**16**

**State of Maine**

**DEPARTMENT OF PUBLIC SAFETY**

2013 – 2014 Regulatory Agenda

*(including amendments)*

**16-163: Bureau of Emergency Medical Services (EMS)**

**16-219: Office of the Commissioner**

**16-219: Bureau of Capitol Police**

**16-219: Office of State Fire Marshal**

**16-222: Bureau of State Police**

**16-226: Liquor Licensing Unit 16** *(Rule chapters have been moved to* 18-553*.)*

**16-227: Maine Criminal Justice Academy (MCJA)**

**16-633: Gambling Control Board**

**16-642: Bureau of Building Codes and Standards**

AGENCY UMBRELLA UNIT: **16-163**

AGENCY NAME: Department of Public Safety, **Bureau of Emergency Medical Services (EMS)**

**CONTACT PERSON:** Jay Bradshaw, Director, 152 State House Station, Augusta, Maine 04333-0152, Tel: (207) 626-3860

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

**EXPECTED 2013-2014 RULE-MAKING ACTIVITY**

**CHAPTER 1:** Mission and Goals of the Maine EMS System

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To ensure that the mission and goals of Maine EMS and the Maine EMS System are consistent with applicable statutes and system philosophy.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298), licensed EMD Centers (n=33), licensed EMD personnel (n=521), Training Centers (n=10), and licensed Instructor Coordinators (n=173).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 2:** Definitions

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To ensure consistency with and provide clarification to all Chapters of the Maine EMS rules.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298), licensed EMD Centers (n=33), licensed EMD personnel (n=521), licensed Training Centers (n=10) and licensed Instructor Coordinators (n=173).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 3:** Ground Ambulance Service and Non-Transporting Service Licenses

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To amend the approval process for EMS service licenses; adopt rules regarding online licensing and administrative functions; adopt and/or amend requirements pertaining to Quality Assurance/Quality Improvement; adopt or amend rules pertaining to the operations of a licensed EMS service; adopt or amend rules pertaining to run reporting; amend or clarify rules regarding the process, terms and fees associated with the issuance of new and renewal EMS service licenses; adopt or amend rules regarding license levels and response; adopt or amend rules regarding prioritized response; and adopt or amend rules concerning Paramedic Inter-Facility Transfers (PIFT).

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269) and licensed EMS personnel (n=5298).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 3-A:** Emergency Medical Dispatch (EMD) Center Licenses

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To amend the approval process for EMD Center Licensing; adopt or amend rules regarding online licensing and administrative functions; adopt and/or amend requirements pertaining to Quality Assurance/Quality Improvement; adopt or amend rules pertaining to the operations of a licensed EMD Center; amend or clarify rules regarding the process, terms and fees associated with the issuance of new and renewal EMD Center Licenses; and adopt or amend rules concerning prioritized dispatch.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All licensed EMD Centers (n=33) and licensed EMD personnel (n=521).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMD administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 4:** Air Ambulance Service Licenses

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To amend rules pertaining to air ambulance services; adopt and/or amend requirements pertaining to Quality Assurance/Quality Improvement for air ambulance licensees; adopt rules regarding online licensing and administrative functions; adopt or amend rules pertaining to the operations of a licensed EMS air ambulance service; and amend or clarify rules regarding the process, terms and fees associated with the issuance of new and renewal air ambulance service licenses.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269) and licensed EMS personnel (n=5298).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 5:** Personnel Licenses

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To amend requirements for obtaining and maintaining an individual EMS license; amend rules regarding licensing for individuals with previous criminal or professional-license action records; adopt rules regarding online licensing and administrative functions; amend or adopt rules concerning continuing education requirements for licensure; change requirements regarding medical control of EMS licensees; adopt and/or amend requirements pertaining to Quality Assurance/Quality Improvement for EMS licensees; amend, adopt or clarify rules regarding the process, terms and fees associated with the issuance of new and renewal individual EMS licenses; adopt or amend rules pertaining to the scope of practice of a licensed EMS provider; adopt or amend rules regarding the practice of EMS patient care in nontraditional settings; and adopt or amend rules regarding Paramedic Inter-Facility Transfers (PIFT).

