

# MAINE STATE LEGISLATURE

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(New Draft of H. P. 13, L. D. 7)  
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1643**

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H. P. 1531

House of Representatives, May 21, 1981

Reported by Representative Racine from the Committee on Business  
Legislation. Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT Relating to Permits and Inspection for Electrical Installation in  
Commercial Buildings under the Electrician Law.**

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

**Sec. 1.** 30 MRSA § 2557 is amended by adding at the end a new paragraph to read:

**The installation or alteration of electrical equipment in municipalities which do not require a permit and in the unorganized territories is governed by Title 32, section 1102-B.**

**Sec. 2.** 32 MRSA § 1102-B is enacted to read:

**§ 1102-B. Permits and inspections of commercial buildings**

**1. Permits required.** Except as otherwise provided in this section, no electrical equipment may be installed or altered unless the person making the installation first obtains a permit from the Electrician's Examining Board.

**2. Application procedure.** An application for a permit shall be made in a form prescribed by the board together with any plans, specifications or schedules the board may require. If the board determines that the installation or alteration planned is in compliance with all applicable statutes, ordinances and rules, it shall issue a permit, provided that the fee required under subsection 3 has been paid.

**3. Inspection required.** When the installation or alternation is completed, the

person making the installation or alteration shall notify the state electrical inspector assigned to the area. The inspector shall inspect the installation within a reasonable time so as not to cause undue delay in the progress of the construction contract or installation. If he determines that the installation complies with all applicable statutes, ordinances and rules, he shall issue a certificate of approval. If he determines that the installation does not so comply, the procedures set forth in section 1104 shall apply.

4. Procedures and fees. Pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, the board may adopt procedures for permit applications and the conduct of inspections. The combined fee for permit and inspection shall be paid with every application for a permit according to the following schedule, but in no event shall the fee be less than \$13.50.

A. Services — permanent:

1 phase and 3 phase through 800 amperes.....	\$13.50
1 phase and 3 phase 801 and larger .....	20.00

B. Panels remote from the main service..... 3.50

C. Receptacles, switches, fixtures, electrical heat units and permanent connected appliances ..... 20

D. Transformers — not utility owned:

Vaults.....	10.00
0 to 25 Kilovolt-ampere .....	5.00
26 to 200 kilovolt-ampere.....	7.00
over 200 kilovolt-ampere.....	10.00

E. Outside lighting and signs ..... 2.00

F. Motors and generators:

Motors — fractional.....	1.00
Motors — 1 horsepower and larger .....	2.00
Generators .....	15.00

G. Electrical alarm systems .....13.50

H. Reinspection for code violation .....10.00

5. Exception. This section shall not apply to the following:

A. One or 2-family dwellings;

B. The electrical work and equipment employed in connection with the construction, installation, operation, repair or maintenance of any utility by a utility corporation in rendering its authorized service or in any way incidental thereto;

C. Minor repair work, including the replacement of lamps, fuses, lighting fixtures, switches and sockets, the installation and repair of outlets, radio and

**other low voltage equipment and the repair of entrance service equipment; and**

**D. Installations or alterations for which a permit and inspection are required by municipal resolution or ordinance under Title 30, section 2557.**

**Sec. 3. 32 MRSA § 1104, first paragraph, as repealed and replaced by PL 1973, c. 363, is amended by adding at the end a new sentence to read:**

**Whenever any state electrical inspector finds any electrical installation in any building or structure which creates a danger to other property or to the public, he may forbid use of the building or structure by serving a written order upon the owner and the occupant, if any, to vacate within a reasonable period of time to be stated in the order.**

**Sec. 4. 32 MRSA § 1104, 2nd paragraph, as repealed and replaced by PL 1973, c. 363, is repealed and the following enacted in its place:**

**Any person ordered by a state electrical inspector to correct an electrical deficiency or to vacate a building or structure may appeal the order to the Electricians' Examining Board by filing with that board within 48 hours of receipt of the order a written notice of appeal. The board shall review that appeal and issue its written decision thereof within 10 days after receipt of the notice of appeal. If the board upholds the inspector's order, it shall prescribe the time period for the requisite correction specified in its written decision or the time within which that person must vacate the building or structure. The decision shall be complied with, unless appealed as provided. Any person ordered by the board to correct an electrical deficiency or to vacate a building or structure may appeal the order to the Superior Court in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter VII, by filing a petition for review within 48 hours of receipt of the order. The court shall issue its written decision within 20 days after receipt of the petition for review.**

**Sec. 5. 32 MRSA § 1104, 3rd paragraph, first sentence, as repealed and replaced by PL 1973, c. 363, is amended to read:**

**The decision of the ~~Administrative Court Judge~~ Superior Court on an appeal as provided shall be final and not subject to appeal under Title 5, chapter 307.**

#### STATEMENT OF FACT

The purposes of this new draft are to:

1. Establish a fee schedule for permits and inspections;
2. Change the appeals forum for decisions of the board from the Administrative Court to Superior Court; and
3. Give the state electrical inspectors authority to forbid use of a building if an electrical installation is hazardous to other buildings or the public.