

Opinion No. 42-4083

May 8, 1942

BY: EDWARD P. CHASE, Attorney General

TO: Mr. James B. Luchini Engineer New Mexico Electrical Administrative Board P. O. Box 921 Santa Fe, New Mexico

{*192} This will acknowledge receipt of your letter of May 8, 1942, wherein you have requested an opinion upon the following question:

"Are electrical contractor's and journeymen electricians doing war (defense) construction work in New Mexico under private contract with the Federal Government and who are not employees of the Federal Government, subject to the New Mexico Electrical Administrative law, which requires electrical contractor's and journeymen electricians to obtain proper license?"

In view of the rulings of this office numbered 4040 and 4029, copies of which are enclosed herewith, it is my opinion that persons doing war construction work are not exempt from the provisions of state laws merely because they have a contract with the Federal Government. So long as these persons are not employed by the Federal Government they must comply with the laws of our state.

Section 1, Chapter 201, Laws of 1941, provides in part as follows:

"The provisions of this Act shall apply to all installations of electrical conductors, wiring, conduits, fixtures, devices, appliances or other electrical equipment or materials, hereinafter defined as 'electrical wiring' within or on public or private buildings, structures, or premises, except as hereinafter provided:" (No exceptions made as to business here involved.)

There can be no doubt that {*193} work of the nature here involved is subject to the provisions of the electrical administrative law. Your question, therefore, is answered in the affirmative.

By GEO. H. HUNKER, Jr.

Asst. Atty. General