

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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specially appointed to take testimony or special commissioners on disputed claims appointed by probate courts, ~~§ 1.50~~ \$5, or before the county commissioners ~~§ 7~~ \$5 for each day's attendance and ~~6c~~ 8c a mile for each mile's travel going and returning home; but the court in its discretion may allow at the trial of any cause, civil or criminal, in said Supreme Judicial Court or the Superior Court, a sum not exceeding ~~§ 25~~ \$50 per day for the attendance of any expert witness or witnesses at said trial, in taxing the costs of the prevailing party, except that the expense of all expert witnesses for the State in murder cases shall be in such amounts as the presiding Justice shall allow and shall be paid by the State and charged against the appropriation for the Department of the Attorney General; but such party or his attorney of record shall first file an affidavit during the term at which such trial is held and before the cause is settled, stating the name, residence, number of days in attendance and the actual amount paid or to be paid each expert witness in attendance at such trial. No more than ~~§ 2~~ \$5 per day shall be allowed or taxed by the clerk of courts in the costs of any suit for the per diem attendance of a witness, unless the affidavit herein provided is filed, and the per diem is determined and allowed by the presiding Justice.'

Sec. 3. **Effective date.** The provisions of this act shall become effective June 1, 1956.

Effective June 1, 1956

Chapter 413

AN ACT Revising the Law Relating to Licensing of Electricians.

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

Sec. 1. R. S., c. 82, § 2, repealed and replaced. Section 2 of chapter 82 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 2. **Definitions.** The following words and phrases when used in sections 1 to 14, inclusive, shall be construed as follows:

I. "Electrical installations" shall mean the installation, repair, alteration and maintenance of electrical conductors, fittings, devices and fixtures for heating, lighting or power purposes. They shall not include the installation or repair of portable appliances and other portable electrical equipment, installation of which involves only the insertion of an attachment plug into a fixed receptacle outlet. It is the meaning and intent of this subsection that the word "portable" shall not include or apply to any type of fixed electrically operated or driven equipment.

II. The words "master electrician" as used in this chapter shall mean a person, firm or corporation, qualified under this chapter, engaging in, or about to engage in, the business of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. The certificate shall specify the name of the person, who, in case of a firm, shall be one of its members or employees and in case of a corporation, one of its officers or employees passing said examination, by which he or it shall be authorized to enter upon or engage in business as set forth herein. In the case of a firm or corporation the license shall become void upon the death of, or the severance from the company of said person.

III. The words "journeyman electrician" as used in this chapter shall mean a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment in the employment of a master electrician. Each master electrician or journeyman electrician may have one apprentice electrician, or one helper electrician working with him and under his personal supervision.

IV. The words "apprentice electrician" shall mean a person who is as defined in sections 148 to 154, inclusive, of chapter 30 and who is engaged in learning and assisting in making electrical installations under the direct supervision of a master or journeyman electrician.

V. The words "helper electrician" shall mean a person who is engaged in assisting in making electrical installations under the direct supervision of a master or journeyman electrician but does not qualify under subsection IV.

VI. A limited electrician's license to install and service the electrical work related to a specific type of electrically operated equipment shall be granted to any person who has passed a satisfactory examination before the State Board of Examiners of Electricians. It shall specify the name of such person who shall be limited to engage in the occupation of installing and servicing the electrical work related to the type of equipment only authorized by this license.'

Sec. 2. R. S., c. 82, § 3, repealed and replaced. Section 3 of chapter 82 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 3. Appointment of Electricians Examining Board; vacancies; removal of members; compensation. An Electricians Examining Board, hereinafter in sections 3 to 14, inclusive, called "the Board" is hereby established and shall consist of an Executive Secretary, who shall be the Insurance Commissioner or a representative from the Insurance Department delegated by the Insurance Commissioner and 6 other members, hereinafter called the appointive members who shall be appointed by the Governor with the advice and consent of the Council. Two of said appointive members shall be electricians who are active in the trade and who have had at least 5 years' experience as such electricians. The other 4 appointive members shall be persons who have had at least 10 years' experience in the electrical field as electricians, electrical inspectors or otherwise and who need not be active electricians at the time of appointment. Said appointive members shall be appointed for terms of 2 years and may be reappointed. As the terms of said appointive members expire, new appointive members shall be appointed for terms of 2 years. It is the intent of the Legislature that the present members of the Board shall continue in office until the expiration of their terms. Any vacancy in said Board caused by death, resignation or removal of any member shall be filled by the appointment of a person qualified as aforesaid, to hold office during the unexpired term of the member whose place is thus filled. Any member of said Board may be removed from office for cause, by the Governor, with the advice and consent of the Council. The members of the Board shall each be allowed the sum of \$15 per day and their necessary travelling expenses for actual attendance upon an examination of candidates for license, and for any necessary hearings.'

