

# Notice of Agency Rulemaking Proposal

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

CHAPTER NUMBER AND TITLE:

Chapter 100: Definitions  
Chapter 115: Advisory Rulings (relocated & renumbered)

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

PROPOSED RULE NUMBER:

## BRIEF SUMMARY:

The proposed rulemaking defines "Photovoltaic Racking System" and relocates and renumbers a chapter regarding Advisory Rulings. Go to <https://www.maine.gov/pfr/professionallicensing/professions/electricians/index.html> to find the proposed rules and related rulemaking documents.

Date, time and location of PUBLIC HEARING (*if any*): 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](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](mailto: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 by 5:00 p.m.

CONTACT PERSON FOR THIS FILING (*include name, mailing address, telephone, fax, TTY, email*): Catherine M. Carroll, Board Administrator, 35 State House Station, Augusta, ME 04333, [catherine.m.carroll@maine.gov](mailto:catherine.m.carroll@maine.gov), (tel) 207-624-8605, TTY users call Maine Relay 711

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (*if any*): N/A

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

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*): N/A

AGENCY WEBSITE: [www.maine.gov/professionallicensing](http://www.maine.gov/professionallicensing)

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: [Anne.L.Head@Maine.gov](mailto:Anne.L.Head@Maine.gov)

\* Check one of the following two boxes.

The summary provided above is for publication in both the newspaper and website notices.

The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.

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Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT \_\_\_\_\_ DATE: \_\_\_\_\_

*(authorized signature)*

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
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Additional Information for the Web *(if any)*

## DETAILED SUMMARY:

The proposed rulemaking will repeal 02-318, Chapter 100, “Advisory Rulings” and replace with 02-318, Chapter 100, “Definitions” and relocate and renumber the rules regarding Advisory Rulings to a newly created 02-318, Chapter 115.

The proposed rulemaking will define the term “photovoltaic racking system”, clarifying that the construction or installation of the supporting structure of a photovoltaic system is not an “electrical installation” pursuant to 32 M.R.S. § 1101(2):

“Photovoltaic racking system” means the supporting structure for solar panels and for some other components of a photovoltaic system. The construction or installation of the supporting structure of a photovoltaic system, including racking and mounting equipment such as frames, racks, rails and footings, is not an electrical installation.