

Annual List of Rulemaking Activity
Rules Adopted January 1, 2021 to December 31, 2021
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: **Maine Emergency Medical Services (Maine EMS)**
Umbrella-Unit: **16-163**
Statutory authority: 32 MRS §§ 84(1)(D), 88(2)(B)
Chapter number/title: All rules
Filing number: **2021-004 to 025**
Effective date: 1/10/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

This was a cover-to-cover review of the Maine EMS System rules, and many outdated references have been removed or updated. The Board has adopted additions to the rules to assist with the management of the Maine EMS System and to ensure optimum patient care.

Basis statement:

The Board of Emergency Medical Services felt that a cover to cover review of the Maine Emergency Medical Services (EMS) rules was necessary to bring the rules current by eliminating outdated license levels, outdated compliance dates, and references that were no longer valid. Prior to the 2019 addition of the Community Paramedicine rules, the last revision was in 2015 with an addition of the quality assurance chapter, chapter 18. This review includes modifications and additions to the rules that will improve the management of the Maine EMS System. Those modifications and additions include, but are not limited to:

- Adopting the Core Values of Excellence, Support, Collaboration, and Integrity;
- Improvements to Chapter 2. Definitions, including adding definitions for Emergency Medical Call, Full Time Dispatch, Service-Level Medical Director and Trauma;
- Clarifications and additions to Chapter 3, Ground Ambulance Service and Non-Transporting Service Licenses including transitioning all agency expiration dates to November 30, requiring patient care reports to be submitted within 24 hours, and requiring new ambulances to meet national standards;
- A significant update to Chapter 4, Air Ambulance Service Licenses, to bring the chapter in line with guidance from the National Association of State EMS Officials;
- A four-year transition to a two-year duration for personnel licenses and the integration of the National Continued Competency Program; and
- Moving the equipment lists from a list to a table.

Fiscal impact of rule:

- The litter retention systems referenced in chapter 3 will be approximately \$5,000/ambulance. This is a requirement only for new ambulances licensed after these rules are in effect. It will not require agencies to upgrade existing litter retention systems. In 2018, Maine EMS issued 37 New Vehicle Applications. There are 163 Ground Ambulance Services licensed by Maine EMS, with 503 licensed vehicles.
- Ground Ambulance Service and Non-Transporting Service applicants that are applying at or permitting to the Advanced EMT, or Paramedic level, must have a service-specific Medical Director.
- In Chapter 3-A, an Emergency Medical Dispatch Center is now required to have the electronic version of the EMD Protocol. Although are costs associated with this, there is currently no licensed EMD center in the State of Maine that does not comply with this already.

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- Chapter 17 is the required equipment chapter; potential financial impact exists in this chapter where Maine EMS has updated the equipment requirements:
 - The count of required nasal airways has gone from four to seven
 - The count of required oral airways has gone from four to eight
 - Most if not, all services already comply with these requirements; as an example, our previous requirements of Oral airway, adult small, is not a size that is available on the market.
 - A Bougie has been added for Paramedic level services and Air Ambulance services
 - CPAP devices have been added to the AEMT, Paramedic and Air Ambulance service levels
 - Gastric Tubes have been added to the Paramedic level services and Air Ambulance services
 - A Mucosal Atomization device has been added for all levels
 - Hemostatic Agents have been added for all levels
 - Tourniquets have been added for all levels
 - Medication Pumps have been added for Paramedic level services and Air Ambulance Services
 - These items are additions from the MDPB approved equipment list and the Maine EMS Protocols. These items are already a part of every ambulance service in the state and adding them to rule is a formality.

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Agency name: **Maine Emergency Medical Services (Maine EMS)**
Umbrella-Unit: **16-163**
Statutory authority: 32 MRS §84(1)(A)
Chapter number/title: **Ch. 20** (New), COVID-19 Immunization Requirements
Filing number: **2021-174**
Effective date: 8/25/2021
Type of rule: Routine Technical
Emergency rule: Yes

Principal reason or purpose for rule:

The Board finds, based on the findings of the Department of Health and Human Services, that requiring certain EMS providers to be vaccinated against COVID-19 is necessary to protect the health and safety of the patients, as well as to provide force protection of its providers in order to maintain an effective emergency medical services system during this public health emergency.

