

1 House BILL NO. 346  
 2 INTRODUCED BY Menaha Reguerd by Board of Cosmetology  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS  
 5 66-809, 66-813.1 AND 66-817, R.C.M. 1947, TO PROVIDE  
 6 COMPENSATION TO THE BOARD OF COSMETOLOGISTS FOR EACH DAY  
 7 ACTUALLY ENGAGED IN THE BUSINESS OF THE BOARD; TO PROVIDE  
 8 FOR MILEAGE EXPENSES UNDER SECTION 59-801, R.C.M. 1947; TO  
 9 DELETE THE PAYMENT OF ACTUAL AND NECESSARY EXPENSES OF THE  
 10 INSPECTOR AT THE TIME OF INITIAL INSPECTION OF A  
 11 COSMETOLOGICAL ESTABLISHMENT; TO PROVIDE THAT IT IS UNLAWFUL  
 12 FOR ANYONE TO PERJURE HIMSELF ON INFORMATION SUPPLIED TO THE  
 13 BOARD; AND TO PROVIDE PENALTIES."

14  
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 Section 1. Section 66-809, R.C.M. 1947, is amended to  
 17 read as follows:

18 "66-809. Compensation of members of board -- deposit  
 19 of receipts in state treasury. Each member of the board  
 20 shall receive, as compensation for his services, the sum of  
 21 twenty-five dollars (\$25) per day for each day in actual  
 22 attendance at any meeting at of the board, and for each day  
 23 actually engaged in the business of the board. In addition,  
 24 each member shall be reimbursed for his expenses actually  
 25 and necessarily incurred in the performance of his duties.

1 Mileage expenses of board members shall be paid under  
 2 section 59-801, R.C.M. 1947. All fees collected by the  
 3 department under this act, shall be deposited in the  
 4 earmarked revenue fund for the use of the board, subject to  
 5 section 82A-1603 (6)."

6 Section 2. Section 66-813.1, R.C.M. 1947, is amended  
 7 to read as follows:

8 "66-813.1. Inspection fees. Upon application for a  
 9 license, any cosmetological establishment must pay an  
 10 initial inspection fee of twenty-five dollars (\$25) ~~plus~~  
 11 ~~actual--and--necessary--expenses--of--the--inspector.~~ This  
 12 inspection is required prior to issuance of a license."

13 Section 3. Section 66-817, R.C.M. 1947, is amended to  
 14 read as follows:

15 "66-817. Prohibited acts -- penalties -- injunctive  
 16 relief. A. It shall be unlawful without an appropriate  
 17 license issued under the provisions of sections ~~66-801~~  
 18 through 66-818, to:

- 19 1. Practice cosmetology for compensation.
- 20 2. Own, manage, operate or conduct a school of  
21 cosmetology.
- 22 3. Manage or operate a cosmetology shop or beauty  
23 parlor.
- 24 4. Teach in a school of cosmetology.
- 25 5. Practice manicuring.

1           6. Practice as a finger waver.

2           B. It is unlawful:

3           1. For any person who owns, manages or controls a

4 cosmetology shop to employ or use an unlicensed person as a

5 cosmetologist.

6           2. To operate a cosmetology school without complying

7 with all of the regulations of section 66-803.

8           3. To practice cosmetology in any place other than in

9 a licensed establishment as provided in this chapter except

10 when a licensed operator is requested by a customer to go to

11 a place other than a licensed establishment and is sent to

12 such customer from a licensed establishment.

13           4. To violate any of the provisions of sections 66-801

14 through 66-818.

15           5. To make any false statement to the board, or create

16 a false impression in a written document required by the

17 board.

18           C. The commission of any of the acts prohibited as

19 provided in subsections A and B hereof or the violation of

20 any other provision in section 66-801 through section

21 66-818, shall be a misdemeanor punishable by a fine not to

22 exceed five hundred dollars (\$500) or imprisonment not to

23 exceed six (6) months or both ~~fine and imprisonment.~~

24           D. Regardless of any penalties provided in this

25 chapter and as an additional remedy the district courts of

1 the state of Montana are vested with jurisdiction to

2 restrain and enjoin any violation or threatened violation of

3 the requirements of this chapter as a nuisance per se or

4 otherwise and the board, the attorney general or any county

5 attorney may institute proceedings in equity for the purpose

6 of obtaining equitable relief against violations of the

7 provisions of this chapter."

-End-

Approved by Committee  
on Public Health, Welfare  
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*Handwritten signature or initials*

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19 provided in subsections A and B hereof or the violation of

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THIRD READING

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