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**Department of Agriculture, Conservation and Forestry**

**22 and 28 SHS  
Augusta, Maine 04333  
(207) 287-3200**

**2024-2025 Amended Regulatory Agenda**

**Prepared:  
August 19, 2024**

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**01-001T: Office of the Commissioner  
01-001: Bureau of Agriculture, Food and Rural Resources  
01-015: Maine Milk Commission  
01-017: Maine State Harness Racing Commission  
01-026: Board of Pesticides Control  
01-303: Pull Events Commission  
01-669: Bureau of Forestry (Maine Forest Service)  
01-670: Bureau of Parks and Lands  
01-672: Bureau of Resource Information and Land Use Planning  
01-683: Land for Maine's Future Program**

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**01-001T**

AGENCY UMBRELLA-UNIT: **01-001T**

AGENCY NAME: **Maine Department of Agriculture, Conservation and Forestry, Office of the Commissioner**

**CONTACT PERSON:** Nancy McBrady, 22 SHS, Augusta, Maine 04333, (207) 530-4176, [Nancy.mcbrady@maine.gov](mailto:Nancy.mcbrady@maine.gov)

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

**EXPECTED 2024-2025 RULEMAKING ACTIVITY:**

**CHAPTER 400-408 (plus potentially additional numbers to be assigned): Rules implementing the Fund to Address PFAS Contamination**

STATUTORY AUTHORITY: 7 MRSA §320-K.

PURPOSE: Potential updates to rules governing the Fund to Address PFAS Contamination.

SCHEDULE FOR ADOPTION: Prior to January 2025.

AFFECTED PARTIES: PFAS-impacted commercial farms, residents with PFAS-contaminated well water linked to land application of biosolids, and scientific researchers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Beth Valentine, 22 SHS, Augusta, Maine 04333, (207) 313-0962, [beth.valentine@maine.gov](mailto:beth.valentine@maine.gov)

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**01-001 (most of 01-001 will be moved to 01-677 Bureau of Agriculture, Food and Rural Resources except for any that fall within office of the commissioner)**

AGENCY UMBRELLA-UNIT: **01-001**

AGENCY NAME: **Maine Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources**

**CONTACT PERSON:** Craig Lapine, 28 SHS, Augusta, Maine 04333, (207) 557-1623, [Craig.Lapine@maine.gov](mailto:Craig.Lapine@maine.gov)

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

**EXPECTED 2024-2025 RULEMAKING ACTIVITY:**

**NEW RULE CHAPTER (# to be assigned): Rules Governing the Development of Solar Energy Generation Projects on High-Value Agricultural Land**

STATUTORY AUTHORITY: 38 MRS §§ 484-C, 3201-3202

PURPOSE: Adopt rules related to solar energy development on high-value agricultural land.

SCHEDULE FOR ADOPTION: Prior to October 2024.

AFFECTED PARTIES: Solar energy developers; owners of high-value agricultural land.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Caitlyn Cooper, 28 SHS, Augusta, Maine 04333, (207) 408-5644, [Caitlyn.Cooper@maine.gov](mailto:Caitlyn.Cooper@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Rules for Expanding the Local Foods Economy by Promoting Local Foods Procurement**

STATUTORY AUTHORITY: 7 MRS Ch 8-A § 1

PURPOSE: Establish and promote a local foods procurement program.

SCHEDULE FOR ADOPTION: Prior to December 2025.

AFFECTED PARTIES: Farmers, food and seafood processors and public institutions.

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated.

CONTACT PERSON: Craig Lapine, 28 SHS, Augusta, Maine 04333, (207) 557-1623, [craig.lapine@maine.gov](mailto:craig.lapine@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Establishment of Voucher Reimbursement Rates for Low Income Spay/Neuter Program**

STATUTORY AUTHORITY: 7 MRS §3910-C(6)

PURPOSE: Establish updated reimbursement rates for veterinary providers for surgeries provided via the Companion Animal Sterilization Program.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Low income pet owners and participating veterinary providers

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Ronda Steciuk, 28 SHS, Augusta, Maine 04333, (207) 287-3846, [ronda.steciuk@maine.gov](mailto:ronda.steciuk@maine.gov)

**CHAPTER 3: Temporary Emergency Food Assistance Program**

STATUTORY AUTHORITY: 12 MRS §5018

PURPOSE: Amend existing rules governing the Emergency Food Assistance Program and adopt new rules governing the Emergency Food Assistance Program Fund.

SCHEDULE FOR ADOPTION: Prior to January, 2025.

AFFECTED PARTIES: Food security organizations including food banks and pantries.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Craig Lapine, 28 SHS, Augusta, Maine 04333, (207) 557-1623, [craig.lapine@maine.gov](mailto:craig.lapine@maine.gov).

**CHAPTER 10: Rules for the Agricultural Compliance Program**

STATUTORY AUTHORITY: 7 MRS § 12; 17 MRS § 2701-B; 17 MRS § 2805

PURPOSE: These rules establish procedures for conducting the Agricultural Compliance Program.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Farms/Farmers/Complainants

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

CONTACT PERSON: Matthew Randall, 28 SHS, Augusta, Maine 04333, (207) 287-7708, [matthew.randall@maine.gov](mailto:matthew.randall@maine.gov)

**CHAPTER 11: Rules of Procedure Governing Award of Dates for Agricultural Fairs**

STATUTORY AUTHORITY: 7 MRS § 65

PURPOSE: These rules establish procedures for establishing dates for Agriculture Fairs

SCHEDULE FOR ADOPTION: Fall 2025

AFFECTED PARTIES: Fairs

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

CONTACT PERSON: Kayla Jones 90 Blossom Lane 28 SHS Augusta, ME 04333-0028  
Direct Line: 207-592-2126 [kayla.jones@maine.gov](mailto:kayla.jones@maine.gov)

**CHAPTER 12: Agriculture Fairs Licensing**

STATUTORY AUTHORITY: 7 MRS § 65

PURPOSE: These rules establish procedures for licensing of Agriculture Fairs

SCHEDULE FOR ADOPTION: Fall 2025

AFFECTED PARTIES: Fairs

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

CONTACT PERSON: Kayla Jones 90 Blossom Lane 28 SHS Augusta, ME 04333-0028

Direct Line: 207-592-2126 [kayla.jones@maine.gov](mailto:kayla.jones@maine.gov)

**CHAPTER 13: Agriculture Fairs Performance Evaluation**

STATUTORY AUTHORITY: 7 MRS § 62

PURPOSE: These rules establish procedures for licensing of Agriculture Fairs

SCHEDULE FOR ADOPTION: Fall 2025

AFFECTED PARTIES: Fairs, Fair Evaluators

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated.

CONTACT PERSON: Kayla Jones 90 Blossom Lane 28 SHS Augusta, ME 04333-0028

Direct Line: 207-592-2126 [kayla.jones@maine.gov](mailto:kayla.jones@maine.gov)

**CHAPTER 30: Quarantine (Potato)**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend the quarantine against various potato pests to take into consideration recent survey results on the distribution of such pests in the U.S.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Potato farmers, dealers, buyers, and shippers of imported seed.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, ME 04333, (207)592-0911,

[megan.l.patterson@maine.gov](mailto:megan.l.patterson@maine.gov)

**CHAPTER 31: Rules for Operation of Potato Marketing Improvement Fund**

STATUTORY AUTHORITY: 7 MRS §12, 10 MRS §1023-N

PURPOSE: Make changes to the rules governing the operation of the Potato Marketing Improvement Fund.

SCHEDULE FOR ADOPTION: Prior to September 2025.

AFFECTED PARTIES: Potato industry.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Craig Lapine, 28 SHS, Augusta, Maine 04333, (207) 557-1623,

[craig.lapine@maine.gov](mailto:craig.lapine@maine.gov)

**CHAPTER 32: Rules for Operation of Agricultural Marketing Loan Fund**

STATUTORY AUTHORITY: 7 MRS §12, §435

PURPOSE: Make changes to the rules governing the operation of the Agricultural Marketing Loan Fund.

SCHEDULE FOR ADOPTION: Prior to September 2025.

AFFECTED PARTIES: Commercial agricultural enterprises and businesses engaged in the producing, processing, storing, packaging or marketing of products derived from an agricultural enterprise.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Michelle Webb, 28 SHS, Augusta, Maine 04333, (207) 287-3494,

[michelle.t.webb@maine.gov](mailto:michelle.t.webb@maine.gov)

**CHAPTER 33: Rules for Operation of Agricultural Development Grant Fund**

STATUTORY AUTHORITY: 7 MRS §§ 306-A - 309

PURPOSE: Make changes to the rules governing the operation of the Agricultural Development Grant Fund.

SCHEDULE FOR ADOPTION: Prior to December 2025.

AFFECTED PARTIES: Individuals, firms or organizations interested in accelerating new market development, adoption of improved technology and promotion of agricultural products produced in Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Michelle Webb, 28 SHS, Augusta, Maine 04333, (207) 287-3494, [michelle.t.webb@maine.gov](mailto:michelle.t.webb@maine.gov)

#### **CHAPTER 34: Rules for Operation of Dairy Improvement Fund**

STATUTORY AUTHORITY: 7 MRS §2910-B; 10 M.R.S. §1023-P; 8 M.R.S. §1036 sub-§2-A ¶M

PURPOSE: Make changes to the rules governing the operation of the Dairy Improvement Fund.

SCHEDULE FOR ADOPTION: Prior to September 2025.

AFFECTED PARTIES: Commercial agricultural enterprises and businesses engaged in the producing, processing, storing, packaging or marketing of products derived from an agricultural enterprise.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Lucas Knowles, 28 SHS, Augusta, Maine 04333, (207) 592-0640, [lucas.p.knowles@maine.gov](mailto:lucas.p.knowles@maine.gov)

#### **CHAPTER 36: Rules Governing Maine Farms for the Future Program**

STATUTORY AUTHORITY: 7 MRS §§ 317-320

PURPOSE: Make changes to the rules governing the operation of the Maine Farms for the Future Program.

SCHEDULE FOR ADOPTION: Prior to December 2025.

AFFECTED PARTIES: Maine agricultural producers.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Michelle Webb, 28 SHS, Augusta, Maine 04333, (207) 287-3494, [michelle.t.webb@maine.gov](mailto:michelle.t.webb@maine.gov)

#### **CHAPTER 50: Rules for the Determination of Insufficient Veterinary Services**

STATUTORY AUTHORITY: Title 20-A MRS § 12107

PURPOSE: To establish rules for the determination of insufficient veterinary service areas in accordance with Title 20-A MRS § 12107 and LD 1885 that requires updates to the definition of term and expansion of definitions and program include assessment of emergency and critical care veterinary services.

SCHEDULE FOR ADOPTION: Prior to June 2025.

AFFECTED PARTIES: Maine residents studying and practicing veterinary medicine in Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Stefanie Bolas, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [Stefanie.bolas@maine.gov](mailto:Stefanie.bolas@maine.gov)

#### **CHAPTER 122: Fee Schedule for Inspection of Agricultural Commodities**

STATUTORY AUTHORITY: 7 MRS, 12, 441, 446, 951-B, 1033A, 1034, 1034A

PURPOSE: These rules and authorizing fees should be updated to comply with the language and intent of Title §441 which states, “These fees must, as nearly as possible, cover the costs of the inspection services for the commodity inspected.” Currently the fees do not cover the inspection costs. The fees have remained static for twelve years.

SCHEDULE FOR ADOPTION: Prior to July 2025

AFFECTED PARTIES: Commodities producers and shippers

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

**Chapter 201: Rules Governing Licensed Livestock Dealer (DOC)**

STATUTORY AUTHORITY: 7 MRSA §§ 1303 and 1307

PURPOSE: To ensure fair and equitable practices in buying and selling livestock and poultry within the State and to suppress practices in such transactions which tend against the elimination of diseased and unfit livestock and poultry.

SCHEDULE FOR ADOPTION: Prior to June 2025.

