



131st MAINE LEGISLATURE

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Legislative Document

No. 146

S.P. 75

In Senate, January 10, 2023

An Act to Clarify Assessment of Fines for Tattoo Artists, Body Piercers, Electrologists and Micropigmentation Practitioners and to Change Requirements for the Approval of Public Pool and Spa Plans

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

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

2 **Sec. 1. 22 MRSA §2665, 2nd ¶**, as amended by PL 2007, c. 631, §7, is further
3 amended to read:

4 ~~The design criteria to be followed by the department in the review and approval is~~
5 Submitted plans and specifications must be signed and stamped by a professional engineer
6 licensed in this State and must include a statement by the engineer indicating that the plans
7 and specifications meet the minimum standard for all pools and the minimum standard for
8 all spas published by the American National Standards Institute and the Association of Pool
9 and Spa Professionals or successor organizations.

10 **Sec. 2. 32 MRSA §1222, sub-§3**, as enacted by PL 2013, c. 264, §8, is amended to
11 read:

12 **3. Civil-penalty Penalty.** A person who practices electrology without a license or
13 who violates the sterilization, sanitation or safety standards adopted by the department
14 under this chapter ~~commits a civil violation for which is subject to~~ a fine of not less than
15 \$500 nor more than \$1,000 ~~may be adjudged~~ for each violation. Each day the violation
16 remains uncorrected may be counted as a separate offense.

17 **Sec. 3. 32 MRSA §1222, sub-§5** is enacted to read:

18 **5. Schedule of penalties.** The department shall establish a schedule of penalties
19 according to the nature and duration of the violation of this section.

20 **Sec. 4. 32 MRSA §4204, sub-§1**, as enacted by PL 2013, c. 264, §14, is amended
21 to read:

22 **1. Penalty.** A person who fails to be licensed as required by this chapter, violates the
23 sterilization, sanitation or safety standards adopted by the Department of Health and
24 Human Services under section 4251 or performs tattooing on a minor ~~commits a civil~~
25 ~~violation for which is subject to~~ a fine of not less than \$500 nor more than \$1,000 ~~may be~~
26 ~~adjudged~~ for each violation. Each day the violation remains uncorrected may be counted
27 as a separate offense.

28 **Sec. 5. 32 MRSA §4204, sub-§4** is enacted to read:

29 **4. Schedule of penalties.** The department shall establish a schedule of penalties
30 according to the nature and duration of the violation of this section.

31 **Sec. 6. 32 MRSA §4318, sub-§1**, as enacted by PL 2013, c. 264, §16, is amended
32 to read:

33 **1. Penalty.** A person who fails to be licensed as provided by section 4312 or violates
34 the sterilization, sanitation or safety standards adopted by the department under section
35 4313 ~~commits a civil violation for which is subject to~~ a fine of not less than \$500 nor more
36 than \$1,000 ~~may be adjudged~~ for each violation. Each day the violation remains
37 uncorrected may be counted as a separate offense.

38 **Sec. 7. 32 MRSA §4318, sub-§3** is enacted to read:

39 **3. Schedule of penalties.** The department shall establish a schedule of penalties
40 according to the nature and duration of the violation of this section.

