

# MAINE STATE LEGISLATURE

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## CHAPTER 17

## ELECTRICIANS

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## SUBCHAPTER I

## GENERAL PROVISIONS

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1104. Funds for enforcement.
1105. Penalty for violation.

## § 1101. Definitions

The following words and phrases when used in this chapter shall be construed as follows:

1. **Electrical installations.** "Electrical installations" shall mean the installation, repair, alteration and maintenance of electrical conductors, fittings, devices and fixtures for heating, lighting, power purposes or heat activated fire alarms and electrically supervised manual fire alarms and sprinkler systems. They shall not include the installation or repair of portable appliances and other portable electrical equipment, installation of which involves only the insertion of an attachment plug into a fixed receptacle outlet. It is the meaning and intent of this subsection that the word "portable" shall not include or apply to any type of fixed electrically operated or driven equipment.

1961, c. 331.

2. **Master electrician.** The words "master electrician" shall mean a person, firm or corporation, qualified under this chapter, engaging in, or about to engage in, the business of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. The certificate shall specify the name of the person, who, in case of a firm, shall be one of its members or employees and in case of a corporation, one of its officers or employees pass-

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ing said examination, by which he or it shall be authorized to enter upon or engage in business as set forth herein. In the case of a firm or corporation the license shall become void upon the death of, or the severance from the company of, said person.

**3. Journeyman electrician.** The words "journeyman electrician" shall mean a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment in the employment of a master electrician. Each master electrician or journeyman electrician may have one apprentice electrician, or one helper electrician working with him and under his personal supervision.

**4. Apprentice electrician.** The words "apprentice electrician" shall mean a person who is as defined in Title 26, chapter 11 and who is engaged in learning and assisting in making electrical installations under the direct supervision of a master or journeyman electrician.

**5. Helper electrician.** The words "helper electrician" shall mean a person who is engaged in assisting in making electrical installations under the direct supervision of a master or journeyman electrician but does not qualify under subsection 4.

**6. Limited license.** A limited electrician's license to install and service the electrical work related to a specific type of electrically operated equipment or to specific electrical installations shall be granted to any person who has passed a satisfactory examination before the board. It shall specify the name of such person who shall be limited to engage in the occupation of installing and servicing the electrical work related to the type of equipment or to specific electrical installations only authorized by this license. (1959, c. 47.)

R.S.1954, c. 82, § 2; 1955, c. 413, § 1; 1959, c. 47; 1961, c. 331.

**§ 1102. Exceptions**

This chapter shall not apply to the following:

**1. Commissions.** Any person, firm or corporation under jurisdiction of the Public Utilities Commission of this State, or the Federal Communications Commission or the Interstate Commerce Commission, or any employee of such person, firm or corporation for the purpose of making electrical installations in the course of such employment;

**2. Utility corporations.** 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;

**3. Industrial plants.** Any electrical equipment and work including construction, installation, operation, maintenance and repair in or about industrial or manufacturing plants or electrical generating plants;

**4. Other properties of industrial plants.** Any electrical equipment and work, including construction, installation, operation, maintenance and repair in, on or about other properties, equipment or buildings, residential or of any other kind, owned or controlled by the operators of industrial or manufacturing plants, provided such work is done under the supervision of an electrical engineer in the employ of said operator;

**5. Mines, ships, carriers, sound equipment.** The electrical work and equipment in mines, pipe-line systems, ships, railway rolling stock or automotive equipment, or the operation of portable sound equipment;

**6. Manufacturers' plants.** Any electrical installations or equipment involved in the manufacture, test or repair of electrical equipment in the manufacturer's plant;

**7. Certain laboratories.** Installations in suitable laboratories of exposed electrical wiring for experimental purposes only;

**8. Regular employees of owners of real property.** Regular employees of owners or lessees of real property when working as such; and

1955, c. 413, § 7.

**9. Oil burner men.** Any person duly licensed under chapter 33; but subject to the restrictions of the license as issued. (1955, c. 413, § 7-A.)

R.S.1954, c. 82, § 13; 1955, c. 413, §§ 7, 7-A.

### § 1103. Provisions in city charters not affected

This chapter shall not prevent the licensing of electricians licensed hereunder by cities under the charters or ordinances thereof.