AFFECTED PARTIES: Livestock owners, livestock dealers, auctions, veterinarians

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Taryn Pearson, 28 SHS, Augusta, Maine 04333, (207) 287-3701, [taryn.pearson@maine.gov](mailto:taryn.pearson@maine.gov)

**Chapter 202: Deer**

STATUTORY AUTHORITY: 7 MRS § 1333

PURPOSE: Propagation and possession of cervids

SCHEDULE FOR ADOPTION: Prior to June 2025.

AFFECTED PARTIES: Deer owners, veterinarians, hunters, IFW

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Taryn Pearson, 28 SHS, Augusta, Maine 04333, (207) 287-3701, [taryn.pearson@maine.gov](mailto:taryn.pearson@maine.gov)

**CHAPTER 203: Rules for the Participation in the Maine Chronic Wasting Disease Surveillance Program**

STATUTORY AUTHORITY: 7 MRS §1821

PURPOSE: Rules governing the Maine Chronic Wasting Disease Surveillance Program

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Deer and Elk Industry

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Taryn Pearson, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [taryn.pearson@maine.gov](mailto:taryn.pearson@maine.gov)

**CHAPTER 204: Rule for the Licensing Requirements for Farmed Cervids**

STATUTORY AUTHORITY: 7 MRS §1821

PURPOSE: Rules governing the licensing requirements for farmed cervids

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Deer and Elk Industry

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Taryn Pearson, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [taryn.pearson@maine.gov](mailto:taryn.pearson@maine.gov)

**CHAPTER 205: Rules Governing the Poultry Disease Control Fund**

STATUTORY AUTHORITY: 7 MRS §1756 -§1757

PURPOSE: Rules governing the poultry disease control fund

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Poultry farmers

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Stefanie Bolas, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [Stefanie.bolas@maine.gov](mailto:Stefanie.bolas@maine.gov)

**Chapter 206: Prevention and Control of Certain Diseases of Domestic Animals and Poultry**

STATUTORY AUTHORITY: 7 MRSA §1752 and 7 MRSA §1812  
PURPOSE: To prevent and control certain diseases of domestic animals and poultry.  
SCHEDULE FOR ADOPTION: Prior to June 2025.  
AFFECTED PARTIES: Animal owners, veterinarians, animal transporters  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Stefanie Bolas, 28 SHS, Augusta, Maine 04333, (207) 287-3701,  
[stefanie.bolas@maine.gov](mailto:stefanie.bolas@maine.gov)

**CHAPTER 207: Control of Equine Infectious Anemia**

STATUTORY AUTHORITY: 7 MRS §1820-A  
PURPOSE: Rules governing the management of equine infectious anemia  
SCHEDULE FOR ADOPTION: Prior to July 2025.  
AFFECTED PARTIES: Equine owners  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Rachael Fiske, 28 SHS, Augusta, Maine 04333, (207) 287-3701,  
[rachael.fiske@maine.gov](mailto:rachael.fiske@maine.gov)

**CHAPTER 208: Handling of Domestic Animal and Poultry Vaccines**

STATUTORY AUTHORITY: 7 MRS §1752  
PURPOSE: Rules governing animal and poultry vaccine use  
SCHEDULE FOR ADOPTION: Prior to July 2025.  
AFFECTED PARTIES: Livestock and poultry industry  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Stefanie Bolas, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[Stefanie.bolas@maine.gov](mailto:Stefanie.bolas@maine.gov)

**CHAPTER 209: Livestock Commission or Community Auctions**

STATUTORY AUTHORITY: 7 MRS §1453  
PURPOSE: Rules governing auctions  
SCHEDULE FOR ADOPTION: Prior to July 2025.  
AFFECTED PARTIES: Livestock auctions  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Taryn Pearson, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[taryn.pearson@maine.gov](mailto:taryn.pearson@maine.gov)

**Chapter 216: Sale and Importation for Resale of Dogs and Cats (DOC)**

STATUTORY AUTHORITY: 7 MRSA §1753 and §1809  
PURPOSE: To maintain the health of all dogs and cats imported into the State for resale or adoption or offered for resale or adoption within the State.  
SCHEDULE FOR ADOPTION: Prior to June 2025.  
AFFECTED PARTIES: Animal owners, adopters, veterinarians, animal transporters, rescues, shelters, pet shops  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Rachael Fiske, 28 SHS, Augusta, Maine 04333, (207) 287-3701,  
[rachael.fiske@maine.gov](mailto:rachael.fiske@maine.gov)

**CHAPTER 220: Importation of Certain Deer into Maine**

STATUTORY AUTHORITY: 7 MRS §1331  
PURPOSE: Rules governing the importation of deer into Maine  
SCHEDULE FOR ADOPTION: Prior to July 2025.  
AFFECTED PARTIES: Deer farmers and commercial large game shooting area operations  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Taryn Pearson, 28 SHS, Augusta, Maine 04333, (207) 287-7615, [taryn.pearson@maine.gov](mailto:taryn.pearson@maine.gov)

**CHAPTER 226: Rules Governing the Administration of Certain Substances to Animals Entered in Pulling Competitions**

STATUTORY AUTHORITY: 7 MRS §97.5

PURPOSE: The Commissioner will continue to make minor corrections and modifications that are needed to meet the needs of the pulling industry.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Pulling teamsters, pull superintendents and the Pull Events Commission

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Shane Bacon, 28 SHS Augusta, ME 04333 (207) 287-7568, [shane.bacon@maine.gov](mailto:shane.bacon@maine.gov)

**CHAPTER 250: Rules for Certifying American Ginseng**

STATUTORY AUTHORITY: 7 MRS §2225

PURPOSE: May amend the rules for licensing ginseng growers.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Ginseng farmers, dealers, buyers, and shippers of imported seed

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 252: Rules Governing the Certification of Seed Potatoes in the State of Maine**

STATUTORY AUTHORITY: 7 MRS §§ 2101-2105

PURPOSE: May amend rules regarding post-harvest testing and the type of testing accepted to meet Maine standards.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Seed potato producers in Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, ME 04333, (207)592-0911, [megan.l.patterson@maine.gov](mailto:megan.l.patterson@maine.gov)

**CHAPTER 255: Imported Seed Potatoes**

STATUTORY AUTHORITY: 7 MRS §§ 2101-2105

PURPOSE: May update imported seed potatoes rules regarding testing protocols.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Potato producers in Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, ME 04333, (207)592-0911, [megan.l.patterson@maine.gov](mailto:megan.l.patterson@maine.gov)

**CHAPTER 266: Hemlock Woolly Adelgid Quarantine**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend the current quarantine against the Hemlock Woolly Adelgid to prevent its artificial spread in the State, to protect Maine's forest, timber and wildlife resources from this destructive pest.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Wood harvesters, nurseries, sawmills, paper mills, mulch dealers and the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.



CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 267: License Fees to Sell Nursery Stock**

STATUTORY AUTHORITY: 7 MRS §2171

PURPOSE: May revise the rules for selling or dealing in nursery stock.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025

AFFECTED PARTIES: Nursery owners

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 270: Maine Apiary Rules and Regulations**

STATUTORY AUTHORITY: 7 MRS §§ 2701-2872

PURPOSE: May amend the current apiary rules.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Beekeepers, blueberry and apple producers, and the general public

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 272: European Larch Canker Quarantine**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend a quarantine against the European Larch Canker to conform to the requirements of the federal European Larch Canker quarantine.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Saw mills, nurseries, and the general public

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 273: Criteria for Listing Invasive Terrestrial Plants**

STATUTORY AUTHORITY: 7MRS §§ Section 221, Chapter 405-A

PURPOSE: May amend the rules to add to the list of plants restricted from sale or import.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Nurseries, greenhouses and the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 274: Rules for Growing Industrial Hemp**

STATUTORY AUTHORITY: 7MRS §§ 2231, Chapter 406-A

PURPOSE: May amend the rules to allow for indoor growing, fee changes and additional rules to license processors or manufacturers.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Potential hemp growers

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 275: Emerald Ash Borer Quarantine**

STATUTORY AUTHORITY: 7 MRS §§ 2301-2303

PURPOSE: May amend the current quarantine against the Emerald Ash Borer to prevent its artificial spread in the State, to protect Maine's forest, timber and wildlife resources from this destructive pest.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Wood harvesters, firewood dealers, nurseries, sawmills, paper mills and the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545, [gary.fish@maine.gov](mailto:gary.fish@maine.gov)

### **CHAPTER 330: Rules for Birch Syrup**

STATUTORY AUTHORITY: 7 MRS c. 103, sub-c. 8-C

PURPOSE: Update rules, as needed, governing the Production and Sale of Birch Syrup and Birch Syrup Products.

SCHEDULE FOR ADOPTION: Prior to September 2025.

AFFECTED PARTIES: Commercial agricultural enterprises and businesses engaged in the producing, processing, storing, packaging or marketing of products derived from birch syrup.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

### **CHAPTER 501: Weights and Measures Law**

STATUTORY AUTHORITY: 10 MRS §§ 2621-2631 Subchapter 7-A

PURPOSE: These rules and authorizing legislation should be updated to adopt Handbook 133 Checking the Net Contents of Packaged Goods now that it is no longer part of Handbook 130 and is in fact a stand-alone handbook.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025

AFFECTED PARTIES: Weights and Measures

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

### **CHAPTER 600: Rules regarding disposal of cull potato piles**

STATUTORY AUTHORITY: 7 MRS §1007-A

PURPOSE: To update the rules regarding disposal of cull potato piles.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Potato farmers, Department of Agriculture, Conservation & Forestry

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Mark Hedrich, 28 SHS, Augusta, Maine 04333, (207) 287-7608, [mark.hedrich@maine.gov](mailto:mark.hedrich@maine.gov)

### **CHAPTER 701: Rules for Governing Animal Welfare**

STATUTORY AUTHORITY: 7 MRS §3906-B Section 10

PURPOSE: To ensure that only healthy animals, including birds, are offered for sale or adoption and that all animals, within the scope of the Commissioner's authority, shall receive proper care, housing facilities, disease control, records of sales and purchases, euthanasia records and licenses will be monitored by Animal Welfare.

SCHEDULE FOR ADOPTION: Prior to December 2025

AFFECTED PARTIES: Pet Stores, Breeding Kennels; Boarding Kennels; Equine Owners, Animal Shelters, Animal Control Officers

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Ronda Steciuk, 28 SHS, Augusta, Maine 04333, (207) 287-3846, [ronda.steciuk@maine.gov](mailto:ronda.steciuk@maine.gov)

**CHAPTER 702: Rules for the Low Income Spay/Neuter Program**

STATUTORY AUTHORITY: 7 MRS §3910-B

PURPOSE: To update, as necessary, the rules regarding the low-income spay/neuter program for cats and dogs, to establish eligibility requirements, veterinarian reimbursement and program administration.

SCHEDULE FOR ADOPTION: Prior to December 2025

AFFECTED PARTIES: Low income pet owners and participating veterinarians

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Ronda Steciuk, 28 SHS, Augusta, Maine 04333, (207) 287-3846, [ronda.steciuk@maine.gov](mailto:ronda.steciuk@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Animal Control Officer Training and Certification Standards**

STATUTORY AUTHORITY: 7 MRS §3996-B §§ 4, 10

PURPOSE: The Department is considering implementing rules around the training, certification, and maintenance of certification of Animal Control Officers including a code of conduct. Additional issues may arise, necessitating the adoption of a new rule chapter.

SCHEDULE FOR ADOPTION: Before December 2025

AFFECTED PARTIES: Animal Control Officers, Municipalities employing Animal Control Officers

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Ronda Steciuk 28 SHS, Augusta, Maine 04333 (207) 287-5531, [ronda.steciuk@maine.gov](mailto:ronda.steciuk@maine.gov)

**NEW RULE CHAPTER (# to assigned): Rules for Nutrient management plans for fish hatcheries**

STATUTORY AUTHORITY: Title 5, chapter 375, subchapter II-A

PURPOSE: To establish requirements for nutrient management plans for fish hatcheries, compliance schedules for fish hatcheries, a process for review of the nutrient management plans, periodic revisions of plans and determination of compliance with the plans.

ANTICIPATED SCHEDULE: The rulemaking process will begin in summer/fall of 2024 and is anticipated to be completed in the Summer of 2025

AFFECTED PARTIES: Fish hatcheries, not including off-shore marine aquaculture operations in estuarine or marine waters.