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269) and licensed EMS personnel (n=5298).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 5-A:** Emergency Medical Dispatcher Licenses

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To amend requirements for obtaining and maintaining an individual Emergency Medical Dispatcher (EMD) license; amend rules regarding licensing for individuals with previous criminal or professional-license action records; adopt or amend rules regarding online licensing and administrative functions; change requirements regarding protocols and medical direction of EMD licensees; adopt and/or amend requirements pertaining to Quality Assurance/Quality Improvement for EMD licensees; amend, adopt or clarify rules regarding the process, terms and fees associated with the issuance of new and renewal individual EMD licenses; and adopt or amend rules pertaining to the scope of practice of a licensed EMD provider.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMD Centers (n=33) and licensed EMD personnel (n=521).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMD administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 6:** Advanced Life Support Drugs and Medications

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To amend rules regarding the acquisition, storage, use, disposal and accountability of medications used by EMS providers and licensed services.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269) and licensed EMS personnel (n=5298).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 7:** State Licensure Examinations

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To amend and clarify rules regarding EMS license examinations consistent with system needs and philosophy.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298) and licensed Training Centers (n=10).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, Maine EMS approved Training Centers, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 8:** Training Courses and Continuing Education Programs Used for Licensure

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding the delivery of EMS education, and to reorganize CEH categories and hours.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298), licensed Instructor Coordinators (n=173) and licensed Training Centers (n=10).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, Maine EMS approved Training Centers, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 8-A:** Training Centers

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding the approval, renewal and authorization procedures for Training Centers.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298), licensed Instructor Coordinators (n=173) and licensed Training Centers (n=10).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, Maine EMS approved Training Centers, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 9:** Instructor Coordinator Licenses

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding EMS instructor licensing.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298), licensed Instructor Coordinators (n=173) and licensed Training centers (n=10).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 9-A:** Emergency Medical Dispatch Training, Instructors and Continuing Education Programs

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding Emergency Medical Dispatcher Training, Instructors and continuing education programs.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All licensed EMD Centers (n=33) and licensed EMD personnel (n=521).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, regional EMS Councils, EMD Centers, State regional and local EMD administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 10:** Reciprocity

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding requirements for reciprocal licensing of EMS providers or services.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269) and licensed EMS personnel (n=5298).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 11:** Standards and Procedures for Refusing to Issue or Renew a License and for Modifying, Suspending or Revoking a License

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt, amend and clarify rules regarding the standards and procedures for refusing to issue, or renew, a license, and for modifying, suspending, or revoking a license or certification, or authorization

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMD Centers (n=33), licensed EMS personnel (n=5298), licensed EMD personnel (n=521), Instructor Coordinators (n=173) and licensed Training Centers (n=10).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS and EMD administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS and EMD systems.

**CHAPTER 12:** Procedures for Licensing Actions and Board Actions

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules in accordance with Legislative changes made to Maine statute and to ensure consistency with applicable Maine statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMD Centers (n=33), licensed EMS personnel (n=5298) licensed EMD personnel (n=521), licensed Training centers (n=10) and licensed Instructor Coordinators (n=186.

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS and EMD administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS and EMD systems.

**CHAPTER 13:** Waiver of Rules

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding waiver by the Board of EMS of any rule.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMD Centers (n=33), licensed EMS personnel (n=5298) licensed EMD personnel (n=521), licensed Training Centers (n=10) and licensed Instructor Coordinators (n=173).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Instructor Coordinators, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS and EMD administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS and EMD systems.

**CHAPTER 14:** Sexual Misconduct

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding sexual misconduct by EMS licensees and certificants.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMD Centers (n=33), licensed EMS personnel (n=5298), licensed EMD providers (n=521) and licensed Instructor Coordinators (n=173).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Instructor Coordinators, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS and EMD administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 15:** Maine EMS Regions and Regional Councils

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding: the number of EMS regions and regional councils; the definition, structure, designation, area and responsibilities of EMS regions and regional councils; service affiliation with regions and regional councils; and Medical Control and regional medical direction and regional medical directors.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269) and licensed EMS personnel (n=5298) and Regions (n=6).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 16:** Death Benefits for Emergency Medical Services Persons Who Die in the Line of Duty

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding death benefits for emergency medical services persons, pursuant to 25 M.R.S.A., Chapter 195-A

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 17:** Equipment Lists for Maine EMS Services and Regional EMS Radio Frequencies

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 2-B §84.1

PURPOSE: To adopt or amend rules regarding minimum equipment requirements for EMS services and regional EMS radio frequencies.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269) and licensed EMS personnel (n=5298).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

**CHAPTER 18:** Quality Assurance / Quality Improvement

STATUTORY AUTHORITY: 32 M.R.S.A. chapter 2-B §84.1

PURPOSE: To promulgate rules regarding the Maine EMS Quality Assurance/Quality Improvement System.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All current licensed EMS services (n=269), licensed EMS personnel (n=5298), licensed EMD Centers (n=33), licensed EMD personnel, (n=521), licensed Training Centers, (n=10) licensed Instructor Coordinators (n=173) and all Regions (n=6).