R.S.1954, c. 82, § 15.

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**§ 1104. Funds for enforcement**

The Insurance Commissioner is empowered to expend up to \$2,500 of the funds accrued to the board for the employment of one or more state fire inspectors, subject to the Personnel Law, to assist in the enforcement of this chapter and for the purchase of necessary electrical testing equipment. Such expenditures of accrued funds shall terminate upon the employment of one or more state electrical inspectors.

1955, c. 413, § 8; 1963, c. 152.

**§ 1105. Penalty for violation**

Any person who makes electrical installations for compensation without having first obtained a license hereunder or who, being himself in the business, employs a person to do such work who has not such a license, unless he be an apprentice within the meaning of section 1101, subsection 4, or unless the work done comes within the exceptions set out in section 1102, or who procures any license wrongfully or by fraud or violates any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and, if convicted thereof, shall be punished by a fine of not more than \$100 or by imprisonment for not more than 3 months, or by both.

R.S.1954, c. 82, § 14.

SUBCHAPTER II

**ELECTRICIANS EXAMINING BOARD**

Sec.

- 1151. Appointment; vacancies; removal; compensation.
- 1152. Employees.
- 1153. Meetings; rules and regulations.
- 1154. Disposal of fees.
- 1155. Investigation of complaints; revocation of licenses.
- 1156. Records.

**§ 1151. Appointment; vacancies; removal; compensation**

An Electricians Examining Board, as heretofore established, and in this chapter called the "board," shall consist of an executive secretary, who shall be the Insurance Commissioner or a representative from the Insurance Department delegated by the Insurance Commissioner and 6 other members, hereinafter called



the appointive members who shall be appointed by the Governor with the advice and consent of the Council. Two of said appointive members shall be electricians who are active in the trade and who have had at least 5 years' experience as such electricians. The other 4 appointive members shall be persons who have had at least 10 years' experience in the electrical field as electricians, electrical inspectors or otherwise and who need not be active electricians at the time of appointment. Said appointive members shall be appointed for terms of 2 years and may be reappointed. As the terms of said appointive members expire, new appointive members shall be appointed for terms of 2 years. Any vacancy in said board caused by death, resignation or removal of any member shall be filled by the appointment of a person qualified as aforesaid, to hold office during the unexpired term of the member whose place is thus filled. Any member of said board may be removed from office for cause, by the Governor, with the advice and consent of the Council. The members of the board shall each be allowed the sum of \$15 per day and their necessary travelling expenses for actual attendance upon an examination of candidates for license, and for any necessary hearings.

R.S.1954, c. 82, § 3; 1955, c. 413, § 2; 1959, c. 363, § 39.

### § 1152. Employees

The board shall be empowered to appoint and remove, subject to the Personnel Law, such employees as may be necessary to carry out this chapter.

R.S.1954, c. 82, § 4; 1955, c. 413, § 3.

### § 1153. Meetings; rules and regulations

The board shall hold regular meetings semiannually and shall hold additional meetings at such other times as they shall determine by their rules, or upon request of the appointive members of the board, or upon request of the executive secretary. Said board shall keep correct records of all its proceedings and shall be authorized to make such rules and regulations as it shall deem necessary for the holding of examinations and for carrying out this chapter, and to provide for reciprocity of licensing with similar boards of other states which maintain standards at least equal to this State.

R.S.1954, c. 82, § 5.

**§ 1154. Disposal of fees**

All fees received by the board shall be paid by the executive officer to the Treasurer of State to be used for carrying out this chapter.

R.S.1954, c. 82, § 10.

**§ 1155. Investigation of complaints; revocation of licenses**

The board shall investigate all complaints made to it and all cases of noncompliance with or violation of this chapter. The Administrative Hearing Commissioner, as designated in Title 5, chapters 301 to 307, shall have the power to suspend or to revoke the license of any licensed electrician who is found guilty of:

**1. Fraud or deceit.** The practice of any fraud or deceit in obtaining a license;

**2. Negligence or misconduct.** Any gross negligence, incompetency or misconduct in the performance of the work of making electrical installations. Continued failure to conform with applicable regulations of the National Electrical Code, National Electrical Safety Code or of other safety codes which have been approved by the American Standards Association shall be prima facie evidence of such gross negligence and incompetency.