CONSENSUS-BASED RULE DEVELOPMENT: Not-contemplated. Routine Technical.

CONTACT PERSON: Stefanie Bolas, 28 SHS, Augusta, Maine 04333, (207) 215-6727, [stefanie.bolas@maine.gov](mailto:stefanie.bolas@maine.gov)

**CHAPTER 751: Rules Governing Arborist Licensing, Testing and Enforcement in the State of Maine**

STATUTORY AUTHORITY: 7 MRS §404, §§ 2173-2191

PURPOSE: May need to amend the current requirements adopted in 2006 to clarify certain provisions relating to the licensing of arborists in the State of Maine.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Individuals currently licensed or wishing to become licensed as arborists in the State of Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Gary Fish, 28 SHS, Augusta, Maine 04333, (207) 287-7545,  
[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

**CHAPTER 802: Rules Governing Disbursal of Challenge Grant Funds**

STATUTORY AUTHORITY: 12 MRS §206

PURPOSE: Update and revise the rules governing the dispersal of challenge grant funds.

SCHEDULE FOR ADOPTION: Prior to Spring 2025.

AFFECTED PARTIES: Maine state soil and water conservation districts.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Tom Gordon, 28 SHS, Augusta, Maine 04333, (207) 287-4986,  
[tom.gordon@maine.gov](mailto:tom.gordon@maine.gov).

**NEW RULE CHAPTER (# to be assigned): Rules Governing the Maine Cattle Health Assurance Program**

STATUTORY AUTHORITY: 7 MRS §1309

PURPOSE: Rules governing the Maine Cattle Health Assurance Program

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Livestock industry

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Stefanie Bolas, 28 SHS, Augusta, Maine 04333, (207) 287-7615,  
[Stefanie.bolas@maine.gov](mailto:Stefanie.bolas@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Designation of Potato Pests and Diseases; Seizure, Destruction, Disinfection**

STATUTORY AUTHORITY: 7 MRS §§ 2351-2352

PURPOSE: May need to designate those potato pests and diseases which pose a threat to the Maine potato industry; provide for the control and eradication of such pests and diseases; and provide for the disinfection of any vehicles to prevent the spread of such pests and diseases.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Potato farmers in Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Megan Patterson, 28 SHS, Augusta, Maine 04333, (207)592-0911,  
[megan.l.patterson@maine.gov](mailto:megan.l.patterson@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Veterinarian/Animal Shelter Serving as Dog Licensing Agent**

STATUTORY AUTHORITY: 7 MRS §3923-F

PURPOSE: rules providing a process for identifying animal shelters and veterinarians who are willing to serve as dog licensing agents, for distributing license blanks, tags and stickers, and for the collection, distribution and deposit of license fees into the appropriate state accounts.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Animal Shelters, Veterinarians, Municipal Offices

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Ronda Steciuk, 28 SHS, Augusta, Maine 04333, (207) 287-3846,  
[ronda.steciuk@maine.gov](mailto:ronda.steciuk@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Rules Governing the Farmers' Drought Relief Program**

STATUTORY AUTHORITY: 7 MRS § 220-A

PURPOSE: Rules establishing the Farmers' Drought Relief Program, including grant eligibility requirements, grant application and award procedures and grant funding limits.

SCHEDULE FOR ADOPTION: Prior to December 2025.

AFFECTED PARTIES: Agricultural Producers in Maine

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Craig Lapine, 28 SHS, Augusta, Maine 04333, (207)557-1623, [craig.lapine@maine.gov](mailto:craig.lapine@maine.gov)

**NEW RULE CHAPTER (#to be assigned): Rules for Non-alcoholic Beverage Bottling**

STATUTORY AUTHORITY: Title 32 Chapter 27, Sub-1-3

PURPOSE: Create rules governing the bottling of beverages in the State of Maine.

SCHEDULE FOR ADOPTION: Prior to September 2025

AFFECTED PARTIES: Commercial agricultural enterprises and businesses engaged in the producing, processing, bottling of beverages.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Celeste Poulin, 28 SHS, Augusta, Maine 04333, (207) 287-3841, [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov)

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**01-015**

AGENCY UMBRELLA - UNIT NUMBER: **01-015**

AGENCY NAME: Department of Agriculture, Conservation and Forestry, **Maine Milk Commission**

**CONTACT PERSON:** Julie-Marie Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:**

**Chapter 3**, Schedule of Minimum Prices (monthly)

**EXPECTED 2024-2025 RULE-MAKING ACTIVITIES:**

**CHAPTER 1: Orders**

STATUTORY AUTHORITY: 7 MRSA §§ 2952-A through 2989

PURPOSE: Reflect Commission rulings and legal interpretations, required records, price computations, container sizes, and other matters necessary to carry out *Maine Milk Commission Law*.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

AFFECTED PARTIES: Any or all segments of the dairy industry

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**CHAPTER 2: Hearing Procedures**

STATUTORY AUTHORITY: 7 MRSA §§ 2952-A through 2989

PURPOSE: Amend present rules to reflect changing industry standards, new APA requirements, and/or to upgrade and modernize past practices.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

AFFECTED PARTIES: Commission, intervenors and industry

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**CHAPTER 5: Dealer Cost Accounting and Reporting System**

STATUTORY AUTHORITY: 7 MRSA §§ 2952-A through 289

PURPOSE: Amend present rules to reflect changing industry standards, new APA requirements, and/or to upgrade and modernize past practices.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

AFFECTED PARTIES: Commission, intervenors and industry

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**CHAPTER 6: Inspection of Records, Books and Accounts**

STATUTORY AUTHORITY: 7 MRSA §§ 2952-A through 2989

PURPOSE: Amend present rules to reflect changing industry standards, new APA requirements, and/or to upgrade and modernize past practices.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

AFFECTED PARTIES: Commission, intervenors and industry

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**CHAPTER 13 and 27: Retail Cost Studies & Retail Margins**

STATUTORY AUTHORITY: 7 MRSA §§ 2952-A through 2989

PURPOSE: Set new minimum retail margins according to cost study and hearing testimony.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

AFFECTED PARTIES: Retailers and consumers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**CHAPTER 26: Producer Margin / Cost of Production**

STATUTORY AUTHORITY: 7 MRSA §2953-2954

PURPOSE: Set minimum producer price based on Federal order and actual cost of production.

ANTICIPATED SCHEDULE: Prior to October 1, 2025

AFFECTED PARTIES: Producers, dealers, retailers and consumers.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**CHAPTER 29: Dealer Margin**

STATUTORY AUTHORITY: 7 MRSA §2953-2954

PURPOSE: Set minimum producer price based on Federal order and actual cost of production.

ANTICIPATED SCHEDULE: Prior to October 1, 2025

AFFECTED PARTIES: Producers, dealers, retailers and consumers.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**CHAPTER 61: Maine Milk Pool Cost of Administration**

STATUTORY AUTHORITY: 7 MRSA §§ 2952-A through 2954 and 3154

PURPOSE: Set new cost of administration of Maine Milk Pool after public hearings and testimony.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

AFFECTED PARTIES: Processors and producers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Rules to Adjust the Milk Dealer License Fees**

STATUTORY AUTHORITY: 7 M.R.S.A. §2955 through §2956.

PURPOSE: Adjust the Fees charged for an annual Milk Dealer License

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: Milk Dealers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

**NEW RULE CHAPTER (# to be assigned): Rules to Adjust the Maine Milk Commission Fees**

STATUTORY AUTHORITY: 7 M.R.S.A. §2956.

PURPOSE: Adjust the per hundredweight fees charged for to support the activities of the Maine Milk Commission

SCHEDULE FOR ADOPTION: Prior to October 1, 2025.

AFFECTED PARTIES: Maine dairy producers and Maine dairy processors & handlers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON: Julie-Marie R. Bickford, 28 SHS, Augusta, Maine 04333, (207) 287-7521, [julie-marie.bickford@maine.gov](mailto:julie-marie.bickford@maine.gov)

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**01-017**

AGENCY UMBRELLA-UNIT: **01-017**

AGENCY NAME: Maine Department of Agriculture, Conservation and Forestry, **Maine State Harness Racing Commission**

**CONTACT PERSON:** Shane Bacon, 28 SHS, Augusta, Maine 04333, (207) 287-3221, [shane.bacon@maine.gov](mailto:shane.bacon@maine.gov)

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

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

**CHAPTERS 1 through 21 and/or New Rule: Various Titles**

STATUTORY AUTHORITY: 8 MRS §§ 263-A; 268, 275-C, 279-A and B, 281

PURPOSE: The Maine State Harness Racing Commission will continue to update its rules to meet the needs of an ever-changing industry.

SCHEDULE FOR ADOPTION: Prior to December 31, 2025.

AFFECTED PARTIES: Harness horse racing licensees, track owners and operators, pari-mutuel wagering facilities and those affiliated with the harness racing industry.  
CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated  
CONTACT PERSON: Shane Bacon, 28 SHS Augusta, ME 04333, (207) 287-3221, [shane.bacon@maine.gov](mailto:shane.bacon@maine.gov)

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AGENCY UMBRELLA-UNIT: **01-026**

AGENCY NAME: **Maine Department of Agriculture, Conservation and Forestry, Board of Pesticides Control**

**AGENCY CONTACT PERSON:** Alexander Peacock, 28 SHS, Augusta, Maine 04333, (207) 287-2731, [Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:**

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

**CHAPTER 10: Definitions and Terms**

STATUTORY AUTHORITY: 22 MRS §§1471A-X

PURPOSE: In 1996, the Board consolidated all rule definitions in this Chapter. This chapter must be updated each time a new definition is added or amended. It received a series of housekeeping amendments in January 2005 and in 2012. The rule was amended in 2019 to change the definition of aerial applicator to allow for the use of UAS by those with agricultural pesticide applicator licenses. Issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025

AFFECTED PARTIES: All individuals and businesses affected by the Board's rules.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 20: Special Provisions**

STATUTORY AUTHORITY: 22 MRS §§1471A-X

PURPOSE: In 2007, the Board amended Chapter 20 to clarify that authorization from the property owner is required prior to applying a pesticide. The Board passed an amendment in 2013 to eliminate the need for individual homeowner permission in the event of a public health threat. In 2014, a requirement was added for applicators making outdoor treatments to residential properties to implement a system to positively identify application sites in a manner approved by the Board. In 2023, the Board amended Chapter 20 by moving their policy of recommended criteria for positive property identification into rule. The Board may develop specific duties that an employer must perform to protect their employees from occupational exposure to pesticides. These amendments may be modeled on the 2015 Federal Worker Protection Standard and the 2017 Federal Pesticide Applicator Certification Standard. In addition, Chapter 20 is a key chapter for the Board when it determines that additional regulation is in the public interest, so other amendments are also possible.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: Applicators making outdoor treatments to residential properties; since this was already required by policy and now required by rule, there will be no real affect.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated



CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order to Minimize Off-Target Deposition**

STATUTORY AUTHORITY: 7 MRS §§ 601-625 and 22 MRSA §§1471A-X

PURPOSE: Aerial spraying is a very controversial issue and the Board completed a major overhaul of this chapter in 2009 to provide greater protection for area residents. In 2013 the Board passed amendments to exempt the sections concerning Identifying and Recording Sensitive Areas, Presence of Humans and Animals, and certain specifics of Site Plans in the event of a public health threat. In 2014, the requirement of identifying sensitive areas was eliminated for commercial applications conducted under categories 6A (rights-of-way vegetation management), 6B (general vegetation management) and 7E (biting fly & other arthropod vectors [ticks]). Issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: All applicators making outdoor applications with powered application equipment.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 24: Pesticide Storage Facility Standards/Pesticide Distributors**

STATUTORY AUTHORITY: 22 MRS § 1471-O and 7 MRSA § 610(2)(B)