Basis statement:

32 MRS Section 81-A states that the purpose of the EMS law is to provide for a comprehensive and effective emergency medical services system to ensure optimum patient care. Under that law, the provision of medical assistance in an emergency is deemed a matter of vital concern affecting the health, safety and welfare of the public. 32 MRS Section 84(1)(A) requires that the Board of Emergency Medical Services (the “Board”) adopt forms, rules, procedures, testing requirements, policies and records appropriate to carry out the purposes, requirements and goals of this law.

The Maine Department of Health and Human Services Maine (the “Department”) declared a public health emergency, effective as of July 1, 2021. After that declaration, on August 12, 2021, the Department adopted an emergency rule that requires certain entities, including EMS services, to require its employees to be immunized against COVID 19.

The Board finds, based on the findings of the Department, that requiring certain EMS providers to be vaccinated against COVID 19 is necessary to protect the health and safety of its patients, as well as to provide force protection of its providers in order to maintain an effective emergency medical services system during this public health emergency.

FINDINGS OF EMERGENCY

The Board further finds, based on the present existence of a declared public health emergency, that the immediate adoption the proposed rule is necessary to avoid an immediate threat to public health, safety or general welfare. Specifically, the Board finds that the expedient adoption of a vaccination requirement for its licensees is necessary to avoid an immediate public health threat pertaining to the transmission of COVID 19 amongst the EMS system and its patients.

Fiscal impact of rule:

None.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 25 MRS §2452
Chapter number/title: Ch. 5, Portable Fire Extinguishers
Filing number: 2021-074
Effective date: 4/17/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:
(See Basis Statement)

Basis statement:

The adoption of NFPA #10, *Standard for Portable Fire Extinguishers*, 2028 edition, is needed to allow for flexibility in the inspection and verification of fire extinguishers within a structure. There are also allowances for installation of additional extinguishers without requiring strict adherence to the standards, providing the protection provided by the additional extinguishers is not required as minimum compliance.

Fiscal impact of rule:
No fiscal impact.

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Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 25 MRS §2452
Chapter number/title: Ch. 7 (*Repeal*), Dry Cleaning Plants
Filing number: 2021-075
Effective date: 4/17/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:
(See Basis Statement)

Basis statement:

This rule is being repealed because the adoption of the 2018 NFPA 1, *Uniform Fire Code*, in ch. 3 has incorporated the subject matter of the State Fire Marshal's rule ch. 7.

Fiscal impact of rule:
No fiscal impact.

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Rules Adopted January 1, 2021 to December 31, 2021
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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 25 MRS §2452
Chapter number/title: Ch. 8 (*Repeal*), Spray Applications
Filing number: 2021-076
Effective date: 4/17/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:
(See Basis Statement)

Basis statement:

This rule is being repealed because the adoption of the 2018 NFPA 1, *Uniform Fire Code*, in ch. 3 has incorporated the subject matter of the State Fire Marshal's rule ch. 8.

Fiscal impact of rule:
No fiscal impact.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 25 MRS §2452
Chapter number/title: Ch. 9 (*Repeal*), Dip Tanks
Filing number: 2021-077
Effective date: 4/17/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:
(See Basis Statement)

Basis statement:

This rule is being repealed because the adoption of the 2018 NFPA 1, *Uniform Fire Code*, in ch. 3 has incorporated the subject matter of the State Fire Marshal's rule ch. 9.

Fiscal impact of rule:
No fiscal impact.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 25 MRS §2452
Chapter number/title: Ch. 11 (*Repeal*), Bulk Oxygen and Hydrogen Systems
Filing number: 2021-078
Effective date: 4/17/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:
(See Basis Statement)

Basis statement:

This rule is being repealed because the adoption of the 2018 NFPA 1, *Uniform Fire Code*, in ch. 3 has incorporated the subject matter of the State Fire Marshal's rule ch. 11.