CONSENSUS-BASED RULE DEVELOPMENT: Rule development is accomplished through direct input from licensed providers, services, Training Centers, EMD Centers, regional EMS Councils, State regional and local EMS administrators, an ad hoc rules committee appointed by the Board of EMS and representatives of the EMS system.

AGENCY UMBRELLA UNIT: **16-219**

AGENCY NAME: **Maine Department of Public Safety, Office of the Commissioner**

**CONTACT PERSON:**

**Christopher Parr**

45 Commerce Dr., Suite 1,

42 State House Station

Augusta, Maine 04333-0042

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E-mail: christopher.parr@maine.gov

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

**ANTICIPATED 2013-2014 RULEMAKING ACTIVITY:**

**chapter 39**: adjudicatory and licensing proceedings

statutory authority: 5 MRSA §8051.

PURPOSES: To ensure for the effective administration of applicable provisions of 5 MRSA Pt. 18, c. 375.

SCHEDULE FOR ADOPTION: prior to October 1, 2014.

AFFECTED PARTIES: Persons participating in and/or affected by adjudicatory proceedings, licensing proceedings, and advisory rulings of the agency.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**chapter 51**: polygraph examiner licensing rules

STATUTORY AUTHORITY: 32 MRSA §7168.

PURPOSE: To ensure for the effective administration of 32 MRSA c. 85.

SCHEDULE FOR ADOPTION: prior to October 1, 2014.

AFFECTED PARTIES: Persons holding or applying for a license to conduct polygraph examinations in the State of Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 60**: Transportation of Hazardous Materials in Maine

STATUTORY AUTHORITY: 25 M.R.S.A. §2103-A.

PURPOSE: To adopt by reference federal regulations governing the safe transportation of hazardous materials.

SCHEDULE FOR ADOPTION: prior to October 1, 2014.

AFFECTED PARTIES: All common, contract, and private motor carriers that transport hazardous materials.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER NUMBER AND NAME**: TBD

STATUTORY AUTHORITY: 15 MRSA §393.

PURPOSE: To ensure for the effective administration of 15 MRSA §393.

SCHEDULE FOR ADOPTION: prior to October 1, 2014.

AFFECTED PARTIES: Persons prohibited from owning or possessing a firearm pursuant to 15 MRSA §393.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER NUMBER AND NAME**: TBD

STATUTORY AUTHORITY: 25 MRSA c. 501.

PURPOSE: To ensure for the effective administration of 25 MRSA c. 501.

SCHEDULE FOR ADOPTION: prior to October 1, 2014.

AFFECTED PARTIES: Law enforcement agencies that have or want to create a critical incident stress management team.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

June, 2014 amendment

**CHAPTER 504**: GRIEVANCE PROCEDURES FOR THE HANDICAPPED

sTATUTORY AUTHORITY: None.

PURPOSE: The regulation will be rescinded because it has been superseded by another State regulation (*see* 12-168 CMR. c. 50, “Nondiscrimination Policy and Grievance Procedure”).

SCHEDULE FOR ADOPTION: prior to October 1, 2015.

AFFECTED PARTIES: None (the regulation is being rescinded).

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

AGENCY UMBRELLA UNIT: **16-219**
AGENCY NAME: **Bureau of Capitol Police**

**CONTACT PERSON:** Russell J. Gauvin, 68 State House Station, Augusta, Maine 04333-0068; Telephone: (207) 287-4357. E-mail: Russell.J.Gauvin@maine.gov .

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

**ANTICIPATED 2013-2014 RULEMAKING ACTIVITY:**

**CHAPTER 41:** Capitol Area Security Rules
STATUTORY AUTHORITY: 25 MRSA §2904
PURPOSE: To ensure for the security regarding use and occupancy of all parks, grounds, buildings and appurtenances maintained by the State at the Capitol Area or other state-controlled locations in Augusta.
SCHEDULE FOR ADOPTION: Prior to October 1, 2014
AFFECTED PARTIES: All Persons using or wishing to use the State properties in Augusta, ME CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 42:** Rules Relating to Parking on State Property
STATUTORY AUTHORITY: 25 MRSA §2906
PURPOSE: To ensure for the proper use of public ways and parking areas maintained by the State at the Capitol Area or other state controlled locations in Augusta.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014
AFFECTED PARTIES: All Persons driving on public ways or parking in parking areas on the State properties in Augusta, ME

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**AGENCY UMBRELLA-UNIT NUMBER: 16-219**