Any person may prefer charges of fraud, deceit, gross negligence, incompetency or misconduct against any licensed electrician.

After hearing, the Administrative Hearing Commissioner may suspend or revoke the license of such licensed electrician.

The board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, providing 3 or more members of the board vote in favor of such reissuance.

R.S.1954, c. 82, § 11; 1959, c. 317, § 34; 1961, c. 394, § 46; 1963, c. 412, § 23.

**§ 1156. Records**

The board shall keep a record of the name and residence of all persons registered under this chapter and a record of all moneys received and disbursed by it. Said records or duplicates thereof shall be open for inspection during office hours.

R.S.1954, c. 82, § 12.

## SUBCHAPTER III

## LICENSES

Sec.

- 1201. License required.
- 1202. Issuance of licenses.
- 1203. Examinations.
- 1204. Renewals.
- 1205. Corporations and partnerships.

**§ 1201. License required**

No electrical installations shall be made for compensation, except as provided in this chapter, unless made by an electrician or other person licensed by the board.

R.S.1954, c. 82, § 1.

**§ 1202. Issuance of licenses**

**1. Application; qualifications.** The board shall issue a license to any person who files an application therefor and who meets the following qualifications:

**A.** At least 2 years' service as an apprentice or helper electrician, except that the board may give such credit as it deems justified toward such service for satisfactory completion of a course of instruction in the trade in a school approved by the board;

**B.** Satisfactory passing of an examination conducted by said board as provided in section 1203 to determine his fitness to receive such license.

1955, c. 413, § 4.

**2. Apprentice or helper.** The board may issue a license upon the payment of a fee of \$1 to any person who applies therefor, without examination, provided said applicant submits evidence satisfactory to the board that he has entered the employ of a licensed electrician to assist him as an apprentice or helper. Any such person entering the employ of such electrician to assist him as an apprentice or helper for the purpose of qualifying for any of the licenses mentioned in section 1203 shall apply for such license after commencing such employment. Any person who enters such employ as a helper without the intention of qualify-

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ing for any of such licenses shall not be required to apply for a license under this section.

1955, c. 413, § 4-A.

**3. Certificate.** All persons licensed by the board shall receive a certificate thereof under the seal of the board and with the signature of the executive secretary, which shall state the facts and which must be publicly displayed at the principal place of business of said electrician or, if no such place of business, must be carried on the person and displayed at any time upon request, as long as said person continues in the business as defined.

R.S.1954, c. 82, § 6; 1955, c. 413, §§ 4, 4-A.

**§ 1203. Examinations**

Each applicant for license shall present to the executive secretary of the board, on blanks furnished by the board, a written application for examination and license, containing such information as the board may require, accompanied by the required fee of \$10 for a master's license, \$5 for a journeyman's license or \$3 for a limited license. Examinations shall be in whole or in part in writing and shall be of a thorough and practical character. They shall include such provisions of the National Electrical Code as the board may deem appropriate. Any person failing to pass his first such examination may be re-examined at any subsequent meeting of said board, within one year of such first examination without additional fee and thereafter may be examined as often as he may desire upon the payment of the required fee. Existing licenses shall be recognized as valid until expiration and equal to a journeyman's license or may be exchanged for a master's license upon payment of the additional fee and either satisfactory proof of qualifications or passing of the necessary examinations.

R.S.1954, c. 82, § 7; 1955, c. 413, § 5.

**§ 1204. Renewals**

All licenses issued shall expire one year from date of issue and they may be renewed thereafter for periods of one year without further examination on payment of a fee of \$5 for a master's license, \$2 for a journeyman's license, \$1 for a limited, apprentice or helper's license.

R.S.1954, c. 82, § 8; 1955, c. 413, § 6.

**§ 1205. Corporations and partnerships**

The board may issue its license to corporations and partnerships engaged in the business of making electrical installations and applying therefor, provided one or more officers or employees of any such corporation directly in charge of the business affairs of such corporation, or the members of such partnership directly in charge of its business affairs, apply for the examinations provided and satisfy the board of their qualifications as electricians.

R.S.1954, c. 82, § 9.