Fiscal impact of rule:
No fiscal impact.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 25 MRS §2452
Chapter number/title: Ch. 13 (*Repeal*), Welding, Cutting and Allied Processes and Acetylene Cylinder Charging Plants
Filing number: 2021-079
Effective date: 4/17/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:
(See Basis Statement)

Basis statement:

This rule is being repealed because the adoption of the 2018 NFPA 1, *Uniform Fire Code*, in ch. 3 has incorporated the subject matter of the State Fire Marshal's rule ch. 13.

Fiscal impact of rule:
No fiscal impact.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 8 MRS §236; 25 MRS §2452
Chapter number/title: Ch. 20, Fire Safety in Buildings and Structures
Filing number: 2021-030
Effective date: 1/25/2021
Type of rule: Routine Technical
Emergency rule: Yes

Principal reason or purpose for rule:

This rule provides establishments additional time to avoid exceeding gathering limits established by the Governor to limit the spread of COVID 19 by extending time limits on the use of temporary structures set out in current rule. Under current rule the use of temporary structures is limited to 180 days. The emergency rule extends that time to 364 days and subsequently gives restaurants, bars, schools and other establishments additional time to avoid indoor crowds exceeding gathering limits and therefore comply with The Governor's Office Executive Order #14 "An order to Implement Phase Four of the Restarting Maine's Economy Plan."

Basis statement:

On October 6, 2020, The Governor's Office issued Executive Order #14 "An order to Implement Phase Four of the Restarting Maine's Economy Plan." A critical component of the plan is to "ease restrictions safely on businesses" that could otherwise inhibit their efforts to limit the spread of the COVID-19. This rule is an emergency rule to address the issue of temporary structures during the COVID-19 pandemic and the Governor's emergency order. This will allow schools and facilities to continue to use temporary structures such as tents to allow for compliance with the Governor's executive order. Temporary structures are used to avoid indoor crowds exceeding limits on gathering at restaurants, bars, schools and other establishments identified in the order. Under current rule a temporary structure is limited to 180 days of use. This rule extends that time to 364 days allowing establishments the additional time needed to maintain efforts needed to limit the spread of COVID-19.

Fiscal impact of rule:

None.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 8 MRS §236; 25 MRS §2452
Chapter number/title: Ch. 36, Consumer Fireworks Sales License
Filing number: 2021-132
Effective date: 6/21/2021
Type of rule: Routine Technical
Emergency rule: Yes

Principal reason or purpose for rule:

To give our office a standard to hold facilities to when storing consumer fireworks, that is currently not addressed in our adopted rules.

Basis statement:

We currently have ch. 7 of NFPA (National Fire Protection Association) 1124 adopted, that covers the retail sales portion of consumer fireworks. It has come to our attention that several consumer fireworks retailers are currently storing consumer fireworks in storage facilities remote from their retail location. Without having the entire 1124 standard at our disposal there are not standards for consumer firework storage. LD 180 was presented to the 130th Legislature to rectify this issue but the bill has been carried over, to another session. Without this Standard we have no standard to require compliance with. This could pose a public safety issue when there are no safety standards adopted.

Fiscal impact of rule:

None; we currently inspect retail facilities.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 8 MRS §236; 25 MRS §2452
Chapter number/title: Ch. 36, Consumer Fireworks Sales License
Filing number: 2021-182
Effective date: 9/20/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

To give our office a standard to hold facilities to when storing consumer fireworks, that is currently not addressed in our adopted rules.

Basis statement:

We currently have ch. 7 of NFPA (National Fire Protection Association) 1124 adopted as an emergency rule effective until September 21, 2021, which covers the retail sales portion of consumer fireworks. This routine rule will make permanent a standard for storage facilities to follow to ensure the public safety when storing consumer fireworks. The rule will incorporate in its entirety NFPA Standard 1124 “Code for the Manufacture, Transportation, and Storage of Fireworks and Pyrotechnic Articles”.

