

Opinion No. 45-4662

February 13, 1945

BY: C. C. McCULLOH, Attorney General

TO: Mr. J. Wilbur Jones, Engineer Electrical Administrative Board P. O. Box 386
Albuquerque, New Mexico

{*22} In your letter dated February 10, 1945, you enclose a letter from Lloyd L. Willburn, Deputy Field Inspector for the Electrical Administrative Board at Carlsbad, relative to operations of C. C. Moore and Company, Contractors. You inquire whether persons employed by the Contractor as journeymen electricians for the installation of electrical wiring on property used in connection with the mines come under the electrical licensing law or not.

On September 12, 1944, I wrote Mr. Stagner an advisory letter to the effect that it is my opinion that subsection (c) of Section 51-2201 of the 1941 Compilation exempted contractors doing installation of electrical wiring on property used in connection with the mines from the licensing provisions of the act.

Subsection (c) of this section provides, in part, as follows:

"The provisions of this act shall not apply to the installation of electrical wiring in mines, or on property used in connection with mines, * * *"

Subsection (b) of Section 51-2202 of the 1941 Compilation provides as follows:

"'Journeyman electrician' shall mean and include every person doing any work of installing, repairing or maintaining any electrical wiring or equipment subject to the provisions of this act."

Since subsection (c) above mentioned specifically provides that the provisions of the entire act shall not apply to the installation of electrical {*23} wiring in mines, or on property used in connection with mines, and since by the definition of a journeyman electrician such a workman is defined as a person doing such work subject to the provisions of this act, I am of the opinion that as to installation of electrical wiring in mines, or on property used in connection therewith, no license is required of persons performing such work; and such persons are in the same status as if no law existed relative to such electrical work. In other words, since such installation of electrical wiring does not come under the provisions of this act, the journeyman electrician doing the work not covered by the act is excluded from the definition of journeymen electricians covered by this act.