

# MAINE STATE LEGISLATURE

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# STATE OF MAINE

Inter-Departmental Memorandum Date July 7, 1975

To Col. Donald E. Nichols

Dept. Public Safety

From Peter Goranites, Ass't A.G.

Dept. Attorney General

Subject Ability of Firm or Corporation to Secure a Limited Electrician's License; Only Master Electricians May Employ Journeyman Electricians

## SYLLABUS:

1. 32 M.R.S.A. §1101(5) does not allow a firm or corporation to secure a limited electrician's license.
2. A limited electrician's license holder may not employ a journeyman electrician.

## FACTS:

A Portland company, employing a person holding a limited electrician's license, seeks to acquire a limited electrician's license for the company. Once a limited electrician's license is acquired, the company wants to employ a journeyman electrician to do work within the scope of the limited electrician's license.

## QUESTIONS:

1. Can a firm or corporation secure a limited electrician's license using a limited electrician's license employee as the basis for the issuance of said license, if the electrical work performed by said firm or corporation remained within the scope of the employee's limited electrician's license? No.
2. Can a journeyman electrician be employed by a limited electrician's license holder? No.

## REASONS:

1. 32 M.R.S.A. §1101(5) (Definitions) states that "a limited electrician's license. . . shall be granted to any person. . . ." By definition, only a person can be granted a limited electrician's license. This license restriction to persons also applies to apprentice electrician (32 M.R.S.A. §1101(1)), helper electrician (32 M.R.S.A. §1101(3)), and of a journeyman electrician (32 M.R.S.A. §1101(4)). The only electrician's license that can be held by a company is a master electrician: 32 M.R.S.A. §1101(6) says "master electrician means a person, firm or corporation. . ." (emphasis added) Sub-section 1101(6) goes on to state that if a firm seeks a master electrician's certificate, the certificate must state the name of the member or employer who passed the master electrician's examination, or in the case of a corporation, the officer or employee who passed the master electrician's examination.

A firm or corporation's master electrician's license is void upon the death or the severance from the firm or corporation of the member, officer, or employee holding the master electrician's certificate.

Reading these definitions in their entirety, it is clear that the law differentiates between the ability of persons and firms or corporations to acquire a particular electrician's license. Since 32 M.R.S.A. § 1101(5) only allows persons to acquire a limited electrician's license, a firm or corporation may not hold a limited electrician's license.

2. There is no statutory provision allowing a limited electrician's license holder to employ a journeyman electrician. In fact, a journeyman electrician may only work for a master electrician. 32 M.R.S.A. §1101(4) states as follows:

"'Journeyman electrician' shall mean a person doing work of installing electrical wires, conduits, fixtures and other electrical equipment in the employment of a master electrician." (emphasis added)

Therefore, a limited electrician's license holder may not employ a journeyman electrician.