

MAINE STATE LEGISLATURE

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Department of Health and Welfare

STATE HOUSE, AUGUSTA, MAINE

Date June 9, 1975

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Donald C. Hoxie, Director, Health Engineering

From James Eastman Smith, Assistant Attorney General

Subject OPINION RELATIVE TO THE LICENSURE OF OUT OF STATE PLUMBERS

SYLLABUS:

Plumbers practicing their profession in the State of Maine must be licensed by the State of Maine regardless of their holding valid plumbing licenses issued by another state.

FACTS:

Title 32 M.R.S.A. §3302 requires a license for any "person, corporation, partnership or other entity who is engaged in plumbing or working in plumbing."

Title 32 M.R.S.A. §3501 states that:

No plumbing shall be done for compensation, except as provided, unless done by a plumber or other person licensed by the Plumbers' Examining Board.

QUESTION AND ANSWER:

Can out-of-state contractors, contracting work in the State of Maine, utilize plumbers licensed by another state and under the supervision of a Maine licensed Master Plumber? No.

REASONS:

The term "license" is construed as meaning a license issued by the State of Maine Plumbers' Examining Board. This can be supported by the requirement of 32 M.R.S.A. §3503 (1964 as amended) which refers to Master Plumbers and Journeyman Plumbers. Any person who has served as a licensed journeyman plumber or licensed master plumber in another state shall be entitled to take the Maine Plumbing Examination if they have been licensed for at least one year in another state. Furthermore, 32 M.R.S.A. §3304 (1964 as amended), among other things, prohibits any plumbing or drainage work being done by a person unless he has first obtained a license either as a master plumber or journeyman plumber. Again, the license referred to is a State of Maine Plumbers License issued by the Examining Board. Also, the statutes preclude master plumbers or journeyman plumbers from bringing into this state, trainees or apprentices unless they have complied with the Maine law.

JES:mm