

Opinion No. 45-4808

October 17, 1945

BY: C. C. McCULLOH, Attorney General

TO: Dorothy W Miller Secretary-Treasurer State Board of Cosmetologists 209 First National Bank Building Albuquerque, New Mexico

{*147} We are in receipt of your letter of October 11, 1945, in which you state that the operator of a cosmological establishment permitted his shop license to expire December 1, 1942, and that the establishment has made application for a renewal of his shop license. You ask our opinion as to whether or not the applicant should be required to pay the fee of \$ 100.00 prescribed by Section 3, Chapter 58, Laws of 1943 for the issuance of a license for the operation of a cosmetological establishment, or only the fee of \$ 15.00 prescribed by this section for restoring an expired certificate.

Your attention is directed to Section 51-2015 of the 1941 Compilation which provides in part as follows:

"If a license to operate a cosmetological establishment or cosmetology school has expired for more than one year, it shall not be restored; and said registrant shall be required to pay the establishment fee as set forth in this act in the same manner as other applicants."

In view of the foregoing, it is my opinion that if the shop license in question expired more than one year ago, that the applicant must pay the fee of \$ 100.00, which is the fee prescribed for the issuance of an establishment license to a cosmetological establishment. Trusting the foregoing sufficiently answers your inquiry, I am

By ROBERT W. WARD,

Asst. Atty. General