

# MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

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Legislative Document

No. 205

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S. P. 148

In Senate, January 30, 1935.

Motion by Senator Jackson Referred to Committee on Mercantile Affairs and Insurance, sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Jackson of Sagadahoc.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-FIVE

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**AN ACT Providing for the Regulation and Supervision of Electricians.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. Electricians to be licensed; definitions.** No person, firm or corporation shall enter into, engage in, or work at the business of installing wires, conduits, apparatus, fixtures or other appliances for carrying or using electricity for light, heat or power purposes, either as master electrician or as journeyman electrician, unless such person, firm or corporation shall have received a license and a certificate therefor, issued by the board of state examiners of electricians and in accordance with the provisions hereinafter set forth.

The words "master electrician" as used in this chapter shall mean a corporation, firm or person, having a regular place of business, that, by the employment of journeymen, performs the work of installing wires, conduits, apparatus, fixtures and other appliances for carrying or using electricity for light, heat or power purposes.

The words "journeyman electrician" as used in this chapter shall mean a person doing any work of installing wires, conduits, apparatus, fixtures and other appliances.

**Sec. 2. Board of state examiners; how appointed; duties; executive secretary; expenses.** There is hereby created a board of state examiners of

electricians to be composed of 3 members, 1 to be an electrical contractor who is qualified to obtain "Certificate A" as hereafter defined, 1 to be an electrical journeyman who is qualified to obtain "Certificate B" as hereafter defined, and the third to be a qualified electrical inspector. They shall be appointed for terms of 3 years, by the governor with the approval of the council. In case of any vacancy because of death, resignation or other cause, the governor with the approval of the council shall appoint a new member of like qualifications for the unexpired term. They shall receive no compensation, but shall be reimbursed for their actual necessary expenses incurred in the performance of their duties. They may employ as a clerk or executive secretary, a practical electrician who is a wage earner, and a citizen of the state who has had at least 10 years experience in the installation of wires and appliances for carrying electricity for light, heat or power purposes. The clerk shall receive a salary of \$2200 per year to be paid by the state.

The board shall supervise the enforcement of the provisions of this chapter, and shall make the necessary rules and regulations for carrying out their duties.

They shall hold frequent examinations in Portland and Augusta, and, twice in each year, shall hold examinations in at least 2 other convenient places within the state, and they may hold annual or occasional examinations in other places. Public notice shall be given of all examinations.

They shall make an annual report of their doings.

In the conduct of the examinations they shall make uniform requirements for all towns, which may be revised from time to time, as circumstances require. Said examinations shall be sufficiently frequent to give ample opportunity for all applicants to be thoroughly and carefully examined, may be written or in practical work, and may be supervised by 1 or more of the examiners, but no license shall be granted without the sanction of the examiners.

**Sec. 3. Forms of licenses to be issued.** Two forms of licenses shall be issued. The first, hereinafter referred to as "Certificate A", shall be known as "master electrician's license", and the second, hereinafter referred to as "Certificate B", shall be known as "journeyman electrician's license".

(1) "Certificate A" shall be issued to any person, firm or corporation engaged in or about to engage in the business of installing electrical wires, conduits, apparatus, fixtures and other electrical appliances, qualified under this chapter. The certificate shall specify the name of the person, firm or corporation so applying, and the name of the person, who in the case of a firm shall be one of its members, and in the case of a corporation, one of

its officers, passing said examinations, by which he or it shall be authorized to enter upon or engage in business as set forth therein. The holding of "Certificate A" shall not entitle the holder individually to engage in or perform the actual work of installing electric wires, conduits and appliances as previously described in this chapter, but shall entitle him to conduct business as a master electrician.

(2) "Certificate B" shall be granted to any person who has passed an examination before the state board of electricians. It shall specify the name of such person, who shall thereby be authorized to engage in the occupation of a journeyman electrician. Except as otherwise provided in section 8, a holder of a "Certificate B" shall not be entitled to engage in the business of installing wires, conduits, apparatus, fixtures or other appliances for carrying or using electricity for light, heat or power purposes except as an employee of a holder of a "Certificate A" or unless said holder of a "Certificate B" is also registered as a master electrician and holds a "Certificate A".

(3) Persons desiring an examination shall make written application therefor, accompanied by the proper fee, which shall be \$15 for "Certificate A" and \$5 for "Certificate B". An applicant failing in his examination shall not have his fee returned to him, but shall be entitled to 1 free re-examination. For each subsequent re-examination for "Certificate A" he shall pay \$10 and for "Certificate B" \$2.

(4) Each "Certificate A" shall expire on July 31st in each year, but may be renewed by the same person, or the same firm or corporation, acting by 1 or more of its members or officers, without further examination, upon payment of a fee of \$10, application therefor being made during the preceding month, or in case of sickness, absence, or other disability of the holder, at such time thereafter as the board may permit.