**AGENCY NAME:** DEPARTMENT OF PUBLIC SAFETY

 OFFICE OF STATE FIRE MARSHAL

 JOSEPH E. THOMAS, STATE FIRE MARSHAL

 52 STATE HOUSE STATION

 AUGUSTA, ME 04333-0052

 Tel: (207) 626-3870

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

**EXPECTED 2013-2014 RULE-MAKING ACTIVITY:**

**CHAPTER 1: FEE SCHEDULE FOR PLANS EXAMINATION**

STATUTORY AUTHORITY: 25 M.R.S.A. §2450

PURPOSE: This rule establishes fees to support construction plan reviews for permits of building construction and licensing in the following areas:

 Fee Schedule for Plans Examination

 Plans Review and Permit of Fire Sprinkler Systems

 Schedule of Fees for Plans Review and Permit of Barrier Free Construction

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: All customers who are required to submit building construction plans to the Office of State Fire Marshal for review.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 2: RULES ESTABLISHING CRITERIA FOR APPROVAL OF SMOKE DETECTORS**

STATUTORY AUTHORITY: 25 MRSA §2464

PURPOSE: Establishes rules for approving smoke detectors to meet statutory requirements in various occupancies. The approval process will recognize smoke detectors approved by a nationally recognized testing agency for the purpose of this rule.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: All customers who are required to meet the installation of smoke detectors for occupancy type and classification.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 3: NATIONAL FIRE PREVENTION CODE**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: This National Fire Prevention Code provides a nationally recognized fire prevention code for state and municipal enforcement.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: All fire service agencies, within the State of Maine, that have enforcement requirements for life safety in structures from fire.

**CHAPTER 4: SPRINKLER SYSTEMS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452; 32 M.R.S.A. §§ 1373, 1374, 1382

PURPOSE: Establishes the design, installation, operation, maintenance and all other aspects of sprinkler protection for occupancies with sprinkler system fire protection measures and references National Fire Protection Association and State of Maine standards.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: All occupancies requiring the protection measures of water based sprinkler system fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 5: PORTABLE FIRE EXTINGUISHERS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes the rules for the installation and maintenance of portable fire extinguishers.

ANTICIIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: All occupancies requiring protective measures utilizing portable fire extinguishers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 6: FIRE EXTINGUISHING SYSTEMS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452; 32 M.R.S.A. §1382

PURPOSE: Establishes rules and regulations for the installation, operation, maintenance and all other aspects of fire protection systems for occupancies that require such fire protection measures.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all occupancies that require or utilize fire extinguishing systems for fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 7: DRY CLEANING PLANTS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, operation, maintenance and fire protection for these occupancies.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities of this occupancy classification

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 8: SPRAY APPLICATIONS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, operation, maintenance and fire protection of these processes in occupancies.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all occupancies requiring or utilizing this type of activity and fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 9: DIP TANKS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, maintenance and fire protection of these processes in occupancies.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all occupancies requiring or utilizing this type of activity and fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 10: STATIONARY COMBUSTION ENGINES AND GAS TURBINES**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, operation, maintenance and fire protection of these types of engines and generators.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all occupancies that utilize or require the use of this type of equipment and subsequent fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 11: BULK OXYGEN SYSTEMS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, operation and maintenance of these systems.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities and occupancies utilizing these types of systems and requiring appropriate fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 12: HYDROGEN SYSTEMS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, operation and maintenance of these systems.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities and occupancies utilizing these types of systems and requiring appropriate fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 13: WELDING, CUTTING AND ALLIED PROCESSES AND ACETYLENE CYLINDER CHARGING PLANTS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, operation and maintenance of these systems.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities and occupancies utilizing these types of activities and requiring appropriate fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 14: NATIONAL FUEL GAS CODE**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction, operation and maintenance of these systems.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities and occupancies that utilize these types of systems and requiring appropriate fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 15: FIRE PROTECTION RULES FOR MEDICAL FACILITIES AND EQUIPMENT**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: This chapter contains specific information, regulations and minimum requirements relating to: inhalation anesthetics, respiratory therapy, laboratories in health related institutions, hyperbolic facilities, nonflammable medical gas systems, and inhalation anesthetics in ambulatory care facilities.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or occupancies that utilize the types of activities covered in this chapter.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 16: STORAGE AND HANDLING OF LIQUID PETROLEUM GASES**