PURPOSE: The Board has received letters expressing concern that odors and spilled chemicals may represent a health risk for both employees and customers who enter the self-service display areas of general-use pesticide distributors. In addition, inequities have been noted between the requirements for agricultural distributors versus the requirements for warehouse-style retailers. Finally, a few provisions are somewhat vague and would benefit from additional clarity. Consequently, the Board may adjust these standards to address concerns. Further issues may arise, necessitating additional amendment.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: Pesticide retailers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 26: Standards for Indoor Application of Pesticides**

STATUTORY AUTHORITY: 22 MRS §§1471A-X and 7 MRSA §§ 601-625

PURPOSE: The Board adopted this chapter during 2006 and it became effective in January of 2007. An amendment was made during 2007 to address concerns raised by structural applicators. Concerns have arisen about the higher risk of indoor applications versus outdoor applications. Issues may arise, necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: All structural pest control applicators, owners or managers of businesses, institutions and apartment houses, as well as interested members of the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

## **CHAPTER 27: Standards for Pesticide Applications and Public Notification in Schools**

STATUTORY AUTHORITY: 22 MRS §§1471A-X and 7 MRSA §§ 601-625

PURPOSE: The Board adopted this rule in 2003 and made some housekeeping amendments to it during 2005, 2007 and 2012. Several minor clarifications have been identified which should be addressed. Since use of pesticides on school grounds continues to garner legislative and public attention, further amendments may be necessary in the future.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: All public and private school systems as well as commercial applicators and all persons using school buildings and grounds.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

## **CHAPTER 28: Notification Provisions for Outdoor Pesticide Applications**

STATUTORY AUTHORITY: 22 MRS § 1471-M (2)(D)

PURPOSE: This rule was adopted in 1998 and slightly amended in 2000, 2007, 2011 and 2014. It contains all of the Board outdoor notification requirements. In 2014, it was amended to require posting for applications under categories 6B (general vegetation management) except when making applications to sidewalks and trails, power substations, and railroad sidings; and 7E (biting fly & other arthropod vectors [ticks]) and to require notice per Board policy for applications to sidewalks and trails under 6B (general vegetation management). The Maine Legislature recently enacted and subsequently repealed a pesticide notification registry. There is some sentiment indicating that additional legislative initiatives may be forthcoming on this subject, which would likely necessitate rulemaking. This chapter also needs some updating to reflect the evolution of its usage.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: Pesticide applicators and persons who live near sprayed sites.

Persons who believe they are sensitive to pesticides. Regulated parties include all commercial pesticide applicators, the landowners who hire them and anyone who applies pesticides outdoors in the vicinity of persons on the registry.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

## **CHAPTER 29. Standards for Water Quality Protection**

STATUTORY AUTHORITY: 22 MRS § 1471-M(2)(D)

PURPOSE: A recent federal court decision now requires applicators to work under a Maine Pollution Discharge Elimination System permit for certain outdoor pesticide applications that have the potential for a portion of the spray to deposit in surface water, so Chapter 29 may need to be amended to address this change. In addition, the Board may look to exempt certain urgent applications from the 25-foot buffer requirement. Recently, concerns have arisen relative to pesticides and the marine environment. A current outbreak of browntail moth may necessitate amendments to this rule around products approved for use for control. Finally, water quality has emerged as one of the more significant environmental fate concerns with pesticides. These and additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: Pesticide manufacturers, outdoor applicators, persons owning land next to surface water bodies and environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 31: Certification and Licensing Provisions for Commercial Applicators**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D and S

PURPOSE: The Board amended this chapter during 2007 and 2014, but may find it necessary to revise this regulation again to accommodate new licensing software, streamline processes or deregulate certain types of pesticide applications. Several amendments were adopted in 2015. Changes to the federal certification and training requirements necessitated amendments, which were adopted in 2019. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: All persons licensed by the Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 32: Certification and Licensing Provisions for Private Applicators**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D and S

PURPOSE: The Board may amend any of its current regulations dealing with the examination, certification, licensing and relicensing of private applicators to accommodate new licensing software, streamline procedures and/or adjust the fees. An amendment to reduce the waiting time for re-taking a failed exam was passed in 2014. Changes to the federal certification and training requirements necessitated amendments, which were adopted in 2019. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: All persons licensed by the Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 33: Certification Provisions/Private Applicators of General Use Pesticides**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D (2-D), 22 MRSA §§ 1471-M (1) (C-1)

PURPOSE: This new rule was recently adopted to fulfill the requirements of Public Law 2011, Chapter 169 which requires pesticide applicator licensing for certain farmers who apply only general use pesticides. Since it is a newly adopted rule, experience may reveal some desirable upgrades. In addition, the potential for new licensing software may also necessitate changes. An amendment to reduce the waiting time for re-taking a failed exam was passed in 2014. Changes to the federal certification and training requirements will necessitate amendments to this rule. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

**CHAPTER 34: Certification and Licensing Provisions for Pesticide Dealers**

STATUTORY AUTHORITY: 2 MRS §§ 1471-D and S

PURPOSE: Amendments adopted in 2015 included shortening the wait time to re-take an exam after failing and changing both the license and certification periods to three years. Going forward, the Board may amend its current regulation to require pesticide dealers

to have a company license in addition to having their employees licensed. Also, the license fee is outdated. Other changes may be necessary as the Board reviews all the licensing chapters with a view toward streamlining and simplifying procedures.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: Pesticide distributors.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

### **CHAPTER 35: Certification and Licensing Provisions for Spray Contracting Firms**

STATUTORY AUTHORITY: 22 MRS §§ 1471-D and S

PURPOSE: In 2015 this chapter was amended to remove the requirements for spotters/monitors for forest insect aerial spray program. The license period was also changed in 2015 from two years to three. The Board may amend this chapter dealing with licensing and relicensing of firms to accommodate new licensing software, continue to streamline procedures and/or adjust fees.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: All persons licensed by the Board.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

### **CHAPTER 40: State Restricted Pesticide List**

STATUTORY AUTHORITY: 7 MRS §§ 601-625 and 22 MRSA §§ 1471A-X

PURPOSE: The Board amended this chapter in 2007 and may update its Restricted Use List by deleting products that are no longer registered. Also, it may be necessary to modify the list as a result of the Board's registration review process which may necessitate adding any products which present a unique threat to Maine's public health or the environment. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: Pesticide manufacturers, pesticide applicators and environmental groups interested in pesticide issues.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

### **CHAPTER 41: Special Restrictions**

STATUTORY AUTHORITY: 7 MRS §§ 601-625 and 22 MRSA §§ 1471A-X

PURPOSE: The Board amended this chapter in 2011 to relax some administrative burdens for the use of *Bt* corn seed, and in 2014 to reduce the restrictions on the use of hexazinone. This is a key chapter for the Board to implement appropriate restrictions associated with certain pesticides or classes of pesticides that pose unique risks to Maine. In 2022, the Board amended Chapter 41 to restrict the use of the active ingredient, chlorpyrifos, without obtaining a temporary use authorization permit from the Board. In 2022, the Board amended Chapter 41 to restrict the use and distribution of neonicotinoids from outdoor residential landscapes without an emergency use permit issued by the Board. There have been significant changes to this chapter in the last ten years, and additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: All applicators and environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

## **CHAPTER 50: Reporting Requirements for Applicators and Dealers**

STATUTORY AUTHORITY: 22 MRS §§ 1471-G and M

PURPOSE: The Board adopted several housekeeping amendments to this chapter in January 2005 and 2019. Changes to Chapters 22, 27 and 41 have created additional record keeping requirements that might be more appropriately incorporated in Chapter 50. In 2024, the Board has entered rulemaking to require electronic submission of sales and use reports by dealers and commercial applicators. Current rulemaking around the licensing chapters may also necessitate changes to record keeping requirements. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: All private and commercial applicators, dealers and consumer or environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731

[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

## **CHAPTER 51: Notice of Aerial Pesticide Applications**

STATUTORY AUTHORITY: 22 MRS § 1471-R

PURPOSE: Legislative activity around pesticide notification may necessitate amendments to this chapter. The Board has expressed an interest in regulating unmanned aircraft systems, which may require amendments to this chapter. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: Aerial applicators, paper companies, utility officials, and environmental groups.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731

[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

## **CHAPTER 60. Designation of Critical Pesticide Control Area**

STATUTORY AUTHORITY: 22 MRS § 1471 - M (4)

PURPOSE: Upon receipt of a petition, the Board would be required to consider rulemaking to restrict pesticide usage within a designated area to protect public health, threatened or endangered species or their habitat, surface or ground water, or other environmental resources. During 2011, the Board repealed one of the two designated critical control areas since the subject of protected area no longer existed. In 2024, the Board has received a petition for the designation of a new critical pesticide control area which may result in an amendment to Chapter 60. Additional issues may arise necessitating further amendment.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: Persons living within the requested area and all applicators wishing to do business within the designated zone.

CONSENSUS-BASED RULE DEVELOPMENT: The Board engaged in consensus-based rule development the last time a request was received and would likely try it again.

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731

[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

## **NEW RULE CHAPTER (# to be assigned): Unmanned Aircraft Systems, Unmanned Ground Systems, Other**

STATUTORY AUTHORITY: 22 MRS §§1471A-X and 7 MRSA §§ 601-625

PURPOSE: The Board is considering implementing rules around both unmanned aircraft systems (UAS) and unmanned ground systems (UGS) for use in pesticide applications. Additional issues may arise necessitating adoption of a new rule chapter.

SCHEDULE FOR ADOPTION: Prior to September 30, 2025.

AFFECTED PARTIES: All pesticide applicators and dealers, as well as interested members of the general public.

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Alexander Peacock, 28 SHS, Augusta, Maine 04333 (207) 287-2731  
[Alexander.R.Peacock@maine.gov](mailto:Alexander.R.Peacock@maine.gov)

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## **01-303**

AGENCY UMBRELLA - UNIT NUMBER: **01-303**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry,  
Pull Events Commission**

**CONTACT PERSON:** Miles Greenleaf, 28 SHS, Augusta, Maine 04333, (207) 287-7535,  
[miles.d.greenleaf@maine.gov](mailto:miles.d.greenleaf@maine.gov)

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

### **EXPECTED 2024-2025 RULE-MAKING ACTIVITIES:**

#### **CHAPTER 15: Rules for Superintendents and Assistant Superintendents of Pull Events**

STATUTORY AUTHORITY: 7 MRS §97(5) and §98

PURPOSE: The Pull Events Commission will continue to make minor corrections and modifications that are needed to meet the needs of the pulling industry.

SCHEDULE FOR ADOPTION: Prior to July 2025.

AFFECTED PARTIES: Pulling teamsters, pull superintendents, and licensed venues that conduct pulling competitions.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Miles Greenleaf, 28 SHS Augusta, ME 04333, (207) 287-7535,  
[miles.greenleaf@maine.gov](mailto:miles.greenleaf@maine.gov)

#### **CHAPTER 226: Rules Governing the Administration of Certain Substances to Animals Entered in Pulling Competitions.**

STATUTORY AUTHORITY: 7 MRS §97(5) and §98

PURPOSE: The Pull Events Commission will continue to make minor corrections and modifications that are needed to meet the needs of the pulling industry.

SCHEDULE FOR ADOPTION: Prior to October 2025.