Fiscal impact of rule:

None; we currently inspect retail facilities.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 8 MRS §236; 25 MRS §2452
Chapter number/title: Ch. 50, Death Benefits for Firefighters Who Die in the Line of Duty
Filing number: 2021-031
Effective date: 1/25/2021
Type of rule: Routine Technical
Emergency rule: Yes

Principal reason or purpose for rule:

Changes in statute. To meet changes to benefit amounts as set forth under 25 MRS §1612 as amended in Public Law 2019 ch. 658 §6 (AMD) this rule increases the death benefits that will be paid to survivors of firefighters who have died in the line of duty from \$50,000 to \$100,000.

Basis statement:

Changes in statute require a change in rule.

Fiscal impact of rule:

This depends upon the number of firefighters killed in the line of duty. The average number of firefighters killed per year since 2007 has been .69.

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Agency name: Office of State Fire Marshal
Umbrella-Unit: 16-219
Statutory authority: 25 MRS §1612
Chapter number/title: Ch. 50, Death Benefits for Firefighters Who Die in the Line of Duty
Filing number: 2021-080
Effective date: 4/17/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

25 MRS §1612 increased the death benefit for firefighters who die in the line of duty from \$50,000 to \$100,000. This brings ch. 50, *Death Benefits for Firefighters Who Die in the Line of Duty*, in line with the statute. This routine technical rule makes permanent emergency rule 2021-031 adopted and made effective January 25, 2021.

Basis statement:

This routine technical rule will make permanent emergency rule 2021-031 adopted and made effective January 25, 2021. The rule is being adopted to meet death benefit increases in accordance with 25 MRS §1612 from \$50,000 to \$100,000.

Fiscal impact of rule:

This depends upon the number of firefighters killed in the line of duty. The average number of firefighters killed per year since 2007 has been less than one or .69.

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Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: **Gambling Control Board/Unit**
Umbrella-Unit: **16-633**
Statutory authority: 8 MRS §1003
Chapter number/title: **Ch. 5**, Internal Controls (*including* Appendix A, Minimum Internal Controls)
Filing number: **2021-236**
Effective date: 11/28/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The rule package changes the table game count from daily to once a week, separating days by daily drops.

Basis statement:

This is an amendment to Board Rules Chapter 5, Appendix A, regarding collection of counting of table game proceeds from a daily basis to a weekly basis while still meeting the obligations of counting, recording and distributing collected funds as required by law and rule under statutory authority of 8 MRS §1003.

Each Operator shall place on file with the Board and the Department, at a minimum once a year, the specific times during which the contents of cash storage boxes and drop boxes are to be counted and recorded. Counting and recording of cash storage boxes, at a minimum, shall be once a week. Counting and recording of drop boxes, at a minimum, shall be once a week, counting and recording each day separately.

Fiscal impact of rule:

No estimates available. Reduction in the need for use of staff time while still meeting other obligations of reporting and distribution by law and rule.

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Agency name: **Gambling Control Board/Unit**
Umbrella-Unit: **16-633**
Statutory authority: 8 MRS §§ 1003(1)(B), 3(E), 3(J); 1020(2)(H); 1021(2)(B)
Chapter number/title: **Ch. 20**, Slot Machine and Electronic Table Game Standards
Filing number: **2021-122**
Effective date: 6/9/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The rule package updates ch. 20 *Slot Machine Standards*, and Appendix B, with a new version of GLI-11 and three new standards, GLI-18, 24, and 25.

Basis statement:

The rule package includes the rule ch. 20 regarding slot machine and electronic table game standards. Ch. 20 will enable the Board to regulate both slot machines and electronic table games.

The rule established for slot machine and electronic table games shall include:

- Standards for any slot machine or electronic table game to meet or exceed for shipment into Maine;
- Specific standards developed and published by Gaming Laboratories International LLC; and
- Are outlined in Appendix B, available through the Maine Gambling Control Board.