STATUTORY AUTHORITY: 25 M.R.S.A. §§ 2452, 2482

PURPOSE: Establishes rules and regulations for the design, construction, operation and maintenance of these systems.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities and occupancies that utilize these types of systems and requiring appropriate fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 17: NATIONAL FIRE ALARM CODE**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, operation and maintenance of fire alarm systems.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or occupancies that require the installation and use of a fire alarm system for occupant and fire department notification in the event of fire.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 18: LIGHTING PROTECTION CODE**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for circumstances requiring lightning protection measures.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or occupancies that require measures to be taken for lightning protection.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 19: VAPOR REMOVAL FROM COOKING EQUIPMENT**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for circumstances requiring this equipment installation.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or occupancies that utilize this type of equipment and require the appropriate fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 20: CODE FOR SAFETY AND LIFE FROM FIRE IN BUILDINGS AND STRUCTURES**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the protection of life and property from fire.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or occupancies that require protective measures to be taken to protect life and property from fire.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 21: TENTS, GRANDSTANDS, AIR SUPPORTED STRUCTURES FOR PLACES OF ASSEMBLY**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for the design, construction and fire protection measures for these facilities.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities meeting this occupancy use and the appropriate life safety and fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 22: CHIMNEYS, FIREPLACES, VENTS AND SOLID FUEL BURNING APPLICANCES**

STATUTORY AUTHORITY: 25 M.R.S.A. §§ 2452, 2465

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or occupancies that utilize the features of chimneys, fireplaces or vents and the subsequent fire protection measures associated with these features.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 23: PURGED AND PRESSURIZED ENCLOSURES FOR ELECTRICAL EQUIPMENT**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452

PURPOSE: Establishes rules and regulations for circumstances where this type of facility requires protective measures from fire.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or occupancies that utilize or meet the requirements of the subject matter contained in this chapter for fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 24: FIRE SAFETY TECHNICIAN TRAINING AND CERTIFICATION PROGRAM**

STATUTORY AUTHORITY: 22 M.R.S.A. §8304-A

PURPOSE: This rule establishes the criteria that must be met to achieve the certification of Fire Safety Technician. Components include: Life Safety Code training, basic inspection techniques, documentation procedures and an overview of the Department of Human Services rules.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Individuals involved in obtaining Fire Safety Technician Certification.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 25: RULES FOR THE DISPLAY OF FIREWORKS**

STATUTORY AUTHORITY: 8 M.R.S.A. §236

PURPOSE: Establishes the rules and regulations for the construction, handling, storage, transport and use of fireworks.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all persons who are involved in all aspects of the display of fireworks.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 26: STANDARD FOR THE USE OF PYROTECHNIC BEFORE A PROXIMATE AUDIENCE**

STATUTORY AUTHORITY: 8 M.R.S.A. §236

PURPOSE: Establishes rules and regulations for the use of pyrotechnic and flame based activities before a proximate audience.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all persons, organizations, companies or activities that utilize the activities associated with flame or pyrotechnics before a proximate audience.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 27: RULES GOVERNING TENTS AND EQUIPMENT OF** **CIRCUSES AND AMUSEMENTS**

STATUTORY AUTHORITY: 8 M.R.S.A. §502

PURPOSE: Establishes rules and regulations for the design, operation, maintenance and fire protection measures of such facilities or activities.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all amusement shows and circuses

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 28: RULES GOVERNING OPERATIONS OF AMUSEMENT DEVICES AND MIDWAYS**

STATUTORY AUTHORITY: 8 M.R.S.A. §502

PURPOSE: Establishes rules and regulations for the condition and operation of such facilities and activities for life safety purposes.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all operators of amusement devices and midways

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 29: RULES AND REGULATIONS RELATING TO STRUCTURES USED BY THE PUBLIC AS SPECTATORS DURING MOTOR VEHICLE RACING**

STATUTORY AUTHORITY: 8 M.R.S.A. §502

PURPOSE: Establishes rules and regulations relating to structures used to accommodate and protect spectators during motor vehicle racing. This chapter further assures the safe and proper construction and maintenance of grandstands, bleachers, stadiums, arenas, safety barriers and the surface upon which they are placed.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities or activities that utilize structures for use by spectators at motor vehicle racing.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 30: ADJUDICATORY AND LICENSING PROCEEDINGS**

STATUTORY AUTHORITY: 5 M.R.S.A. §8051

PURPOSE: Establishes rules and regulations for the administration of the ad judicatory process for licensing procedures.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all persons or parties who are involved in a licensing process within the scope of activities carried out by the Office of State Fire Marshal

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 31: RULES FOR THE MANUFACTURE, TRANSPORTATION,** **STORAGE AND USE OF EXPLOSIVE MATERIALS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2472