AFFECTED PARTIES: Pulling teamsters, pull superintendents, and licensed venues that conduct pulling competitions

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

CONTACT PERSON: Miles Greenleaf, 28 SHS Augusta, ME 04333, (207) 287-7535,  
[miles.greenleaf@maine.gov](mailto:miles.greenleaf@maine.gov)

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## **01-669**

AGENCY UMBRELLA-UNIT NUMBER: **01-669**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry, Bureau of Forestry (aka Maine Forest Service)**

**CONTACT PERSON FOR THE AGENCY:** Morten Moesswilde, 22 State House Station, Augusta, ME 04333, 287-2791, [morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

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

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

**CHAPTER 20: Forest Regeneration & Clearcutting Standards**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners and managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791; [morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

**CHAPTER 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: Clarify permitting and variance procedures. If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners and managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791; [morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

**CHAPTER 23: Timber Harvesting Standards to Substantially Eliminate Liquidation Harvesting**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners and managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791; [morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

**CHAPTER 25: Standards for Placing Wood Into Stream Channels to Enhance Cold Water Fisheries Habitat**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Make rule standards consistent with federal program standards. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners and managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

**CHAPTER 26: Forest Operations Notification Standards**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners and managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

**CHAPTER 27: Standards for Timber Harvesting Activities within Unorganized and De-organized Areas of the State**

STATUTORY BASIS: 12 MRS Chapter 206-A, Subchapter 2 and Chapter 805, Subchapter 3-A

PURPOSE: Amend current rule to conform current standards for certain activities set forth in Chapter 21 Rule (Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas) and establish streamlined permit procedures for proposed timber harvesting activities in certain protection sub-districts within the unorganized and de-organized areas of the state, and clarify the permitting process. If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners and managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

**CHAPTER 28: Regulation of the Transportation of Firewood**

STATUTORY BASIS: 12 MRS §8305

PURPOSE: Regulate the transportation and movement of firewood into and within the state to reduce the risk of spreading invasive insect species.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Out-of-state visitors who use firewood, firewood dealers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Allison Kanoti, 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[allison.m.kanoti@maine.gov](mailto:allison.m.kanoti@maine.gov)

**CHAPTER 29: Fee Schedule**

STATUTORY BASIS: 12 MRS §8867-F.

PURPOSE: Conform bureau fees to those collected by agencies with similar rules. If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791;  
[morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)



### **CHAPTER 30: Prior Approval Process and Stop Work Orders**

STATUTORY BASIS: 12 MRS c. 805, sub-c. 3-A.

PURPOSE: If rulemaking to consolidate definitions under a single rule proceeds, this rule will need to be amended to remove its definition section. Also correct errors and omissions in section references and general language cleanup.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest managers.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde; 22 SHS, Augusta, ME 04333-0022, 287-2791; [morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

### **CHAPTER 32: Spruce Budworm Management**

STATUTORY BASIS: 12 MRS §8002(2), Chapter 803, Subchapter 4-A, and Chapter 805, Subchapter 3-A.

PURPOSE: To establish timber harvesting standards for forest areas that have a significant risk of damage from spruce budworm and are subject to a credible threat of imminent spruce budworm damage.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde, 22 SHS, Augusta, ME 04333-0022, 287-2791; [morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

### **CHAPTER 33: Definitions**

STATUTORY BASIS: 12 MRS Chapter 803, Subchapter 4-A, and Chapter 805, Subchapter 3-A.

PURPOSE: To establish a common set of definitions that apply to all rules administered by the bureau.

SCHEDULE FOR ADOPTION: Final rules anticipated by late 2025.

AFFECTED PARTIES: Forest landowners

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Morten Moesswilde, 22 SHS, Augusta, ME 04333-0022, 287-2791; [morten.moesswilde@maine.gov](mailto:morten.moesswilde@maine.gov)

### **CHAPTER 34: Private Party Burn Permit Software Requirements**

STATUTORY BASIS: 12 MRS §9327

PURPOSE: To establish requirements for private party burn permit software pursuant to Public Law 2017, Chapter 447, An Act to Amend the Laws Governing Issuance of Burn Permits.

SCHEDULE FOR ADOPTION: Final rules are anticipated by late 2025.

AFFECTED PARTIES: Municipalities, developers of private party burn permit software

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

CONTACT PERSON: Robby Gross 22 SHS, Augusta, ME 04333-0022, 287-4990; [robby.gross@maine.gov](mailto:robby.gross@maine.gov)

### **Chapter 35: Browntail Moth Mitigation Fund**

STATUTORY BASIS: 12 MRS §8321

PURPOSE: To establish rules for the distribution of funds for mitigation to areas impacted by browntail moth pursuant to Public Law 2022, Chapter 727, An Act To Provide Assistance to Areas Severely Infested with Browntail Moths.

SCHEDULE FOR ADOPTION: Final rules are anticipated by late 2025.

AFFECTED PARTIES: Government entities, non-profits, residents of and visitors to browntail moth-infested areas.  
CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.  
CONTACT PERSON: Allison Kanoti, 87 Airport Road, Old Town, ME 04468, 827-1813;  
[allison.m.kanoti@maine.gov](mailto:allison.m.kanoti@maine.gov)

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## **01-670**

AGENCY UMBRELLA - UNIT NUMBER: **01-670**  
AGENCY NAME: **Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands**

**CONTACT PERSON:** Ron Hunt, 22 SHS, Augusta, Maine 04333, (207) 287-4717,  
[ron.hunt@maine.gov](mailto:ron.hunt@maine.gov)

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

### **EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

#### **CHAPTER 2: Rules for Recreational Use of the Allagash Wilderness Waterway**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1803, 1.1 – 3.4  
PURPOSE: Various changes to correct minor spelling errors and typos.  
ANTICIPATED SCHEDULE: Prior to Summer 2025  
AFFECTED PARTIES: Canoeists, fishermen, hikers, and the general public  
CONCENSUS –BASED RULE DEVELOPMENT: Not Contemplated  
CONTACT PERSON: Mark Deroche, 106 Hogan Rd., Ste. 7, 4<sup>th</sup> Floor., Bangor, ME 04401,  
(207) 941-4014, [mark.deroche@maine.gov](mailto:mark.deroche@maine.gov)

#### **CHAPTER 2: Rules for recreational use of the Allagash Wilderness Waterway**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 §1803, 2.2 E (1-6).  
PURPOSE: Add: To remove the rules and guidelines for Winter Camping at Chamberlain Thoroughfare and Kellogg Brook, and establish a more flexible and efficient Allagash Wilderness Waterway winter camping reservation system for the public.  
ANTICIPATED SCHEDULE: Completion by Spring of 2025.  
AFFECTED PARTIES: AWW winter campers, Snowmobilers, fishermen, and the general public  
CONCENSUS –BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: Mark Deroche, 106 Hogan Rd., Ste. 7, 4<sup>th</sup> Floor., Bangor, ME 04401, (207) 941-4014, [mark.deroche@maine.gov](mailto:mark.deroche@maine.gov)

#### **CHAPTER 2: Rules for State Parks and Historic Sites**

STATUTORY AUTHORITY: 12 MRS, Chapter 220 § 1803, 2.19 D.  
PURPOSE: The bureau may take action to protect AWW resources, to protect public health and safety, to provide security, to avoid user conflicts, or for other reasons deemed necessary. A park superintendent or designee may exclude a person who violates any state park or historic site rule for a specified period of time.  
ANTICIPATED SCHEDULE: Completion by Spring of 2025.  
AFFECTED PARTIES: Canoeists, campers, snowmobilers, anglers, hikers and the general public  
CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Ron Hunt, 22 SHS, Augusta, Maine 04333, (207) 287-4717,  
[ron.hunt@maine.gov](mailto:ron.hunt@maine.gov)

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**CHAPTER 3: Rules for Navigational Aids**

STATUTORY AUTHORITY: 12 MRS §1894

PURPOSE: Modify Rules and Regulations for the Aids to Navigation System.

ANTICIPATED SCHEDULE: Completed by Spring of 2025.

AFFECTED PARTIES: Boating public and political subdivisions

CONSENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Thomas Linscott, 22 SHS Augusta, ME 04333, (207) 287-6830,  
[Thomas.Linscott@maine.gov](mailto:Thomas.Linscott@maine.gov)

**CHAPTER 4: Rules and Regulations Governing Boating Facilities**

STATUTORY AUTHORITY: 12 MRS §1803

PURPOSE: Modify Rules of Conduct at Boat Launching Facilities.

ANTICIPATED SCHEDULE: Completed by Spring of 2025.

AFFECTED PARTIES: Boating public and political subdivisions

CONSENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Thomas Linscott, 22 SHS Augusta, ME 04333, (207) 287-6830,  
[Thomas.Linscott@maine.gov](mailto:Thomas.Linscott@maine.gov)

**CHAPTER 5: Rules and Regulations for Lunch and Campsites in Penobscot Corridor, Lobster Lake and Chesuncook Lake.**

STATUTORY AUTHORITY: 12 MRS §1803

PURPOSE: Add: The bureau may take action to protect state park resources, to protect public health and safety, to provide security, to avoid user conflicts, or for other reasons deemed necessary. A park manager or designee may exclude a person who violates any state park or historic site rule for a specified period of time.

ANTICIPATED SCHEDULE: Completed by Spring of 2025..

AFFECTED PARTIES: Campers, Snowmobilers, fishermen, and the general public

CONSENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Ron Hunt, 22 SHS, Augusta, Maine 04333, (207) 287-4717,  
[ron.hunt@maine.gov](mailto:ron.hunt@maine.gov)

**CHAPTER 7: Rules for Snowmobile Program**

STATUTORY AUTHORITY: 12 MRS §1893(3)

PURPOSE: Establish the Bureau's Grants-in-Aid program, identify the procedures for making grants-in-aid to political subdivisions for the construction and/or maintenance of snowmobile trails.

ANTICIPATED SCHEDULE: Completed by Fall of 2025.

AFFECTED PARTIES: Snowmobile clubs and political subdivisions

CONSENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Joe Higgins, 22 SHS Augusta, ME 04333, (207) 287-4959,  
[joe.higgins@maine.gov](mailto:joe.higgins@maine.gov)

**CHAPTER 8: Rules for Snowmobile Club Trail Maintenance Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS §1893(3)

PURPOSE: Establish the Bureau's process that qualified snowmobile clubs use to apply for grants, and the terms and the conditions of these grants.

ANTICIPATED SCHEDULE: Completed by Fall of 2025.

AFFECTED PARTIES: Snowmobile clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated  
CONTACT PERSON: Joe Higgins, 22 SHS Augusta, ME 04333, (207) 287-4959,  
[joe.higgins@maine.gov](mailto:joe.higgins@maine.gov)

**CHAPTER 9: Rules for Snowmobile Capital Equipment Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS §13104

PURPOSE: Establish the Bureau’s Snowmobile Capital Equipment Grant in Aid Program and its associated Capital Equipment Fund, identify the application and scoring process for qualified snowmobile clubs or political subdivisions, and define the terms and the conditions of these Grants.

ANTICIPATED SCHEDULE: Completed by Fall of 2025.

AFFECTED PARTIES: Snowmobile clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Joe Higgins, 22 SHS Augusta, ME 04333, (207) 287-4959,  
[joe.higgins@maine.gov](mailto:joe.higgins@maine.gov)

**CHAPTER 15: Rules for General ATV Trail Guidance. ATV Trail Program Insurance**

STATUTORY AUTHORITY: 12 MRS§1893(2)

PURPOSE: Establish the Bureau’s process to provide for the wise and orderly management of ATVs and the funding allocated to individual clubs.

ANTICIPATED SCHEDULE: Completed by Summer of 2025.

AFFECTED PARTIES: ATV clubs, political subdivisions, and landowners.

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Joe Higgins, 22 SHS Augusta, ME 04333, (207) 287-4958,  
[joe.higgins@maine.gov](mailto:joe.higgins@maine.gov)

**CHAPTER 18: Rules for ATV Municipal Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS§1893(2)

PURPOSE: Establish the Bureau’s Grants-in-Aid Program, identify the procedures for making grants-in-aid to political subdivisions for the construction and/or maintenance of ATV trails.

ANTICIPATED SCHEDULE: Completed by Summer of 2025.

AFFECTED PARTIES: ATV clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Joe Higgins, 22 SHS Augusta, ME 04333, (207) 287-4958,  
[joe.higgins@maine.gov](mailto:joe.higgins@maine.gov)

**CHAPTER 160: Rules for ATV Club Trail Maintenance Grant-In-Aid Program**

STATUTORY AUTHORITY: 12 MRS §1893(2)

PURPOSE: Establish the Bureau’s process that qualified ATV clubs use to apply for grants and the terms and conditions of these grants.

ANTICIPATED SCHEDULE: Completed by Summer of 2025.

AFFECTED PARTIES: ATV clubs and political subdivisions

CONCENSUS –BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Joe Higgins, 22 SHS Augusta, ME 04333, (207) 287-4958,  
[joe.higgins@maine.gov](mailto:joe.higgins@maine.gov)

**CHAPTER 53: Submerged Land Rules**

STATUTORY AUTHORITY: 12 MRS §§ 1801, 1803, and 1862

PURPOSE: These rules need to be amended to establish updated definitions, procedures and application fees.