Fiscal impact of rule:

Not applicable.

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Agency name: **Gambling Control Board/Unit**
Umbrella-Unit: **16-633**
Statutory authority: 8 MRS §§ 1003(1)(B),(1)(L),(2)(U); 8 MRS §§ 1071-1072
Chapter number/title: **Ch. 28**, Advance Deposit Wagering
Filing number: **2021-180**
Effective date: 9/14/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The rule package changes the collection of payments from the advance deposit wagering licensee from weekly to monthly to produce better use of staff time for small amounts.

Basis statement:

This is an amendment to Board Rules Chapter 28, subchapter 27, regarding collection of payments from advance deposit watering licensees from weekly to monthly under statutory authority of 8 MRS §1003(1)(L), 1(U) and 8 MRS §1071.

By 5:00 p.m. on the 10th day of each month for the previous month, to the Board in one payment fir distribution by the Board in accordance with 8 MRS §1072.

Fiscal impact of rule:

No estimates available. Reduction in the need for use of staff time.

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Agency name: **Gambling Control Board/Unit**
Umbrella-Unit: **16-633**
Statutory authority: 8 MRS §1001(26); 25 MRS §§ 1001(26), 1003(1)(B),(2)(I), 3(E),3(J)
Chapter number/title: **Ch. 29**, Promotional Credits and Other Player Incentives
Filing number: **2021-120**
Effective date: 6/9/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

Possibly increases revenue by allowing patrons to use gaming chips for match play that must be equivalent to or greater than the value to the promotional item.

Basis statement:

The rule package includes a change in ch. 29 regarding the controls for match play to permit patron's gaming chips used for match play must be equivalent to or greater than the value of the promotional item. Emphasis on the equivalent to or greater than.

Fiscal impact of rule:

No estimates available.

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Agency name: **Gambling Control Board/Unit**
Umbrella-Unit: **16-633**
Statutory authority: 8 MRS §§ 1102(D), 1106(I)
Chapter number/title: **Ch. 33**, Introduction
Ch. 34, Definitions
Ch. 35, License Application
Ch. 36, License Fee and Renewal
Ch. 37, Fantasy Contest Monitoring
Ch. 38, Fantasy Contest Account Activity
Ch. 39, Registration of Fantasy Contestants;
Ch. 40, Fantasy Contestant Funds and Required Reserves
Ch. 41, Licensee Records, Annual Reporting and Audits
Ch. 42, Collection of Payments
Ch. 43, Complaints and Disciplinary Actions
Filing number: **2021-097 thru 107**
Effective date: 6/13/2021
Type of rule: Major Substantive
Emergency rule: No

Principal reason or purpose for rule:

This is a new set of rules to comply with changes in the state law concerning the operation of fantasy contests under 8 MRS ch. 33. The director of the Gambling Control Unit must adopt rules for the proper enforcement and administration under 8 MRS §1106.

Basis statement:

This is a new set of rules to comply with changes in the state law concerning the operation of fantasy contests under 8 MRS ch. 33. The director of the Gambling Control Unit must adopt rules for the proper enforcement and administration of under 8 MRS §1106.

The rules established for fantasy contests shall include:

- Definitions of terms used throughout the rules;
- Licensing application requirements;
- Licensing fees and requirements for renewals;
- Monitoring and system standards;
- Communications and advertising requirements;
- Eligibility requirements for establishing accounts;
- Requirements for funds and required reserves;
- Annual reporting and audit requirements; and
- Process for complaints and disciplinary actions.

Fiscal impact of rule:

Do not anticipate a fiscal impact.

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Rules Adopted January 1, 2021 to December 31, 2021
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Bureau of Building Codes and Standards
Umbrella-Unit: 16-642
Statutory authority: 10 MRS §9722
Chapter number/title: Ch. 1, Maine Uniform Building and Energy Code –
Administrative Procedures
Filing number: 2021-094
Effective date: 5/10/2021
Type of rule: Routine Technical
Emergency rule: Yes

Principal reason or purpose for rule:

The change of state statute has made it necessary to change this rule to direct and guide municipalities with their enforcement of the code. It also adds mechanical codes that are critical to the health and safety of buildings and their occupants built in Maine.

