

Rulemaking Fact Sheet

(5 MRSA §8057-A)

AGENCY: 02-318, Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Electricians' Examining Board

NAME, ADDRESS, PHONE NUMBER, EMAIL OF AGENCY CONTACT PERSON: Catherine M. Carroll, Board Administrator, 35 State House Station, Augusta, ME 04333, catherine.m.carroll@maine.gov, (tel) 207-624-8605, TTY users call Maine Relay 711

CHAPTER NUMBER AND RULE TITLE:

Chapter 100: Definitions

Chapter 115: Advisory Rulings (relocated & renumbered)

TYPE OF RULE (*check one*): Routine Technical Major Substantive

STATUTORY AUTHORITY: 32 M.R.S. §§ 1101, 1153; 5 M.R.S. § 9001(4)

DATE, TIME AND PLACE OF PUBLIC HEARING: December 18, 2020, 9:00 am. If the state of emergency in response to the novel coronavirus disease known as COVID-19 is still in place at the time of the hearing, the hearing will be held through remote access pursuant to 1 M.R.S. § 403-A. The information needed to access the hearing remotely will be posted on the Board's website at https://www.maine.gov/pfr/professionallicensing/professions/electricians/board_meetings.shtml. If the state of emergency no longer exists at the time of the hearing, the hearing will be held at the Office of Professional and Occupational Regulation, 76 Northern Avenue, Gardiner, Maine. The hearing may be continued on additional dates if necessary. Comments on the proposed rules may be submitted to the Board Administrator no later than 5:00 p.m., Wednesday, December 30, 2020 by emailing her at electrician.board@maine.gov or by mailing your comments to her at Electricians' Examining Board, Attn: Catherine M. Carroll, 35 State House Station, Augusta, ME 04333-0035.

COMMENT DEADLINE: December 30, 2020, 5:00 p.m.

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE:

The proposed rulemaking will define photovoltaic racking system and will relocate and renumber a chapter regarding Advisory Rulings.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___YES XNO

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The title "Definitions" for 02-318 Chapter 100 replaces the title "Advisory Rulings", and "Advisory Rulings" is relocated to a newly created 02-318, Chapter 115. The definition of "Photovoltaic Racking System" will clarify the Board's ongoing policy that construction or installation of the supporting structure for solar panels is not an "electrical installation" pursuant to 32 M.R.S. § 1101(2), and, as such, an unlicensed person may construct or install the supporting structure for a photovoltaic system.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon)

In development of the rule, both the 2017 NFPA 70 NEC and 32 M.R.S. § 1101(2) were considered.

ESTIMATED FISCAL IMPACT OF THE RULE: Minimal, as the proposed rule seeks to codify preexisting interpretations of the Board.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

**INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED
AND HOW THEY WILL BE AFFECTED:** [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.