

MAINE STATE LEGISLATURE

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December 13, 1967

Charles F. Rogan, Executive
Secretary
Harry N. Starbranch, Assistant

Electricians Examining Board
Attorney General

Licensing

FACTS:

A teacher and his students, as part of a manual training school program of a particular town of the State, engage in installing electrical wiring and equipment in a town-owned structure that is situated in the town where the school program is located. The town involved would apparently plan ultimately to sell the structure.

QUESTION:

Must a teacher and his students be licensed as electricians under 32 M.R.S.A. c. 17 when engaged in the activity described above?

OPINION:

Title 32 M.R.S.A. § 1201 provides that:

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

It would appear from your memorandum of November 27 that the students who are engaged in installing the electrical wiring and equipment are not receiving compensation for their labors but, on the contrary, are engaged in pursuing a course of study and training. If such is the case, Section 1201 clearly excludes them from the licensing requirement of that section. With regard to the teacher, I would presume that he would be receiving compensation for teaching the manual training class in question, but such compensation would be received for performing his duties as a teacher and not as an electrician; consequently, he also would be excluded from the licensing requirement under the provisions of Section 1201.

In light of the above, it is my opinion that neither the teacher nor the students involved in the installation described above would have to be licensed under the provisions of 32 M.R.S.A. c. 17.

Harry N. Starbranch
Assistant Attorney General

HNS/eh