Basis statement:

Ch. 1 is an administrative chapter that clarifies who needs to enforce the MUBEC, what codes make up the MUBEC. It also establishes the amendment procedure to the code. The rule contains several critical definitions as required by statute to clarify the MUBEC. As directed by the legislature, this rule makes previously optional standards part of the code and adds one new code. Currently the rule allows for municipalities to adopt and enforce either the building or energy codes or both; this is not what statute allows and this rule needs to be in effect so that the code officials are able to enforce minimum health and safety regulations.

Fiscal impact of rule:

None.

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Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Bureau of Building Codes and Standards
Umbrella-Unit: 16-642
Statutory authority: 10 MRS §9722
Chapter number/title: Ch. 1, Maine Uniform Building and Energy Code –
Administrative Procedures
Filing number: 2021-168
Effective date: 8/26/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The change of state statute has made it necessary to change this rule to direct and guide municipalities with their enforcement of the code. It also adds mechanical codes that are critical to the health and safety of buildings and their occupants built in Maine.

Basis statement:

Ch. 1 is an administrative chapter that clarifies who needs to enforce the MUBEC, what codes make up the MUBEC. It also establishes the amendment procedure to the code. The rule contains several critical definitions as required by statute to clarify the MUBEC. As directed by the legislature, this rule makes previously optional standards part of the code and adds one new code.

Fiscal impact of rule:

None.

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Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Bureau of Building Codes and Standards
Umbrella-Unit: 16-642
Statutory authority: 10 MRS §9722
Chapter number/title: Ch. 3, Maine Uniform Building and Energy Code – Commercial Building Code of Maine
Filing number: 2021-153
Effective date: 8/2/2021
Type of rule: Routine Technical
Emergency rule: Yes

Principal reason or purpose for rule:

This rule is being adopted to allow two new industries in Maine to do business within the State. It also has code language adopted by the MUBEC Board allowing small summer cabins to be built without a sprinkler system.

Basis statement:

The 2015 International Building Code has been adopted and in place in Maine since 2018. The adoptions are updates to the current code to reflect updates to the code that the MUBEC Board felt were needed to allow two new industries in the State to conduct business within the scope of the MUBEC code. The third change is a code change allowing small summer cabins to be built without sprinkler systems. This code change as well as the others were discussed at length at public hearings and debated during MUBEC Board meetings.

Fiscal impact of rule:

None.

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Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Bureau of Building Codes and Standards
Umbrella-Unit: 16-642
Statutory authority: 10 MRS §9722
Chapter number/title: Ch. 3, Maine Uniform Building and Energy Code – Commercial Building Code of Maine
Filing number: 2021-227
Effective date: 11/14/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

This rule is being adopted to allow two new industries in Maine to do business within the State. It also has code language adopted by the MUBEC Board allowing small summer cabins to be built without a sprinkler system.

Basis statement:

The 2015 International Building Code has been adopted and in place in Maine since 2018. The adoptions are updates to the current code to reflect updates to the code that the MUBEC Board felt were needed to allow two new industries in the State to conduct business within the scope of the MUBEC code. The third change is a code change allowing small summer cabins to be built without sprinkler systems. This code change as well as the others were discussed at length at public hearings and debated during MUBEC Board meetings.

Fiscal impact of rule:

None.

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Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Bureau of Building Codes and Standards
Umbrella-Unit: 16-642
Statutory authority: 10 MRS §9722
Chapter number/title: Ch. 6, Maine Uniform Building and Energy Code – Energy Code
Filing number: 2021-095
Effective date: 5/10/2021
Type of rule: Routine Technical
Emergency rule: Yes

Principal reason or purpose for rule:

This rule adopts the 2015 edition of the IECC (*International Energy Conservation Code*) as required by statute. Title 10 §9722(6)(b) requires that the Technical Codes and Standards Board adopt the most recent edition or edition prior to the most recent edition of the codes as listed. This new code will provide for more efficient and healthier buildings within the State of Maine. This rule also adopts the stretch energy code as required by statute by July 1st.

