

# MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D   L E G I S L A T U R E

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**Legislative Document**

**No. 375**

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H. P. 610

House of Representatives, January 31, 1947.

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Allen of Portland.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SEVEN

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**AN ACT Creating a State Board of Examiners of Electricians and Defining  
Its Powers and Duties.**

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

**Sec. 1. R. S., c. 74-A, additional.** The revised statutes are hereby amended by adding thereto a new chapter to be numbered 74-A, to read as follows:

**CHAPTER 74-A.**

**STATE BOARD OF EXAMINERS OF ELECTRICIANS.**

**Sec. 1. Board of examiners of electricians; creation.** There is hereby created in the division of industrial inspection, in the department of labor and industry, a state board of examiners of electricians which at all times shall consist of 5 qualified electors of the state, one of whom shall be a member of an electrical inspection department of any city or town with, at least, 5 years' experience as an electrical inspector, to represent the general public, and one of whom shall be a qualified electrical contractor with 5 years' experience, to represent the employer, one of whom shall be a journeyman electrician with 5 years' experience, to represent labor, one of whom shall be the commissioner of labor and industry who shall be ex

officio, and one of whom shall be a qualified employee of any electric utility company to represent the utility companies. Upon the passage of this chapter, the governor shall appoint the members of the board of examiners of electricians as provided herein; for terms of 1, 2, 3, and 4 years, respectively, to serve until September 1st of the respective year for which appointed, beginning with September 1, 1947 and annually thereafter, the governor shall appoint a member or members of said board to succeed the member or members whose term is at that time expiring who shall serve for 4 years or until his successor is elected and qualified. Any vacancy which may occur in the board from any cause shall be filled by the governor for the remainder of the unexpired term.

Sec. 2. Chairman and secretary; appointment. At the meeting for organization after the first appointment of said board, the members thereof shall choose a chairman and secretary, who shall hold office until their successors are appointed. Vacancies arising in the office of chairman or secretary between regular appointments shall be cared for in a like manner.

Sec. 3. License and certificate necessary to engage in work. No person, firm or corporation shall after the 1st day of September, 1947, 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 electrical contractor or as journeyman electrician, unless such person, firm or corporation shall have received a license and a certificate therefor, issued by the state board of examiners of electricians and in accordance with the provisions hereinafter set forth.

Sec. 4. Definitions; examination not necessary in certain cases; certificates; fees. The words "electrical contractor" as used in this chapter shall mean a corporation, firm or person, who, 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.

Nothing in the chapter shall be so construed as to forbid the insertion in electrical circuits, by unlicensed persons, of devices or appliances which are properly designed for such insertion and for which proper wire and insertion devices are installed.

Any person, firm or corporation which has been engaged in said business for, at least, 5 years prior to the date of the passage of this chapter shall not be required to pass any examination provided application be made within 1 year after passage of this chapter, but shall present satisfactory proof to said board of fitness to conduct such business.

A fee of \$25 shall be paid by each applicant for an electrical contractor's certificate. A fee of \$5 shall be paid by each applicant for a journeyman electrician's certificate. A fee of \$1 shall be paid by each applicant for a limited premises certificate.

Sec. 5. Rules; examinations. The state board of examiners of electricians may make necessary rules for the proper performance of their duties. They shall hold examinations in Augusta each year and at other convenient places within the state at the discretion of the board. Public notice shall be given of all examinations. In the conduct of the examinations they shall make uniform requirements for all cities and 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 and/or in practical work, and may be supervised by one or more of the examiners, but no license shall be granted except by said board.

Sec. 6. Compensation of members; report. Each member of said board shall receive compensation in the amount of \$10 for each day of actual service in attending meetings of the board at which business is transacted and all necessary expenses; provided, however, that the compensation in 1 year shall not exceed the sum of \$200 per member. Said board shall report annually to the governor and council in the month of January with a statement of its acts and proceedings, and such recommendations as said board may deem proper.

Sec. 7. Forms of licenses; records of meetings; preservation of records. Three forms of licenses shall be issued. First, hereinafter referred to as "Certificate A", shall be known as "electrical contractor's license"; the second, hereinafter referred to as "Certificate B", shall be known as "journeyman electrician's license"; and the third, hereinafter referred as "Certificate C", shall be known as "limited premises license".

"Certificate A" shall be issued to an electrical contractor or any person, firm or corporation, qualified under the provisions of this chapter, engaging in, or about to engage in, the business of installing electrical wires, conduits, apparatus, fixtures and other electrical appliances. The certifi-

cate shall specify the name of the electrical contractor, 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 examination, by which he or it shall be authorized to enter upon or engage in business as set forth therein.

“Certificate B” shall be granted to a journeyman electrician or any person who has passed an examination before the state board of examiners of electricians or who for 5 years prior to the passage of this chapter shall have been engaged as a journeyman electrician. 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 12 of this chapter, a holder of “Certificate B” shall not be entitled to do any work 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 of a “Certificate C”, or unless said holder of a “Certificate B” is also registered as an electrical contractor and holds a certificate. “Certificate C” shall be issued to any person, firm or corporation regularly employing one or more electricians for installation and maintenance of electric wiring, devices, appliances and equipment on premises owned or occupied by the applicant. The application must be made by some responsible officer of a firm or corporation, and shall contain a description of the premises within which work is to be done under the permit.