ANTICIPATED SCHEDULE: Completed by Spring of 2025.

AFFECTED PARTIES: Users of coastal waters and publicly owned submerged lands.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated  
CONTACT PERSON: John Noll, 22 SHS Augusta, ME 04333, (207) 287-4919,  
[john.noll@maine.gov](mailto:john.noll@maine.gov)

**CHAPTER 54: Rules for Bear Baiting on Public Lands**

STATUTORY AUTHORITY: 12 MRS §1802

PURPOSE: May amend the rules to allow for a periodic review of permit fees and/or a standard price inflator; and may amend the rules regarding penalties to allow for an appeal process. Administrative details of the application process will be updated along with provisions for locating and managing bait sites on the ground. The full scope of the rules will be considered with staff and public input for needed updates.

SCHEDULE FOR ADOPTION: Completed by Summer of 2025.

AFFECTED PARTIES: Individual and Commercial Bear Hunters

CONSENSUS-BASED RULE DEVELOPMENT: Contemplated

CONTACT PERSON: Jim Vogel, 22 SHS, Augusta ME 04333, (207) 841-3427,  
[jim.vogel@maine.gov](mailto:jim.vogel@maine.gov)

**New Rule Chapter (# to be assigned): Rules for Determining a Substantial Alteration of Use Pursuant to 12 MRS 598-C**

STATUTORY AUTHORITY: 12 MRS §598-C

PURPOSE: Adopt rules to establish an objective evaluation process for determining if a proposed activity on land designated under this chapter and under the jurisdiction of the bureau would cause the land to be reduced or the uses of the land to be substantially altered.

ANTICIPATED SCHEDULE: Completed by Summer of 2025

AFFECTED PARTIES: Users and advocates for public land.

CONSENSUS-BASED RULE DEVELOPMENT: Not-contemplated; rules are major-substantive.

CONTACT PERSON: Andy Cutko, State House Station 22, Augusta ME 04333. 207-592-4149, [andy.cutko@maine.gov](mailto:andy.cutko@maine.gov)

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**01-672**

AGENCY UMBRELLA - UNIT NUMBER: **01-672**

AGENCY NAME: **Maine Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning, Municipal Planning Assistance Program [OLD: 07-105 State Planning Office]**

**CONTACT PERSON:** Judith East, 106 Hogan Rd, Bangor, Maine 04401, (207) 592-1724,  
[judith.c.east@maine.gov](mailto:judith.c.east@maine.gov)

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

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

**CHAPTER 2: Definitions**

STATUTORY BASIS: 12 MRS §§ 685-A(3) and 685-C(5)

PURPOSE: Chapter 2 establishes definitions pertinent to the Commission's land use regulations. This rule needs to be updated periodically to address issues that become obvious through experience gained from applying current rules, as well as to correct

errors, ensure consistency with recently enacted legislation, update references as appropriate, and make other changes to Chapter 2.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2025; adopt amendments by July 2025.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated/not warranted.

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-931-6974, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov).

#### **CHAPTER 4: Rules of Practice, Miscellaneous Changes**

STATUTORY BASIS: 12 MRS §684 and §685-C(5)

PURPOSE: Chapter 4 establishes rules of procedure pertinent to the Commission's zoning and permitting processes. Periodic updates to this rule are warranted to address issues that become obvious through experience gained from applying current rules, as well as to correct errors, update references as appropriate, and make other revisions to the Commission's procedures.

SCHEDULE FOR ADOPTION: Issue proposed amendments by April 2025; Consideration of comments received and possible adoption in August 2025.

AFFECTED PARTIES: The proposed changes could affect all individuals proposing development in the unorganized and deorganized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-931-6974, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov)

#### **CHAPTER 10: Land Use Districts and Standards, NRPA-related Changes**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Rules need to be promulgated to improve resource protection in LUPC jurisdiction consistent with that provided under the Natural Resource Protection Act in organized areas of the state, as required by the NRPA statute.

SCHEDULE FOR ADOPTION: Issue proposed amendments by June 2025 adopt amendments by September 2025; submit for legislative review during January 2026.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Stacy Benjamin, 22 State House Station, Augusta, ME 04333-0022; 207-441-3761, [stacy.benjamin@maine.gov](mailto:stacy.benjamin@maine.gov)

#### **CHAPTER 10: Land Use Districts and Standards, Miscellaneous Changes**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Chapter 10 rules establish land use subdistricts and land use standards for lands within the unorganized and de-organized areas of the state. They need to be updated periodically to address issues which become obvious through experience gained from applying current rules, as well as to correct errors, ensure consistency with recently enacted legislation, update references as appropriate, and make other changes to Chapter 10. Examples of changes to be considered include updating standards governing nonconformity, updating road and road crossing standards, updating clearing standards, updating water withdrawal standards, updating the recreational lodging rules as more experience is gained in applying them, updating language regarding mining, updating standards to address cannabis law changes, improving consistency in terminology, adding areas to the list of DACSS, changing the terminology for bridge reconstruction and certain other development in flood prone areas, and updating standards for lighting.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2025; adopt amendments by July 2025; submit for legislative review during January 2026.

AFFECTED PARTIES: Property owners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-931-6974, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov)

**CHAPTER 10: Land Use Districts and Standards, New Standards for Certain Development Activities**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Rules need to be promulgated to address current research, policy concepts, and new standards for small and mid-sized solar energy generation facilities, battery storage facilities, decommissioning, financial assurances, short-term rentals, and water withdrawals.

SCHEDULE FOR ADOPTION: Issue proposed amendments by June 2025; adopt amendments by September 2025; submit for legislative review during January 2026.

AFFECTED PARTIES: Landowners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Ben Godsoe, 22 State House Station, Augusta, ME 04333-0022; 207-592-6429; [Benjamin.Godsoe@maine.gov](mailto:Benjamin.Godsoe@maine.gov)

**CHAPTER 10: Land Use Districts and Standards, Climate Change Related Updates, Including Standards for Activities in Flood Prone Areas**

STATUTORY BASIS: 12 MRS §685-A(3) and §685-C(5)

PURPOSE: Rules need to be reviewed and updated to address the recommendations of “Maine Won’t Wait, a Four-year Plan for Climate Action” released in December 2020 by the Maine Climate Council. In particular, rules need to be promulgated to revise standards for development in flood prone areas in accordance with the National Flood Insurance Program and be consistent, where possible, with changes to standards adopted in the organized areas of the state.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2025; adopt amendments by July 2025; submit for legislative review during January 2026.

AFFECTED PARTIES: Landowners and others who hold interests in lands within the unorganized and de-organized areas of the state and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Carr, 22 State House Station, Augusta, ME 04333-0022; 207-287-4930, [Tim.Carr@maine.gov](mailto:Tim.Carr@maine.gov)

**CHAPTER 15: Guidelines for Private Roads or Ways in Management Districts, Possible Repeal**

STATUTORY BASIS: 12 MRS §684 and §685-C(5)

PURPOSE: Chapter 15 contains standards for the construction and maintenance of private roads in management districts. However, Chapter 10 of the Commission’s rules, Land Use Districts and Standards, includes sufficient standards for all roads, including situations addressed by Chapter 15.

SCHEDULE FOR ADOPTION: Issue proposed repeal by April 2025; Consideration of comments received and possible repeal in August 2025.

AFFECTED PARTIES: None

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Tim Beaucage, 22 State House Station, Augusta, ME 04333-0022; 207-931-6974, [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov)

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**CHAPTER 208: COMPREHENSIVE PLAN REVIEW CRITERIA RULE**

STATUTORY AUTHORITY: 30-A MRS §§ §4347-A(1) - (5)

PURPOSE: Rules governing the submission requirements and criteria by which the Municipal Planning Assistance Program reviews comprehensive plans for consistency with the Growth Management Law. Changes will address streamlining the submission process, restructuring Comprehensive Plan data requirements while supporting a robust analysis of development trends, and improving public input processes.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2025; adopt amendments by November 2025

AFFECTED PARTIES: Municipalities, Regional Councils, and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Anticipated subject to available staff/funds for facilitation.

CONTACT PERSON: Joan Walton, 22 State House Station, 18 Elkins Lane, Augusta ME 04333, (207) 419-8661, [joan.walton@maine.gov](mailto:joan.walton@maine.gov)

**Chapter 220: METHODOLOGY FOR IDENTIFICATION OF REGIONAL SERVICE CENTERS**

STATUTORY AUTHORITY: 30-A MRS §§4301, sub-§14-A, §§4315, §§4326 (3) N.

PURPOSE: This rule specifies the information and methods the department will use to identify municipalities and, under certain circumstances, parts of municipalities that serve as regional service centers and are thus identified as service center communities. Changes will address data availability and accuracy, adjust the update timeframe, and describe the methodology of periodic updates.

SCHEDULE FOR ADOPTION: Issue proposed amendments by January 2025; adopt amendments by November 2025

AFFECTED PARTIES: Municipalities, Regional Councils, Economic Development Organizations, and interested members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

CONTACT PERSON: Joan Walton, 22 State House Station, 18 Elkins Lane, Augusta Maine 04333, (207) 419-8661, [joan.walton@maine.gov](mailto:joan.walton@maine.gov)

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**01-677 (most of 01-001 will be moved to this unit)**

AGENCY UMBRELLA - UNIT NUMBER: **01-677**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources**

**CONTACT PERSON:** Craig Lapine, 28 SHS, Augusta, Maine 04333, (207) 557-1623, [Craig.Lapine@maine.gov](mailto:Craig.Lapine@maine.gov)

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

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

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**01-683**



AGENCY UMBRELLA - UNIT NUMBER: **01-683**

AGENCY NAME: **Department of Agriculture, Conservation and Forestry, Land for Maine's Future Program**

**CONTACT PERSON:** Laura Graham, 22 SHS, Augusta, Maine 04333, (207) 592-6135, laura.graham@maine.gov

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

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

**CHAPTER XX: Rules Governing Land for Maine's Future Program Grant Administration**

STATUTORY AUTHORITY: Sec. 5. 5 MRS §6203-A, sub-§2

PURPOSE: Adopt rules governing the awarding of grants to Designated State Agencies and cooperating entities by the Land for Maine's Future Program.

SCHEDULE FOR ADOPTION: Prior to July 1, 2025.

AFFECTED PARTIES: Applicants for land acquisition funds and supporting funds for access improvements and stewardship.

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated.

CONTACT PERSON: Laura Graham, 22 SHS, Augusta, Maine 04333, (207) 592-6135, laura.graham@maine.gov

**02-382**  
**BOARD OF OPTOMETRY**  
Maine Administrative Procedure Act  
2024 – 2025 Amended Regulatory Agenda  
Prepared: September 16, 2024

AGENCY UMBRELLA-UNIT NUMBER: **02-382**

AGENCY NAME: **Maine Board of Optometry** (Department of Professional and Financial Regulation, Affiliated Board)

**CONTACT PERSON** FOR THIS AGENCY: Tina Carpentier, Office Specialist II, 113 State House Station, Augusta, ME 04333, 207-624-8691, [tina.carpentier@maine.gov](mailto:tina.carpentier@maine.gov)

**RULEMAKING LIASON** FOR THE BOARD: Dr. Thomas Nadeau, O.D., Board Chair, 143 Townsend Ave., Boothbay Harbor, ME 04538, 207-592-0412, [tpnod@roadrunner.com](mailto:tpnod@roadrunner.com)

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

**EXPECTED 2024-2025 RULEMAKING ACTIVITY:** The Board is undergoing a repeal and replace of the rules of all existing chapters including application for examination, license endorsement approved schools, license renewal requirements, fees, continuing education, telehealth Standards, use, and Limitations, and ethics. Such broad rulemaking is required because the Governor signed a full repeal and replace of the laws as enacted by the 131st legislative sessions and the new law needs clarifying rules. Rulemaking authority is conferred by 32 M.R.S.A. § 19204

**CHAPTER 1: Fees**

**STATUTORY AUTHORITY:** 32 M.R.S.A. §19202 (3), 19305 (1)

**PURPOSE:** This chapter establishes fees for licenses, applications, and related services. The Board expects to increase the annual License fee from \$380.00 to \$490.00 and late fee from \$100.00 to \$300.00 to adequately provide revenue for the Board to meet the expenditures and salary for Board staff. The changes ensure compliance with the new statute, update outdated references, and provide clarification as necessary.