(5) Each "Certificate B" shall expire on July 31st in each year, but may be renewed upon payment of a fee of \$2, and upon the same conditions set forth in the preceding paragraph.

(6) Holders of "Certificate A" shall keep their certificate of registration displayed in a conspicuous place in their principal offices or places of business. Holders of "Certificate B" shall be furnished by the examiners with evidence of having been so licensed, in card form or otherwise, which shall be carried on the person of the licensee and exhibited on request.

(7) Any certificate expiring while the holder thereof is in the military or naval service of the United States shall be renewed without further ex-

amination, upon payment of the prescribed fee, at any time within 4 months after such person's discharge from the service.

(8) Examination papers and applications for "Certificate A" and "Certificate B" shall be preserved for at least 3 years, after which time they may, at the discretion of the board be destroyed.

(9) Records of the meetings of the board shall be open for inspection at all times, and they shall have printed annually a manual of their regulations, including the names of all licensees.

**Sec. 4. Certificates not assignable or transferable; suspension, etc.** No certificates issued under this chapter shall be assignable or transferable. They may, after hearing, be suspended or revoked by the board upon failure or refusal of the licensee to comply with the rules and requirements of the board, or for other sufficient cause.

**Sec. 5. Penalty for working without license.** Any person, firm or corporation, or employee thereof, and any representative, member or officer of such firm or corporation individually, entering upon or engaging in the business and work hereinbefore defined, without having complied with this chapter, shall for the first offense be punished by a fine of not less than \$10, nor more than \$100, and for a subsequent offence by a fine of not less than \$50, nor more than \$500, or by imprisonment for 6 months, or by both such fine and imprisonment.

**Sec. 6. Liability of holder of a master's certificate.** No person, firm or corporation holding a "Certificate A" shall be liable for work done by his or its employees, unless it appears that such work was done with his or its knowledge or consent or by his or its authorization.

**Sec. 7. Exceptions.** This chapter shall not apply to the installation, repairing and wiring of elevators or to work in connection with the erection, construction, maintenance or repair of lines for transmission of electricity from the source of supply to the service switch on the premises where used by municipal electric plants, by electric companies as defined in section 15 of chapter 62 of the revised statutes, by gas companies authorized to make or sell electricity, by electric street railway companies, by electric railroad companies or by railroad companies; nor to the work of such plants or companies on premises owned or controlled by them; nor to the work of said municipal electric plants or of said electric or gas companies in installing, maintaining and repairing, on the premises of customers, service

connections and meters and other apparatus and appliances remaining the property of such plants or companies after installation; nor to work in connection with the lighting of public ways, alleys, private ways or private or public parks, areas or squares; nor to the work of companies incorporated for the transmission of intelligence by electricity in installing, maintaining or repairing wires, apparatus, fixtures or other appliances used by such companies and necessary for or incident to their business, whether or not such wires, conduits, apparatus, fixtures or other appliances are on its own premises.

**Sec. 8. Exemptions.** This chapter shall not forbid the employment of a learner or apprentice working with and under the direct personal supervision of a licensed journeyman electrician.

Electricians employed by theatrical companies may install temporary wiring and appliances required for the purpose of the engagement of any such company, subject to the supervision of a person licensed under this chapter.

Electricians regularly employed by firms or corporations other than holders of "Certificate A" may install such electrical wiring, conduits and appliances or make such repairs as may be required only on the premises and property of such firms or corporations; provided, that such electricians hold journeymen's licenses, and have complied with the provisions of this chapter.

**Sec. 9. Penalty for misstatement.** Any person applying for a journeyman's license and making any misstatement as to his experience or other qualifications, or any person, firm or corporation subscribing to or vouching for any such misstatement, shall be subject to the penalties set forth in section 5.

**Sec. 10. Fees and fines to go to state.** All fees and fines collected under the provisions of this chapter shall be paid over to the treasurer of state.

**Sec. 11. Special provisions for licenses first issued.** All persons, firms and corporations that for a period of 5 years have been engaged in the business of installing electrical wires, conduits, apparatus, fixtures and other electrical appliances in this state as the principal part of their business shall be licensed without examination.

All persons, who, for a period of 5 consecutive years next prior to the effective date of this act, have gained their livelihood by the occupation of

electrician shall be licensed as journeyman electricians without examination.

No prosecutions for violation of the provisions of this act during the period of 90 days after its effective date shall be instigated. It is the intent of the legislature that this act shall take effect for the purpose of organization and preparation for a period of 90 days, and that from that time on all of the provisions of this act except section 11 hereof shall be effective.

This section shall be in force for a period of 90 days only. All applications received hereunder within that time shall be passed on although the issuance of the license should come after the 90 day period.

**Sec. 12. Local ordinances.** No city or town shall pass or keep in effect any ordinance, rule or regulation in conflict with the provisions hereof.