PURPOSE: Establishes rules and regulations for the safeguarding of persons through the manufacture, transportation, storage, sale and use of explosive materials.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all persons, organizations, companies or entities who are involved in the manufacture, transportation, sale, storage or use of explosive material.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 32: STANDARD FOR THE PROTECTION OF STORAGE**

STATUTORY AUTHORITY: 25 M.R.S.A. §§ 2452, 2465, 2472, 2482; 8 M.R.S.A. §236; 32 M.R.S.A. §1382

PURPOSE: Establishes rules and regulations associated with general storage and the associated fire protection measures.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities and occupancies that utilize storage that meets the requirements of this chapter and the associated fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 33: STANDARD FOR THE STORAGE OF RUBBER TIRES**

STATUTORY AUTHORITY: 25 M.R.S.A. §2452; 32 M.R.S.A. §1382

PURPOSE: Establishes the rules and regulations associated with the storage of rubber tires and the associated fire protection measures.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all facilities and occupancies that utilize the storage of rubber tires that meets the requirements of this chapter and the associated fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 34: RULES RELATING TO FLAMMABLE AND COMBUSTIBLE LIQUIDS**

STATUTORY AUTHORITY: 25 M.R.S.A. §2482

PURPOSE: Establishes rules and regulations for the transporting, storage, handling or use of flammable or combustible liquids and the associated fire protection measures.

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Any and all persons, firms, corporations, co partnerships, voluntary associations and governmental agencies, except federal; that transport, store, handle or use these materials.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

AGENCY UMBRELLA UNIT: **16-222**

AGENCY NAME: Department of Public Safety, **Maine State Police**

**CONTACT PERSON**:

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42 State House Station

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

**ANTICIPATED 2013-2014 RULEMAKING ACTIVITY:**

**CHAPTER 1: Motor Vehicle Inspection RULE**

STATUTORY AUTHORITY: 29-A MRSA §1769.

PURPOSE: To ensure the effective administration and enforcement of 29-A MRSA c. 15, sub-c. 1*.*

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: All motor vehicle inspectors, motor vehicle inspection stations, and motor vehicle operators in Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**Chapter 2: rules and regulations relating to games of chance**

STATUTORY AUTHORITY: 17 MRSA §1843.

PURPOSE: To ensure the effective administration and enforcement of 17 MRSA c. 62.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Persons conducting and participating in games of chance.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

chapter 3: rules and regulations relating to beano

STATUTORY AUTHORITY: 17 MRSA §317.

PURPOSE: To ensure the effective administration and enforcement of 17 MRSA c. 13-A.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Persons conducting and participating in games of beano or bingo.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 4: Motor Carrier Safety regulations**

STATUTORY AUTHORITY: 29-A M.R.S.A. §555.

PURPOSE: To adopt by reference, with possible State amendments, regulations governing the safe operation of motor carriers.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: All common, contract, and private motor carriers that transport passengers or property.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**chapter 7: rules pertaining to beano and bingo by federally** recognized indian tribes

STATUTORY AUTHORITY: 17 MRSA §317.

PURPOSE: To ensure the effective administration and enforcement of 17 MRSA c. 13-A.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Persons conducting and participating in games of beano or bingo conducted by federally recognized Indian Tribes.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**chapter 12: rules for after-market window tinting**

STATUTORY AUTHORITY: 29-A MRSA §1916.

PURPOSE: To ensure the effective administration and enforcement of 29-A MRSA §1916.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Persons installing after-market window tinting in motor vehicles.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 14: Rules Relating to the Sex Offender Registration and Notification Act of 1999 (SORNA)**

STATUTORY AUTHORITY: 34-A MRSA §11204.

PURPOSE: To ensure for the effective administration of 34-A MRSA c. 15.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Persons required to register pursuant to the Maine SORNA.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 15 and Rules relating to the sex offender registration and notification act of 2013 (SORNA)**

STATUTORY AUTHORITY: 34-A MRSA §11274 (*effective* August 30th, 2013).

PURPOSE: To ensure for the effective administration of 34-A MRSA c. 17.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Persons required to register pursuant to the Maine SORNA of 2014.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**chapter 19: died while in the line of duty death benefits for law enforcement officers**

STATUTORY AUTHORITY: 25 MRSA §1612.

PURPOSE: To ensure for the effective administration of 25 MRSA c. 195-A.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Surviving spouses, children, and parents of law enforcement officers who have died while in the line of duty.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**chapter 20: uniform standardized forensic examination kit for gross sexual assualt evidence collection**

STATUTORY AUTHORITY: 25 MRSA §2915.