**CHAPTER 1 (3): LICENSURE AUTHORIZED TO LICENSE BY ENDORSEMENT:**

**STATUTORY AUTHORITY:** 32 M.R.S.A. §19303

**PURPOSE:** This chapter consists of rules and regulations regarding the process for licensure by endorsement. A license applicant who presents proof of licensure by another jurisdiction of the United States or territory of the United States as long as the other jurisdiction or territory maintains substantially equivalent license requirements for the licensed profession.

**CHAPTER 2: ADVISORY RULINGS**

**STATUTORY AUTHORITY:** 5 M.R.S.A., Section 8051

**PURPOSE:** This chapter consists of the procedure for rendering advisory rulings.

**CHAPTER 3: ENFORCEMENT, DISCIPLINARY PROCEDURES AND APPEALS**

**STATUTORY AUTHORITY:** 5 M.R.S.A., Section 8051 *et seq.*; 32 M.R.S.A. Section 2417(5)

**PURPOSE:** This chapter outlines the Board's Complaint Procedures.

ANTICIPATED NEW CHAPTER 4: TELEHEALTH STANDARDS, USES, AND LIMITATIONS:

STATUTORY AUTHORITY: 32 M.R.S.A. §19601-19605

PURPOSE: This chapter establishes standards for the practice of optometry using telehealth in providing optometrist care. The changes will ensure compliance with the new law, update outdated references, and provide clarification as necessary.

ANTICIPATED NEW CHAPTER 5: CODE OF ETHICS:

STATUTORY AUTHORITY: 32 M.R.S.A. § 19402(1)(B)

PURPOSE: This chapter sets forth a new code of ethics applicable to licensed optometrists.

**MAINE ADMINISTRATIVE PROCEDURE ACT**  
**2024-2025 Regulatory Agenda**  
**July 1, 2024**

**AGENCY UMBRELLA-UNIT NUMBER: 05-071**

**AGENCY NAME: Department of Education, Office of the Commissioner**

**RULE-MAKING LIAISON:** Laura Cyr, Rulemaking Liaison Maine Department of Education,  
23 State House Station, Augusta, ME 04333-0023, Cell;207-446-8791, email:  
laura.cyr@maine.gov

**RULE(S) ADOPTED SINCE THE LAST REGULATORY AGENDA:**

Ch. 33 Rule Governing Physical Restraint and Seclusion – Major Substantive Rule  
Effective July 7, 2023

Ch. 41 Offering Instruction Related to ... (Name Change) – Routine Technical  
Effective January 4, 2024

Ch 52 Grant Application and Award Procedure: Fund for School Meal Equipment and Program  
Improvement – Routine Technical  
Effective February 29, 2024

Ch 61 Rules for Major Capital School Construction Projects – Major Substantive  
Effective June 12, 2024

Ch 64 Maine School Facilities Program and School Revolving Renovation Fund (a joint rule  
with the Maine Municipal Bond Bank) - Major Substantive  
Effective June 13, 2024

Ch 83 School Transportation operations Program – Routine Technical  
Effective May 5, 2024

Ch 84 School Bus Refurbishment Program – Routine Technical REPEAL  
Effective May 6, 2024

Ch 101 Maine Unified Special Education Regulation Birth to Age Twenty-Two (Name  
Change) - Major Substantive

Ch. 117 Rule Regarding the Duties of School Counselors and School Social Workers - Major  
Substantive Rule  
Effective October 25, 2023

**EMERGENCY RULE(S) ADOPTED SINCE LAST REGULATORY AGENDA:**

Ch 101, Section XVIII Maine Unified Special Education Regulation Birth to Age Twenty -  
Major Substantive  
Effective July 7, 2023

**CONSENSUS-BASED RULE DEVELOPMENT:**

None

## **EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

### **CHAPTER 13: Qualifying Examinations for Teachers, Educational Specialists and Administrators REPEAL LANGUAGE RELATING TO MANDATED PRAXIS State Board of Education Rule**

STATUTORY AUTHORITY: 20-A, M.R.S.A. §§ 13031-13038

PURPOSE: Repeal rule language regarding the required qualifying examinations. Revise to discontinue the use of hearing impaired pursuant to PL 2021, Chapter 348

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: School personnel seeking certification under the qualifying exam.

### **CHAPTER 14: Education of Homeless Students**

STATUTORY AUTHORITY: 20-A, M.R.S.A. §261, § 5205(7)

PURPOSE: Revision of rule language to update language, practice and procedure.

ANTICIPATED SCHEDULE: 2025 Adoption

AFFECTED PARTIES: Local school administrative units, unhoused populations of students

### **CHAPTER 40: Rule for Medication Administration in Maine Schools – Major Substantive**

STATUTORY AUTHORITY: 20-A M.R.S.A. §254(5)(A-D)

PURPOSE: Update rule to reflect statute changes related to updated language and practice, and PL 2023, Chapter 253.

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: School health personnel

### **CHAPTER 81: School Transportation Safety**

STATUTORY AUTHORITY: 29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

PURPOSE: Update accident reporting guidelines

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: Local school administrative units

### **CHAPTER 83: School Transportation Operations Program**

STATUTORY AUTHORITY: 29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

PURPOSE: Corrections to prior rule filing

ANTICIPATED SCHEDULE: 2024 adoption

AFFECTED PARTIES: Local school administrative units

### **CHAPTER 85: School Bus Purchase Program**

STATUTORY AUTHORITY: 29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

PURPOSE: Need to strike Section 1 of this chapter where the School Bus Refurbishment Program is mentioned.

ANTICIPATED SCHEDULE: 2024 adoption

AFFECTED PARTIES: Local school administrative units

**CHAPTER 86: Maine Uniform School Bus Specifications**

STATUTORY AUTHORITY: 29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

PURPOSE: Update requirements for electric buses - The Department shall adopt rules for Zero Emission Public School Bus Fleet Goal. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: Local school administrative units

**CHAPTER 101: Maine Unified Special Education Regulation – Major Substantive Rule**

STATUTORY AUTHORITY: 20-A, M.R.S.A., §7005 (1)

PURPOSE: Revise rule based on conceptual conversations with the field.

ANTICIPATED SCHEDULE: Comprehensive revision expected in 2026.

AFFECTED PARTIES: Special education programs and services for eligible infants, toddlers, and children from birth through age 22, school administrative units, and private schools.

**CHAPTER 104: Educational Programs for Gifted and Talented Children**

STATUTORY AUTHORITY: 20-A, M.R.S.A., §8101, 15603(22)

PURPOSE: Revise and update to reflect actual practice

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: Local school administrative units

**CHAPTER 114: Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel**

**State Board of Education Rule**

STATUTORY AUTHORITY: 20-A, M.R.S.A. Sections 8, 402(4), 405(3)(F) and 406

PURPOSE: Update statutory authority. Review/Revise rules regarding teacher education program approval and revise the term hearing impaired pursuant to PL 2021, Chapter 348.

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: Educational personnel preparation programs, educational personnel in training.

**CHAPTER 115: The Credentialing of Educational Personnel**

**State Board of Education Rule**

STATUTORY AUTHORITY: 20-A, M.R.S.A. §13011(1)

PURPOSE: This revision follows the prescribed changes outlined in P.L 2023, Chapter 125

ANTICIPATED SCHEDULE: Filing is planned in January of 2026.

AFFECTED PARTIES: Local school administrative units, prospective teachers, educational organizations

**CHAPTER 119: Adjudicatory Proceedings on Certification Issues**

**State Board of Education Rule**

STATUTORY AUTHORITY: 20-A MRS §13011(4); 5 MRS §8051

PURPOSE: Review and revise rules regarding the procedures for the conduct of formal adjudicatory hearings pertaining to applications for the issuance or renewal of any certificate or endorsement which has been tentatively denied by the Commissioner.

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: School personnel seeking certification

**CHAPTER 128: Truants and Drop-outs Guidelines Repeal**

STATUTORY AUTHORITY: Was 20 MRS §911. The new relevant statute, 20-A Chapter 211 has sufficient detail.

PURPOSE: Repeal the existing Chapter 128 as the current statute has sufficient detail and the former rule is not consistent with the new statute. Team would like to repeal and replace to focus on chronic absenteeism.

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: Local school administrative units

**CHAPTER 132: Learning Results: Parameters for Essential Instruction – Major Substantive Rule**

STATUTORY AUTHORITY: 20-A M.R.S.A. §6211

PURPOSE: Review/Revise the rule to update any necessary changes. 2024 revisions include mathematics, life and career readiness, and English language arts

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: Local school administrative units

**CHAPTER 140: Public Charter Schools**

STATUTORY AUTHORITY: 20-A MRSA §2403(6)

PURPOSE:

ANTIICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: Local school administrative units, public charter school governance boards

**CHAPTER 147: Rules for the Licensing of Privately Owned Business, Trade and Technical Schools – Proprietary Schools**

STATUTORY AUTHORITY: 20-A M.R.S.A. §9503 (5), §9506, §9507

PURPOSE: Review and revise the rule which details the criteria to be met by any privately owned business, trade, and technical school to obtain a license to do business in the State of Maine.

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: Privately owned business, trade, and technical school

**CHAPTER 149: Procedures for Obtaining Authorization for Institutions of Higher Education to Confer Academic Degrees or to Offer Degree Courses/Programs in the State of Maine**

**State Board of Education Rule**

STATUTORY AUTHORITY: 20-A M.R.S.A. §

PURPOSE: Review and revise the rule which details the criteria to be met by any educational institution that confers degrees or offers degree programs

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: Public and private higher education institutions

**CHAPTER 150: Licensing Privately Owned Correspondence Schools - REPEAL**

STATUTORY AUTHORITY: 20-A M.R.S.A. §9204

PURPOSE: Repeal of rule to incorporate language into another existing rule

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: Correspondence schools

**CHAPTER 221: Adult Education Administrative Cost Reimbursement**

STATUTORY AUTHORITY: Title 20-A MRS §8602

PURPOSE: Review and revise a single comprehensive Adult Education rule.

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: Adult education administrative costs for which school administrative units, regions and centers may claim reimbursement.

**CHAPTER 222: Adult Career and Technical Education, and Workforce Training and Re-training, Cost Reimbursement**

STATUTORY AUTHORITY: Title 20-A MRS §8602

PURPOSE: Review and revise into single Adult Education rule.

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: Adult education administrative costs for which school administrative units, regions and centers may claim reimbursement.

**CHAPTER 229: ADULT EDUCATION FEES**

STATUTORY AUTHORITY: 20-A MRS §§ 2388, 8602

PURPOSE: Review and revise to address how the compensation works with out of school youth and the SAU of the adult education program who serves the youth.

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: This rule provides clarification about the collection and utilization of fees in adult education programs.

**CHAPTER 230: Adult Education Program Requirements**

STATUTORY AUTHORITY: Title 20-A MRS §8602

PURPOSE: Review/Revise rule to reflect changes in state statute and federal guidelines.

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: Local adult education programs

**CHAPTER 231: Vocational Program and Funding Procedure REPEAL**

STATUTORY AUTHORITY: 20-A, M.R.S.A. §8306-B

PURPOSE: Repeal and replace the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to career and technical education program approval and funding based on national industry standards and assessments. Revise the term handicap pursuant to PL 2021, Chapter 348.

ANTICIPATED SCHEDULE: 2025 adoption

AFFECTED PARTIES: All school administrative units

**CHAPTER 232: Standard Criteria for Maine Secondary Vocational Programs**

STATUTORY AUTHORITY: 20-A, M.R.S.A. §8306-B



**PURPOSE:** Repeal and replace the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to career and technical education program(s) and courses based on national industry standards and assessments. Revise the term handicap pursuant to PL 2021, Chapter 348.