Sec. 3. R. S., c. 82, § 4, repealed and replaced. Section 4 of chapter 82 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 4. Employees. The Board shall be empowered to appoint and remove, subject to the provisions of the personnel law, such employees as may be necessary to carry out the provisions of this chapter.'

Sec. 4. R. S., c. 82, § 6, sub-§ II, ¶ A, repealed and replaced. Paragraph A of subsection II of section 6 of chapter 82 of the revised statutes is hereby repealed and the following enacted in place thereof:

'A. At least 2 years' service as an apprentice or helper electrician, except that the Board may give such credit as it deems justified toward such service for satisfactory completion of a course of instruction in the trade in a school approved by the Board.'

Sec. 4-A. R. S., c. 82, § 6, sub-§ III, additional. Section 6 of chapter 82 of the revised statutes is hereby amended by adding thereto a new subsection III, as follows:

'III. The Board may issue a license upon the payment of a fee of \$1 to any person who applies therefor, without examination, provided that said applicant submits evidence satisfactory to the Board that he has entered the employ of a licensed electrician to assist him as an apprentice or helper. Any such person entering the employ of such electrician to assist him as an apprentice or helper for the purpose of qualifying for any of the licenses mentioned in section 7 shall apply for such license after commencing such employment. Any person who enters such employ as a helper without the intention of qualifying for any of such licenses shall not be required to apply for a license under this section.'

Sec. 5. R. S., c. 82, § 7, repealed and replaced. Section 7 of chapter 82 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 7. Examinations for license. Each applicant for license shall present to the Executive Secretary of the Board on blanks furnished by the Board, a written application for examination and license, containing such information as the Board may require, accompanied by the required fee of \$10 for a master's license, \$5 for a journeyman's license or \$3 for a limited license. Examinations shall be in whole or in part in writing and shall be of a thorough and practical character. They shall include such provisions of the National Electric Code as the Board may deem appropriate. Any person failing to pass his first such examination may be re-examined at any subsequent meeting of said Board, within 1 year of such first examination without additional fee and thereafter may be examined as often as he may desire upon the payment of the required fee as set forth above. Existing licenses shall be recognized as valid until expiration and equal to a journeyman's license, or may be exchanged for a master's license upon payment of the additional fee and either satisfactory proof of qualifications or passing of the necessary examinations.'

Sec. 6. R. S., c. 82, § 8, repealed and replaced. Section 8 of chapter 82 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 8. Renewal of licenses. All licenses issued as aforesaid shall expire 1 year from date of issue and they may be renewed thereafter for periods of 1 year without further examination on payment of a fee of \$5 for a master's license, \$2 for a journeyman's license, \$1 for a limited, apprentice or helper's license, commencing January 1, 1956.'

Sec. 7. R. S., c. 82, § 13, sub-§ VIII, repealed and replaced. Subsection VIII of section 13 of chapter 82 of the revised statutes is hereby repealed and the following enacted in place thereof:

'VIII. Regular employees of owners or lessees of real property when working as such; and'

Sec. 7-A. R. S., c. 82, § 13, sub-§ IX, additional. Section 13 of chapter 82 of the revised statutes is hereby amended by adding thereto a new subsection, to be numbered IX, to read as follows:

'IX. Any person duly licensed under the provisions of chapter 82-A; but subject to the restrictions of the license as issued.'

Sec. 8. R. S., c. 82, § 13-A, additional. Chapter 82 of the revised statutes is hereby amended by adding thereto a new section to be numbered 13-A, to read as follows:

'Sec. 13-A. Funds for enforcement. The Insurance Commissioner is hereby empowered to expend up to 20% of the funds accrued to the Electricians Examining Board for the employment of one or more State Fire Inspectors subject to the provisions of the personnel law to assist in the enforcement of the provisions of this chapter and for the purchase of necessary electrical testing equipment.'

Effective August 20, 1955

Chapter 414

AN ACT Relating to Aiding in Delinquency of Child Under 17.

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

Sec. 1. R. S., c. 138, § 13-A, additional. Chapter 138 of the revised statutes is hereby amended by adding thereto a new section, to be numbered 13-A, to read as follows:

'Sec. 13-A. Aiding in delinquency of child under 17 years. Any person who shall be found to have caused, induced, abetted, encouraged or contributed toward the waywardness or delinquency of a child under the age of 17, or to have acted in any way tending to cause or induce such waywardness or delinquency, shall be punished by a fine of not more than \$500, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.'

Sec. 2. R. S., c. 138, § 14, amended. Section 14 of chapter 138 of the revised statutes is hereby amended to read as follows:

'Sec. 14. Violation of §§ 9, 12 and 13-A. In order to find any person guilty of violating the provisions of sections 9 and 12 and 13-A, it shall not be necessary to prove that the child is actually in delinquency or distress, provided it appears from the evidence that through any act or neglect or omission of duty or by any improper act or conduct on the part of the accused the distress or delinquency of any child may have been caused or merely encouraged.'

Effective August 20, 1955