Persons desiring an examination shall make written application therefor, accompanied by the proper fee, which shall be \$25 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 one free re-examination. For each subsequent re-examination for “Certificate A”, he shall pay \$15 and “Certificate B”, \$1. Applicants for “Certificate C”, shall not require an examination.

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 one or more of its members or officers, without further examination, upon payment of a fee of \$15, application therefor being made during the preceding month.

Each “Certificate B” shall expire on July 31st in each year, but may be renewed upon payment of a fee of \$1, and upon the same conditions set forth in the preceding paragraph.

Each "Certificate C" shall expire on July 31st in each year, but may be renewed upon payment of a fee of \$1, and upon the same conditions set forth in the preceding paragraph.

Holders of "Certificate A" shall keep their certificate 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 licensees and exhibited on request.

Any certificate expiring while the holder thereof is in the military or naval service of the United States shall be renewed without further examination, upon payment of the prescribed fee, at any time within 4 months after such person's discharge from the service.

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 examiners, be destroyed.

Records of the meetings of the examiners 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. 8. Certificates not assignable or transferable. No certificates issued under the provisions of this chapter shall be assignable or transferable. They may, after hearing, be suspended or revoked by said board upon failure or refusal of the licensee to comply with the rules and requirements of said board or for other sufficient cause.

Sec. 9. Penalty. Any person, firm, association or corporation or employee thereof, and any representative, member or officer of such firm, association or corporation individually entering upon or engaging in the business and work hereinbefore defined, without having complied with the provisions of this chapter, shall for the 1st offense be punished by a fine of not more than \$100, and for a subsequent offense by a fine of not more than \$500, or by imprisonment for 6 months, or by both such fine and imprisonment.

Sec. 10. Suspension or revocation of licenses. All electrical work covered herein which is done in any city or town having rules and requirements for such work shall be done in accordance with such rules and requirements. Failure of any licensee to do such work in such manner, or his failure or refusal to correct such work with reasonable promptness after notice by local inspection or enforcement authorities where same is re-

quired by law, shall, when reported to said board be ground for suspension or revocation of said license, in the discretion of the board after proper notice and hearing. All such electrical work which is done in cities and towns not having such rules and requirements shall be done in accordance with such rules and requirements as may be specified by the board, or subject to the board's approval and shall be based upon the current edition of the "National electrical code". Failure of any licensee to do such work in such manner shall be considered ground for suspension or revocation of such license, in the discretion of the board, after notice and hearing.

Sec. 11. Exceptions. The provisions of this chapter shall not apply to: the electrical work and equipment for the generation and primary distribution of electric current, or the secondary distribution system up to and including the main switch where such is an integral part of the system owned and operated by an electrical company in rendering its duly authorized service; nor to the usual and customary services rendered by an electrical company to its customers.

The electrical work and equipment employed in connection with the operation of signals, or the transmission of intelligence, where such is an integral part of the communication system owned and operated by a municipality or by a telegraph or telephone company in rendering its duly authorized service:

The electrical work and equipment in mines, ships, railway rolling stock or automotive equipment.

The provisions of this chapter shall not apply to installations in suitable laboratories of exposed electrical wiring for experimental purposes only.

The provisions of this chapter shall not forbid the installation of electrical work in a single-family dwelling on the immediate premises thereof, by the owner thereof if living on, or about to live on the premises.

Sec. 12. Employment of learners and apprentices. The provisions of this chapter shall not forbid the employment of learners or apprentices working with and under the direct personal supervision of a licensed journeyman electrician.

Electricians regularly employed by firms or corporations, holders of "Certificate C", 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.

Sec. 13. Misstatement of qualifications, penalty. Any person applying

for an "A" contractor's license or a "B" journeyman's license and making any misstatement as to his experience or other qualifications shall be punished by the suspension or revocation of his license. Such suspension or revocation shall be at the discretion of the board.'

Sec. 2. R. S., c. 15, § 27, amended. The 1st sentence of section 27 of chapter 15 of the revised statutes, as amended by section 2 of chapter 356 of the public laws of 1945, is hereby further amended to read as follows:

'All money received by the treasurer of state from the board of registration in medicine, the board of registration of nurses, the board of examiners of applicants for admission to the bar, the board of accountancy, the board of veterinary examiners, the board of osteopathic examination and registration, the board of examiners of funeral directors and embalmers, the state board of registration and examination in optometry, the board of dental examiners, the state board of registration for professional engineers, the state board of architects, **the state board of examiners of electricians**, the state board of barbers and hairdressers, the examiners of podiatrists, and the board of commissioners of pharmacy shall constitute a fund, which shall be a continuous carrying account for the payment of the compensation and expenses of the members, the expenses of the board, and for executing the provisions of law relating to each board respectively, and so much thereof as may be required is appropriated for said purposes.'