

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to H.P. 293,
L.D. 352, Bill, "AN ACT to Permit Barbers to Cut
Hair Outside of Barber Shops."

Amend the bill in section 2, by striking out
everything after the amending clause and inserting in
its place the following:

'G. Upon a person in the person's residence, if
the barber maintains or is employed in a licensed
barber shop.'

Further amend the bill by inserting at the end
before the statement of fact the following:

'Sec. 3. 32 MRSA §352, sub-§2, as amended by PL
1977, c. 694, §§550 and 551, is further amended to
read:

2. Rules and regulations. The board shall make
rules and regulations commensurate with this chapter,
subject to the Maine Administrative Procedure Act,
Title 5, section 8051 et seq., except as otherwise
provided in this subsection, and subject to the
approval of the Commissioner of Human Services.

The rules and regulations shall include rules and
regulations concerning the proper use of appliances,
apparatus and electrical machines used in any estab-
lishment for or in connection with any of the prac-
tices defined in section 301, and prescribing the
sanitary requirements to be observed by proprietors
of barber shops and schools and by persons engaged in
this practice and shall make regulations not contrary
to law relative to the applications for licenses and
certificates of registration. The board shall cause

COMMITTEE AMENDMENT "A" to H.P. 293, L.D. 352

1 such rules and regulations to be printed in suitable
2 form and a copy thereof to be sent to the proprietors
3 of such shops, which copy shall be kept posted in a
4 conspicuous place in such shops so as to be easily
5 read by customers.

6 The rules and regulations shall include rules and
7 regulations prescribing the requirements for the con-
8 struction, operation, maintenance and sanitation of
9 any school of barbering, subject to a license under
10 this chapter. The rules may include reasonable re-
11 quirements governing the practice of barbering by
12 licensees outside of licensed shops, as permitted by
13 section 302, subsection 2, including proper sanitary
14 requirements.

15 The rules and regulations in effect on October 24,
16 1977, shall be considered temporary rules and regula-
17 tions. Thereafter, the board shall adopt rules and
18 regulations in accordance with the Maine Administra-
19 tive Procedure Act, Title 5, section 8051 et seq.
20 Before any rules or regulations can be adopted, the
21 board shall hold a public hearing prior to which it
22 shall send a copy of all proposed rules to all per-
23 sons licensed under this chapter. A copy of all rules
24 and regulations which are adopted by vote of the
25 board after the hearing and which are approved by the
26 Commissioner of Human Services shall be sent to all
27 persons licensed under this chapter and shall not
28 take effect until 30 days after the date of that
29 vote.'

30 STATEMENT OF FACT

31 The original bill would have permitted the prac-
32 tice of barbering in homes without restriction. Cur-
33 rently, pursuant to statute, the State Board of Bar-
34 bers, together with the Commissioner of Human Ser-
35 vices, regulates the sanitary conditions of barber
36 shops. The purpose of this amendment is to enable
37 continued scrutiny of sanitary conditions by requir-

COMMITTEE AMENDMENT "A" to H.P. 293, L.D. 352

1 ing the barber to maintain a licensed shop and by
2 giving authority to the board to promulgate reason-
3 able rules governing the practice of barbering out-
4 side of licensed shops.

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Reported by the Majority of the Committee on Business Legislation
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