \$35 but not exceeding \$50 for each renewal.'

Sec. 6. R. S., c. 25, § 222, amended. Section 222 of chapter 25 of the Revised Statutes, as last repealed and replaced by section 57 of chapter 417 of the public laws of 1961, is amended by adding at the end, 3 new paragraphs, as follows:

'The board shall make rules and regulations for the examination of applicants for certificates of registration as instructors of hairdressing and beauty culture. Examination applications shall be furnished by the board. Said application shall be filed with the secretary of said board and shall be accompanied by an examination fee of \$15 which shall include registration, if examination is satisfactory. All certificates of registration as instructors shall expire June 30th each year. Certificates of registration as a Maine hairdresser shall be renewed to renew instructor's certificate of registration. Renewal fee for instructors shall be \$5.

The instructors on record with the board that are actively engaged in teaching in approved beauty schools in Maine as of January 1, 1963 shall be granted certificates as instructors without examination on filing application and payment of a fee of \$15 on or before January 1, 1964.

Students to be accepted shall have reached at least the age of 16 and have completed the 10th grade in a secondary school. An enrollment record of each new student admitted to a school shall be sent to the secretary of the board on the first day of each month, accompanied by a registration fee of \$3 for each new student. The board shall furnish each student registered a certificate of registration as a student. Said certificate of registration shall expire 12 months from date of issue.'

Sec. 7. R. S., c. 25, § 223, amended. The 2nd paragraph of section 223 of chapter 25 of the Revised Statutes, as repealed and replaced by section 3 of chapter 359 of the public laws of 1961, is amended to read as follows:

'Every apprentice in order to avail himself of sections 213 to 230 to practice

hairdressing and beauty culture shall, within 10 days after entering upon his apprenticeship, file with the secretary of the board the name and place of **business** of his employer, the date of commencement of such apprenticeship and the full name and age of said apprentice, which age shall not be less than 16 years. **Said applicant shall have completed the 10th grade in a secondary school.** Any such apprentice who shall change his place of employment shall promptly notify the board and furnish it with the name and place of business of his new employer and the date of such change.'

Sec. 8. R. S., c. 25, § 223, amended. Section 223 of chapter 25 of the Revised Statutes, as repealed and replaced by section 3 of chapter 359 of the public laws of 1961, is amended by adding after the 2nd paragraph, a new paragraph, as follows:

'Each apprentice shall make application on blanks supplied by the board for certificates of registration. Said application shall be filed with the secretary of said board and shall be accompanied by a registration fee of \$10. Said certificate of registration shall expire 18 months from date of issue.'

Sec. 9. R. S., c. 25, § 225, amended. The 2nd sentence of section 225 of chapter 25 of the Revised Statutes, as last repealed and replaced by section 59 of chapter 417 of the public laws of 1961, is amended to read as follows:

'Said certificate of registration shall be renewed on or before the first day of July in each year, and the holder of said certificate of registration shall pay to the secretary of said board the sum of \$5 but not exceeding \$10 for said renewal.'

Sec. 10. R. S., c. 25, § 225, amended. Section 225 of chapter 25 of the Revised Statutes, as last repealed and replaced by section 59 of chapter 417 of the public laws of 1961, is amended by adding at the end, a new paragraph, as follows:

'Any person registered or licensed to practice hairdressing and beauty culture may apply to the secretary of said board for application as a demonstrator. Certificate of registration limited to demonstrations only may be issued upon complying with such requirements as may be determined by the board and upon payment of the fee of \$25. Certificates shall be renewed on or before July 1st each year by paying a renewal fee of \$15 for each renewal.'

Sec. 11. R. S., c. 25, § 229, amended. Section 229 of chapter 25 of the Revised Statutes, as repealed and replaced by section 3 of chapter 359 of the public laws of 1961, is amended to read as follows:

'Sec. 229. Disposition of fees. The fees received by the board under sections 213 to 230 shall be paid to the Treasurer of State. Fees received under said sections shall be used for carrying out the purposes of sections 213 to 230 ~~and sections 230 A to 230 P.~~'