

**Opinion No. [29-101]**

September 13, 1929

**BY:** J. A. MILLER, Assistant Attorney General

**TO:** Clara H. Pihl, Secretary Treasurer, Albuquerque, New Mexico.

STATE BOARD OF BEAUTY CULTURISTS -- May enforce regulations.

**OPINION**

Reference is made to yours of the 6th inst. in which you enclose a letter from Aztec to reply to one written by you on the 23rd of July. You explain your inability to live up to your plans, which included a trip to Aztec. I note the disappointment of Mr. Current and his complaint relative to his having to pay out traveling expenses and fees for special permits.

I do not see anything this office can do about that. Of course, if you were taken ill and had to spend time in the hospital, no criticism can attach to your failure to keep the appointment.

You ask further what assistance may be expected from the State Board of Health in cases in which beauty shops fail to come up to the requirements of the rules as to sanitation. You probably are aware that the powers and duties once devolving upon the State Board of Health have been conferred upon the State Department of Public Welfare. This is the superior health authority of this state and has power to investigate, control, and abate the causes of disease and conditions affecting the public health. I have no doubt that you will find cooperation with your board in all matters coming within your jurisdiction. The regulations adopted by the State Board of Hairdressers and Beauty Culturists were approved, as required by statute, by the State Board of Public Welfare and this board will no doubt be willing to assist in enforcing such rules and regulations.

The State Board of Hairdressers and Beauty Culturists has the power to revoke and suspend certificates upon proof of violation of the rules and regulations established, so that you have it within your power to enforce an observation of such requirements. It is unlawful to operate without a certificate and the holding of a certificate is within the power of the board.