



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 847

S.P. 296

In Senate, March 10, 2015

### **An Act To Permit Hair Braiding without a Barbering or Cosmetology License**

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator HASKELL of Cumberland.  
Cosponsored by Representative ROTUNDO of Lewiston and  
Senators: BRAKEY of Androscoggin, LIBBY of Androscoggin, Representatives: BURSTEIN  
of Lincolnville, HAMANN of South Portland, JORGENSEN of Portland, SANBORN of  
Gorham, SIROCKI of Scarborough, TIMBERLAKE of Turner.

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

2 **Sec. 1. 32 MRSA §14202, sub-§5**, as enacted by PL 1991, c. 397, §6, is amended  
3 to read:

4 **5. Establishment; shop.** "Establishment" or "shop" means a beauty shop or salon,  
5 cosmetology shop or salon, barber shop or salon or hair styling shop or salon, or any  
6 premises, structure, building or part of a building where any activity licensed under this  
7 chapter is practiced. A place where only hair braiding services are provided is not an  
8 establishment or shop.

9 **Sec. 2. 32 MRSA §14202, sub-§5-A**, as enacted by PL 2011, c. 286, Pt. M, §2, is  
10 amended to read:

11 **5-A. Limited barbering.** "Limited barbering" means any one or any combination of  
12 the following practices, when done for hire or compensation, upon the head of the human  
13 body for cosmetic purposes and not for the treatment of disease or physical or mental  
14 ailments:

- 15 A. Shaving, trimming or cutting the beard or mustache or removing superfluous hair;
- 16 B. Massaging of the scalp, face and neck and giving a facial and scalp treatment with  
17 creams, lotions, oils and other cosmetic preparations, either by hand or mechanical  
18 appliances, but such appliances may not be galvanic or faradic;
- 19 C. Shampooing or applying hair tonics and conditioners;
- 20 D. Cutting, arranging and styling the human hair; or
- 21 E. Cutting, fitting or styling hairpieces or wigs.

22 The practice of limited barbering does not include hair braiding.

23 **Sec. 3. 32 MRSA §14202, sub-§§8 and 9**, as enacted by PL 1991, c. 397, §6, are  
24 amended to read:

25 **8. Practice of barbering.** "The practice of barbering" means any one or any  
26 combination of the following practices, when done for hire or compensation, upon the  
27 upper part of the human body for cosmetic purposes and not for the treatment of disease  
28 or physical or mental ailments:

- 29 A. Shaving or trimming the beard, manicuring the fingernails, or cutting, arranging,  
30 waving or styling the hair;
- 31 B. Giving facial and scalp massage or treatments with cosmetic preparations, either  
32 by hand or mechanical or electrical appliances;
- 33 C. Singeing, dyeing, tinting, bleaching or shampooing the hair or applying cosmetic  
34 preparations to the hair, scalp, face, neck or upper part of the body;
- 35 D. Removing superfluous hair from the face, neck or upper part of the body; or
- 36 E. Cutting, fitting, coloring or styling hairpieces or wigs.

1 The practice of barbering does not include hair braiding.

2 **9. Practice of cosmetology.** "The practice of cosmetology" means the performance  
3 by any person for hire or compensation of any one or more of the following practices:

4 A. Beautifying, massaging, cleansing, stimulating, toning, manipulating or  
5 exercising the skin of the human body by the use of cosmetic preparations, tonics,  
6 lotions, creams, antiseptics, or clays or any device, electrical or otherwise, for the  
7 care of the skin;

8 B. Applying makeup or eyelashes to any person;

9 C. Manicuring or pedicuring the nails of any person;

10 D. Arranging, dressing, curling, waving, cleansing, cutting, trimming, removing,  
11 singeing, bleaching, coloring, relaxing or similarly treating the hair of any person;

12 E. Arranging, brushing, dressing, curling, waving, cleansing, shampooing, cutting,  
13 trimming, singeing, bleaching, coloring, tinting, dyeing, straightening, relaxing or  
14 similarly treating a wig, wiglet or hairpiece made of human hair, animal hair or  
15 synthetics; or

16 F. Teaching or demonstrating cosmetology, hairdressing or beauty culture.

17 The practice of cosmetology does not include hair braiding.

18 **Sec. 4. 32 MRSA §14203, sub-§3** is enacted to read:

19 **3. Hair braiding.** A person who provides only hair braiding services is not subject  
20 to licensure under this chapter.

## 21 SUMMARY

22 This bill exempts hair braiding from licensure under the laws governing barbering  
23 and cosmetology.