PURPOSE: To ensure for the effective administration of 25 MRSA §2915.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Examiners responsible for collecting evidence using uniform forensic examination kits pursuant to 25 MRSA §2915.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

AGENCY UMBRELLA UNIT: **16-227**

AGENCY NAME: **Maine Criminal Justice Academy** **(MCJA)**

**CONTACT PERSON:** John B. Rogers, Director, 15 Oak Grove Road, Vassalboro, Maine 04989. Telephone: (207) 877-8011. E-mail: John.Rogers@Maine.gov .

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

**CHAPTER 5: TRAINING STANDARDS**

PURPOSE: To amend changes in Chapter 5 that reflects statutory changes and MCJA Board of Trustee Specification changes as it relates to training standards.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014.

AFFECTED PARTIES: Maine Law Enforcement and Corrections agencies.

CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

AGENCY UMBRELLA UNIT: **16-633**

AGENCY NAME: Department of Public Safety, **Gambling Control Board (GCB)**

**CONTACT PERSON:** Patrick Fleming, Executive Director, 87 State House Station, Augusta, Maine 04333-0152. Telephone: (207) 626-3900

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

**EXPECTED 2013-2014 RULE-MAKING ACTIVITY**

**CHAPTER 2:** LICENSES AND APPLICATIONS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3); 8 M.R.S.A. §1017

PURPOSE: To replace the term “key employee” with the term “key executive”; to eliminate the request for certain unnecessary information from applicants for licensure; and to amend the list of positions that require an employee license.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All entities licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 3:** CONTROL OF LICENSEES

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To eliminate duplicative language and to clarify the provisions that restrict certain interested parties from participating in gambling at Maine casinos or slot facilities.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All entities licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 4:** LICENSEE RECORDS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To amend the type of information that licensee’s must submit to the Department on a weekly, monthly, or annual basis.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All entities licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 5:** INTERNAL CONTROLS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To add a requirement that licensed employees wear identification, remove duplicative language, and add definitions, among other things.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 6:** TICKET REDEMPTION AND FORFEITED WINNINGS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To change the title of the chapter to more accurately reflect the contents of the rule.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 7:** COLLECTION OF PAYMENTS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3); 8 M.R.S.A. §10036

PURPOSE: To add language so that the rule more closely tracks the requirements of the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 8:** SLOT MACHINES AND TABLE GAMES: LOCATION AND HOURS OF OPERATION

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To remove the reference to uniform location agreements.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board and all patrons participating in gambling activities.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 9:** UNIFORM LOCATION AGREEMENT; CONTRACT DISCLOSURES

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos and distributors licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 10:** SLOT MACHINE MAINTENANCE

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3); 8 M.R.S.A. §1042(2)

PURPOSE: To require that every person who gains entry into a slot machine for maintenance or repair record information in a log.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos and slot machine distributors licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 11:** TRANSPORTATION OF SLOT MACHINES

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3); 8 M.R.S.A. §1020(5)

PURPOSE: To amend the rules to allow slot machines to be removed from a casino and transported out of state or to a facility in Maine for destruction. Prior to transport, the registration decal will be removed and the computer chip returned to the Department.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos and distributors licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 13:** EXCLUSION

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)(I); 8 M.R.S.A. §1006(8)

PURPOSE: To make changes to the voluntary or involuntary exclusion criteria and process.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board and affected patrons at the casino.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 14:** ADVERTISING

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To correct the language to refer to the gaming area.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 15:** ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All entities licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 16:** WEAPONS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 17:** ON PREMISE OFFICE SPACE

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3); 8 M.R.S.A. §1042

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 18:** RESPONSIBLE GAMING PROGRAMS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To eliminate language specific to compulsive gambling and replace it with a reference to rule 13, which addresses the self-exclusion list available to problem gamblers. The rule also expressly permits casinos to continue to administer their self-exclusion lists authorized under the former rule.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 19:** SLOT MACHINE TESTING AND CERTIFICATION

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos and slot machine distributors licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 20:** SLOT MACHINE STANDARDS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3); 8 M.R.S.A. §1020(4)

PURPOSE: To update the edition of the slot machine standards incorporated by reference into the rule.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos and slot machine distributors licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 22:** PATRON DISPUTES

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 23:** GAMBLING ADDICTION COUNSELING SERVICES

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

PURPOSE: To eliminate this rule as statutory changes have eliminated the need for it.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: The Gambling Control Board and providers and users of gambling addiction services.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 24**: THE USE OF FRONT MONEY DEPOSITS

STATUTORY AUTHORITY: 8 M.R.S.A. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board and patrons of the casinos.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 25**: APPROVAL OF TABLE GAMES RULES OF PLAY

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3), (4)

