

MAINE STATE LEGISLATURE

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No

January 4, 1954

To Wilbur F. Lunt, Chairman, Electricians Examining Board
Re: Licensing

We have the questions propounded by your Examining ^{Board}, asking for an interpretation of the provisions of Chapter 307 of the Public Laws of 1953, which is an act regulating the licensing of electricians. You ask specifically the following two questions:

"(1) Is the Board prohibited by law, or a proper construction of the law, from issuing licenses, under the so-called 'grandfather clause', restricting the holder to the performance of such electrical installation work as may be auxiliary to the principal activity of business of installing other devices which are not principally electrical devices or do not use or consume electricity as the principal ingredient for their operation?

"(2) More specifically, is the Board prohibited, under the said-so-called 'grandfather clause', from issuing licenses restricting the holder to the performance of such electrical work as may be necessary to the installation and servicing of electrically operated and controlled fuel burning and heating devices?"

The answer to both questions is in the affirmative.

The Board may not issue limited or restricted licenses. Under Section 6 of Chapter 307, the grandfather clause, so-called, will permit, we believe, the person who does electrical installation work as auxiliary to his principal business to be licensed as an electrician if he otherwise qualifies under the requirements of the law. In other words, a man may be an electrician whether his work is auxiliary to a principal business of his entire employment comprises making electrical installations.

A person who makes electrical installations as auxiliary to a principal business, having qualified and received a license under the grandfather provisions of the law, must also in the future conform to the high standards set up by the act.

In conclusion, while we do not believe that a limited or restricted license can issue, we believe that this does not in any way endanger the position of one who does electrical installations as an auxiliary to a principal business, because if he is otherwise qualified he can get the license contemplated by the statute.

James Glynn Frost
Deputy Attorney General

Jgf/c