Basis statement:

This rule adopts the 2015 edition of the IECC (*International Energy Conservation Code*) as required by statute. Title 10 §9722(6)(b) requires that the Technical Codes and Standards Board adopt the most recent edition or edition prior to the most recent edition of the codes as listed. As in any code adoption, some requirements are increased to provide for more efficient buildings. The new codes also address ventilation to provide a healthier living environment while providing increased energy efficiency. Some of the main areas of increased requirements are as follows. There is an increase in the insulation required on exterior walls; there are several ways to achieve this requirement that are code compliant. There is a new requirement requiring a blower door test to determine the air infiltration of a structure; along with this the requirement for air exchanges is reduced from 7 ACH to 3 ACH. There is also a requirement to install an outdoor sensor on hot water boilers to adjust water temperature depending on exterior temperature. And there are increased levels of duct insulation and pipe insulation. Depending on the size of the structure and the design approach to gain compliance, the estimate for a simple 1600 sf. structure could range from \$2,500 - \$5,000. This rule also adopts the Stretch energy code as required by July 1 by the legislature.

Fiscal impact of rule:

None.

Annual List of Rulemaking Activity
Rules Adopted January 1, 2021 to December 31, 2021
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Bureau of Building Codes and Standards
Umbrella-Unit: 16-642
Statutory authority: 10 MRS §9722
Chapter number/title: Ch. 6, Maine Uniform Building and Energy Code – Energy Code
Filing number: 2021-169
Effective date: 8/26/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

This rule adopts the 2015 edition of the IECC (*International Energy Conservation Code*) as required by statute. Title 10 §9722(6)(b) requires that the Technical Codes and Standards Board adopt the most recent edition or edition prior to the most recent edition of the codes as listed.

Basis statement:

This rule adopts the 2015 edition of the IECC (*International Energy Conservation Code*) as required by statute. Title 10 §9722(6)(b) requires that the Technical Codes and Standards Board adopt the most recent edition or edition prior to the most recent edition of the codes as listed. As in any code adoption, some requirements are increased to provide for more efficient buildings. Some of the main areas of increased requirements are as follows. There is an increase in the insulation required on exterior walls; there are several ways to achieve this requirement that are code compliant. There is a new requirement requiring a blower door test to determine the air infiltration of a structure; along with this the requirement for air exchanges is reduced from 7 ACH to 3 ACH. There is also a requirement to install an outdoor sensor on hot water boilers to adjust water temperature depending on exterior temperature. And there are increased levels of duct insulation and pipe insulation. Depending on the size of the structure and the design approach to gain compliance, the estimate for a simple 1600 sf. structure could range from \$2,500 - \$5,000.

Fiscal impact of rule:

The financial impact will be on new construction of both residential and commercial structures; the impact is difficult to determine due to the number of ways to comply with the code and the differing size of structures and estimate to base figures on would be approximately \$2,500-\$5,000 for a 1600 sq. ft. residence.

Annual List of Rulemaking Activity
Rules Adopted January 1, 2021 to December 31, 2021
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Bureau of Building Codes and Standards
Umbrella-Unit: 16-642
Statutory authority: 10 MRS §9722
Chapter number/title: Ch. 7 (New), Maine Uniform Building and Energy Code – Mechanical Code
Filing number: 2021-181
Effective date: 9/20/2021
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

This new rule adopts the 2015 IMC (*International Mechanical Conservation Code*) as directed by the Maine State Legislature.

Basis statement:

This new rule adopts the 2015 IMC (*International Mechanical Conservation Code*) as directed by the Maine State Legislature. The MUBEC Board worked with other agencies and consulted industry professionals to create a code that did not conflict with any other adopted State code.

Fiscal impact of rule:

None.