PURPOSE: The rule aims to better identify what aspects of a casino’s proposed table game rules of play are relevant to the Board’s review prior to its approval of a game. The rule also amends the requirement that the Board approve every table game that is new to either casino. With the change, the Executive Director may approve a table game if the Board has previously approved the same game for play at one of Maine’s other casinos. In order to be eligible for approval by the Executive Director, the table game rules of play submitted to the Executive Director may not materially differ from the table game rules of play already approved by the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board and patrons of the casinos.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 26**: POSTING OF RULES

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3)

PURPOSE: To ensure that the rules conform to the requirements as set in the statute and are consistent with the regulatory function of the Board.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All casinos licensed by the Gambling Control Board and patrons of the casinos.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 27 (NEW)**: ENFORCEMENT AND PENALTIES

STATUTORY AUTHORITY: 8 M.R.S.A. §1003(1), (3); 8 M.R.S.A. §1051

PURPOSE: To more fully explain the process that will be used in disciplinary matters and to ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2014

LISTING OF AFFECTED PARTIES: All entities licensed by the Gambling Control Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

*The following added by amendment:*

**AGENCY UMBRELLA UNIT: 16-642**

**AGENCY NAME:** Department of Public Safety, **Bureau of Building Codes and Standards**

**AGENCY NAME:** Department of Public Safety, Office of State Fire Marshal, Joseph E. Thomas, State Fire Marshal, 52 State House Station, Augusta, Me 04333-0052. Telephone: (207) 626-3870.

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

**EXPECTED 2013-2014 RULE-MAKING ACTIVITY:**

The Maine Department of Public Safety, Office of State Fire Marshal, Maine Uniform Building Code and Uniform Energy Code 2013-2014 regulatory agenda is amended as follows:

By adding the following item to the previously submitted regulatory agenda:

**CHAPTER 1**: MAINE UNIFORM BUILDING CODE AND UNIFORM ENERGY CODE - ADMINISTRATIVE PROCEDURES

STATUTORY AUTHORITY: 10 M.R.S.A. §9722

PURPOSE: This rule is being updated to bring the rules into compliance with a Statutory change that occurred in the last legislative session. It provides towns under 4,000 the choice of adopting the Building and Energy Code, the Building Code, the Energy Code or no code

ANTICIPATED SCHEDULE: Prior to October 1,2014 AFFECTED PARTIES: All municipalities within the State of Maine CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 2**: MAINE UNIFORM BUILDING CODE AND UNIFORM ENERGY CODE - TIDRD PARTY INSPECTORS ('TPI')

STATUTORY AUTHORITY: 10 M.R.S.A. §9722

PURPOSE: To provide clarification to Third Party Inspectors on obligations required of them

ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: All Third Party Inspectors and any municipality using TPI's for inspections

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 3**: MAINE UNIFORM BUILDING CODE - COMMERCIAL BUILDING CODE OF MAINE

STATUTORY AUTHORITY: 10 M.R.S.A. §9722

PURPOSE: To incorporate changes to the code required by the Technical Code Board ANTICIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: All municipal Code Enforcement officers and anyone using the Commercial Building Code

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 4**: MAINE UNIFORM BUILDING CODE - EXISTING BUILDING CODE

STATUTORY AUTHORITY: 10 M.R.S.A. §9722

PURPOSE: This rule is to clarify the rule and bring it into line with the most recent legislation

ANTICIPATED SCHEDULE: Prior to October 1,2014

AFFECTED PARTIES: Owners of buildings performing renovations and all Municipal Code Enforcement Officers and all certified TPI's

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 5**: MAINE UNIFORM BUILDING AND ENERGY CODE AND MAINE UNIFORM BUILDING CODE - RESIDENTIAL BUILDING CODE FOR ONE AND TWO FAMILY DWELLINGS IN MAINE

STATUTORY AUTHORITY: 10 M.R.S.A. §9722

PURPOSE: This rule is to clarify the rule and bring it in line with recent legislation and incorporate changes in the code required by the Technical Code Board ANTICIIPATED SCHEDULE: Prior to October 1, 2014

AFFECTED PARTIES: Anyone building a new one or two family dwelling CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 6**: MAINE UNIFORM ENERGY CODE - ENERGY CONSERVATION CODE OF MAINE

STATUTORY AUTHORITY: 10 M.R.S.A. §9722

PURPOSE: This is to clarify the rule and bring it in line with recent legislation. ANTICIPATED SCHEDULE: Prior to October 1,2014

AFFECTED PARTIES: Any and all occupancies that require or utilize fire extinguishing systems for fire protection measures.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated