**02-318**

**ELECTRICIANS’ EXAMINING BOARD**

Maine Administrative Procedure Act

2020 - 2021 Regulatory Agenda

*As amended 11-20-2020 and 4-20-2021.*

AGENCY UMBRELLA-UNIT NUMBER: **02-318**

AGENCY NAME: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, **Electricians’ Examining Board**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None.

**EXPECTED 2020-2021 RULE-MAKING ACTIVITY:** The rules are expected to be reviewed and revised for consistency with the provisions of Public Law 2017, Chapter 198, enacted by the 128th Maine State Legislature, which updated the board’s terminology to more accurately describe license requirements, scopes of practice and supervision requirements; reorganized sections; and added a provision to allow persons with comparable education and/or work experience in other jurisdictions to qualify for licensure. Additional rules may be adopted to establish definitions, explain terms as defined in statute, as well as set standards for providing continuing education and to maintain licensure and other education courses for licensure.

**CHAPTER 100**: Definitions

STATUTORY AUTHORITY: 32 M.R.S. §§ 1101, 1153

PURPOSE: This chapter is presently titled “Advisory Rulings.” The Board may repeal and replace with a new chapter setting forth definitions to be used to further explain terms used in statute, including but not limited to a definition of a “photovoltaic racking system” clarifying that the construction or installation of the supporting structure of a photovoltaic system is not an electrical installation.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 110**: Conflict of Interest

STATUTORY AUTHORITY: 32 M.R.S. §1153

PURPOSE: This chapter may be repealed, in part. 10 M.R.S. §8007 addresses most of the provisions of this chapter.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 115**: Advisory Rulings

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

PURPOSE: The Board may relocate and renumber its rule chapter for “Advisory Rulings”, formerly located at Chapter 100.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 120**: Electrical Installation Standards

STATUTORY AUTHORITY: 32 M.R.S. §§ 1153, 1153-A

PURPOSE: The board may review and revise its rules to adopt, by reference, the 2020 edition of the *National Electrical Code*.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 125**: Scope of Practice

STATUTORY AUTHORITY: 32 M.R.S. §§ 1153 and 1202-A

PURPOSE: This chapter may be repealed in its entirety. 32 M.R.S. §1202-A enacted in 2017 addresses scope of practice.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 130**: Examination and Licensing Requirements

STATUTORY AUTHORITY: 32 M.R.S. §§ 1153, 1202-A, 1204

PURPOSE: The Board may review and revise its rules to ensure clarity and conformity with the enabling statute by amending the examination and licensing requirements for electricians.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 135**: Electrical Permits

STATUTORY AUTHORITY: 32 M.R.S. §§ 1102-C, 1153, 1153-A

PURPOSE: The Board may review and revise its rules to ensure clarity and conformity with the enabling statute by amending requirements relating to the issuance of electrical permits.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASES RULE DEVELOPMENT: Not contemplated.

**CHAPTER 140**: Board Fees

STATUTORY AUTHORITY: 32 M.R.S. §1203-A

PURPOSE: The Board may repeal this chapter. The Office of Professional and Occupational Regulation has established fees for the Board pursuant to 10 M.R.S. §8003(2-A)(D) and Chapter 10.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASES RULE DEVELOPMENT: Not contemplated.

**CHAPTER 150**: Reciprocity

STATUTORY AUTHORITY: 32 M.R.S. §§ 1153, 1206

PURPOSE: The Board may review and revise its rules to ensure clarity and conformity with the enabling statute by amending the procedures for qualifying for licensure by reciprocity.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

*Added April 20, 2021*

**CHAPTER 160**: Power Generation Systems as Electrical Installations

STATUTORY AUTHORITY: 32 M.R.S. §§ 1101, 1153, 1153-A

PURPOSE: The rulemaking proposes a new chapter that will explain when installations of power generation systems are, and are not considered, “electrical installations” as that term is defined in statute. The proposed rule provides that a complete installation of a photovoltaic, fuel cell, or wind power generations system is an ”electrical installation” as that term is defined by statute, and describes when installing portions of a photovoltaic power generation system that constitute less less than a complete installations are not “electrical installations” as that term is defined by statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 170**: Denial Appeals

STATUTORY AUTHORITY: 10 M.R.S. §8003(5-A)

PURPOSE: The Board may repeal this chapter. 10 M.R.S. §8003(5-A) addresses the applicant’s or licensee’s right to appeal a license denial.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.