**ANTICIPATED SCHEDULE:** 2025 adoption

**AFFECTED PARTIES:** All school administrative units

**CHAPTER 236: Program (Vocational Education) Evaluation Requirements REPEAL**

**STATUTORY AUTHORITY:** 32, M.R.S.A. §8306-B

**PURPOSE:** Repeal and replace the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to program evaluation requirements for Career and Technical Education programs based on national industry standards and assessments.

**ANTICIPATED SCHEDULE:** 2025 adoption

**AFFECTED PARTIES:** All school administrative units

**CHAPTER 237: "Live or Outside Work" REPEAL**

**STATUTORY AUTHORITY:** 20-A, M.R.S.A. §8306-B

**PURPOSE:** Review/Revise the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to requirements for Career and Technical Education Live or Outside Work Programs based on national industry standards and assessments.

**ANTICIPATED SCHEDULE:** 2025 adoption

**AFFECTED PARTIES:** All school administrative units

**NEW RULES -----**

**NEW RULE:** Retention and Graduation Rates for Maine's Colleges and Universities

**STATUTORY AUTHORITY:** PL 2011, Chapter 232; 20-A, M.R.S.A., §10011

**PURPOSE:** May develop any necessary RT rules to carry out the provisions of statute.

**ANTICIPATED SCHEDULE:** As necessary

**AFFECTED PARTIES:** Department of Education and Maine's colleges and universities.

**NEW RULE:** Rules for Purple Star Schools

**STATUTORY AUTHORITY:** PL 2021, Chapter 248, 20-A, M.R.S.A., §6995

**PURPOSE:** The Department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**ANTICIPATED SCHEDULE:** Outreach with other states underway and application expectations under development. Adoption anticipated in 2024/2025

**AFFECTED PARTIES:** All school administrative units and military-connected students

**NEW RULE:** Rules for Private School Approval - **MAJOR SUBSTANTIVE RULE**

**STATUTORY AUTHORITY:** 20-A M.R.S. § 261; 20-A M.R.S. §2954

**PURPOSE:** The Department shall adopt rules to implement this subsection.

**ANTICIPATED SCHEDULE:** As necessary.

**AFFECTED PARTIES:** Department of Education and school administrative units, and private schools approved for the receipt of public funds

**NEW RULE:** Food Service Programs

**STATUTORY AUTHORITY:** PL 2023, Chapter 181, 20-A MRSA §6602

**PURPOSE:** The Department shall adopt or amend rules about the qualifications of food service programs' personnel and rules to implement the federal summer food service program for children. To the extent allowed under federal law, rules adopted under this subchapter must allow for the greatest amount of flexibility in mealtimes and packaging of meals to send home with students.

**ANTICIPATED SCHEDULE:** 2025

**AFFECTED PARTIES:** All school administrative units

AGENCY UMBRELLA UNIT: **16-633**

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

**RULEMAKING LIAISON:** Milton Champion, Executive Director, 87 State House Station, Augusta, Maine 04333-0152. Telephone: (207) 626-3900. E-mail: [milton.f.champion@Maine.gov](mailto:milton.f.champion@Maine.gov) .

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

## **EXPECTED 2024-2025 RULE-MAKING ACTIVITY**

### **CHAPTER 1:** Introduction

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

LISTING OF AFFECTED PARTIES: All entities involved with casino gambling.

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

### **CHAPTER 2:** Licenses and Applications

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 11: Transportation of Slot Machines**

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 12: Fingerprinting Procedure**

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 13: Exclusion**

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 19-A:** Criteria for Independent Laboratory Certification

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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 and Electronic Table Game Standards

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 21:** Prohibition of Credit

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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 22:** Patron Disputes

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2024

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 24:** The Use of Front Money Deposits

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 27:** Rules of Practice and Procedure of Gaming Conduct

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To ensure that the rules conform to the requirements as set in the statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

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

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 28:** Advanced Deposit Wagering.

STATUTORY AUTHORITY: 8 M.R.S. §1003

PURPOSE: To establish rules to conform to the requirements as set in statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

**CHAPTER 29:** The Promotional Credits and other Players Incentives

STATUTORY AUTHORITY: 8 M.R.S. §1001 and § 1003

PURPOSE: To establish rules to conform to the requirements as set in statute.

SCHEDULE FOR ADOPTION: Prior to October 1, 2025

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated.

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18  
**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**  
**2024-2025 Regulatory Agenda**

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**18-119: Office of the State Controller**  
**18-125: Bureau of Revenue Services**  
**18-553: Bureau of Alcoholic Beverages and Lottery Operations**  
**18-691: Office of Cannabis Policy**

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AGENCY UMBRELLA-UNIT NUMBER: **18-125**  
AGENCY NAME: **Bureau of Revenue Services**

**CONTACT PERSON:** Alex Weber, General Counsel, Maine Revenue Services, 24 State House Station, Augusta, ME 04333-0024, (207) 624-9712, [Alexander.J.Weber@Maine.gov](mailto:Alexander.J.Weber@Maine.gov)

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

**CONSENSUS-BASED RULE DEVELOPMENT** Maine Revenue Services anticipates amending this rule:

**EXPECTED 2024-2025 RULEMAKING ACTIVITY:**

**CHAPTER 101: GENERAL ADMINISTRATIVE PROVISIONS**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: Maine Revenue Services is considering possible updates to certain general administrative provisions.

SCHEDULE FOR ADOPTION: By April 1, 2025.

AFFECTED PARTIES: Maine taxpayers and/or tax professionals.

**CHAPTER 104: FILING OF MAINE TAX RETURNS**

STATUTORY BASIS: 36 M.R.S. §§ 112 and 193

PURPOSE: This rule describes the requirements for filing certain Maine tax returns, including mandatory electronic filing of certain Maine tax returns. Maine Revenue Services anticipates amending this rule to update certain mandatory electronic filings and to make certain technical changes.

SCHEDULE FOR ADOPTION: By January 31, 2025.

AFFECTED PARTIES: All Maine taxpayers who file Maine tax returns with Maine Revenue Services.



**CHAPTER 202: TREE GROWTH TAX LAW VALUATIONS**

STATUTORY BASIS: 36 M.R.S. §§ 112(1), 305(5), 576

PURPOSE: 36 M.R.S. § 576 requires the State Tax Assessor to annually establish the current use values for forest land enrolled in the Tree Growth Tax Law program. The current use values are determined after considering area growth rates, tree-type distributions, and timber stumpage sales during previous calendar years. The annual current use values are used to determine municipal property tax rates for affected land and State reimbursements to municipalities. The rule is being repealed and replaced to update the per-acre values for the tax year beginning April 1, 2025.

SCHEDULE FOR ADOPTION: By April 1, 2025.

AFFECTED PARTIES: Maine municipal assessors and Maine taxpayers with land enrolled in the Tree Growth Tax Law program.

**CHAPTER 205: CERTIFICATION OF ASSESSORS**

STATUTORY BASIS: 36 M.R.S. §§ 112(1), 305(5)

PURPOSE: Certification of property tax assessors in the State of Maine is the responsibility of the State Tax Assessor. This rule governs the nature and content of the certification examinations as well as the enforcement of the continuing education requirements required under 36 M.R.S. § 311. Maine Revenue Services anticipates amending this rule to clarify continuing education credit requirements, the certification renewal process, and the inactive/retired certification status; as well as make other technical changes.

SCHEDULE FOR ADOPTION: By June 30, 2025.

AFFECTED PARTIES: Maine municipal assessors.

**CHAPTER 301: SALES FOR RESALE AND SALES OF PACKAGING MATERIALS**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule explains the procedures and certification requirements for making sales for resale, certain sales to service providers, and sales of packaging materials tax-free. Maine Revenue Services anticipates amending this rule to incorporate recently enacted Maine legislation and to make other updates and clarifications.

SCHEDULE FOR ADOPTION: By December 31, 2024.

AFFECTED PARTIES: Retailers, lessors and resellers of tangible personal property and taxable services.

**CHAPTER 302: SALES TO GOVERNMENTAL AGENCIES AND EXEMPT ORGANIZATIONS**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule establishes administrative rules outlining the circumstances under which a retailer will be relieved of its burden of proving that sales to an entity described in 36 M.R.S. §§ 1760 and 2557 are exempt from sales or service provider tax. Maine Revenue Services anticipates amending this rule to reflect current administrative practice and to incorporate recently enacted Maine legislation.

SCHEDULE FOR ADOPTION: By June 30, 2025.

AFFECTED PARTIES: Retailers and taxpayers affected by exemption certificates.

**CHAPTER 308: DIRECT PAY PERMITS**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule establishes a system for combined reporting of purchases by manufacturers and utilities under a direct payment permit. Maine Revenue Services

anticipates amending this rule to reflect current administrative practice and to incorporate recently enacted Maine legislation.

SCHEDULE FOR ADOPTION: By December 31, 2024.

AFFECTED PARTIES: Retailers and holders of direct pay permits.

**CHAPTER 318: INSTRUMENTALITIES OF INTERSTATE OR FOREIGN COMMERCE**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule explains the application of the exemption from sales or use tax for a vehicle, railroad rolling stock, aircraft or watercraft used by the purchaser in interstate or foreign commerce. Maine Revenue Services anticipates amending this rule to incorporate recently enacted Maine legislation.

SCHEDULE FOR ADOPTION: By December 31, 2024.

AFFECTED PARTIES: Retailers, purchasers and lessees of certain property used in interstate or foreign commerce.

**CHAPTER 323: COMMERCIAL AGRICULTURAL PRODUCTION, COMMERCIAL AQUACULTURAL PRODUCTION, COMMERCIAL FISHING, AND COMMERCIAL WOOD HARVESTING**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule explains 36 M.R.S. § 2013 as it pertains to the issuance of refunds and certificates of exemption to persons who are engaged in commercial agricultural production, commercial aquacultural production, commercial fishing, and commercial wood harvesting. Maine Revenue Services anticipates amending this rule to reflect current administrative practice and to incorporate recently enacted Maine legislation.

SCHEDULE FOR ADOPTION: By June 30, 2025.

AFFECTED PARTIES: Retailers and persons engaged in commercial agricultural production, commercial aquacultural production, commercial fishing, and commercial wood harvesting.

**CHAPTER 325: SALES TO TRIBES, TRIBAL MEMBERS, AND TRIBAL ENTITIES**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule provides definitions, explanations and examples of taxable and non-taxable transactions related to sales to Maine Indian tribes, tribal members, and tribal entities, including sales sourced to tribal lands. Maine Revenue Services anticipates amending this rule to incorporate recently enacted Maine legislation.

SCHEDULE FOR ADOPTION: By June 30, 2025.

AFFECTED PARTIES: The Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, and the Penobscot Nation, members and entities of such tribes, and retailers and resellers of tangible personal property and taxable services who make sales to such parties.

**NEW CHAPTER 326: LEASE AND RENTAL TRANSACTIONS**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This new rule will be adopted to provide definitions, explanations, and examples of taxable and non-taxable transactions related to the shift of the imposition of sales or use tax on leased property from being due from the lessor upfront on the entire purchase price of the rental property to instead requiring the lessor to collect sales tax from the lessee on each lease or rental payment, beginning January 1, 2025.

SCHEDULE FOR ADOPTION: By December 31, 2024.

AFFECTED PARTIES: Retailers, lessees and other persons engaged in the lease or rental of tangible personal property.

**CHAPTER 801: APPORTIONMENT**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule explains Maine corporate income tax apportionment for business entities. Maine Revenue Services anticipates amending this rule to update and clarify issues related to Maine corporate income tax apportionment.

SCHEDULE FOR ADOPTION: By June 30, 2025.

AFFECTED PARTIES: Business taxpayers that have nexus with Maine and that have income from business operations within and without Maine.

**CHAPTER 806: NONRESIDENT INDIVIDUAL INCOME TAX**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule provides income tax guidance for nonresident individuals in determining Maine-source income and Maine losses, as well as information on completing relevant forms and schedules. Maine Revenue Services anticipates amending this rule to reflect recent changes in Maine income tax law.

SCHEDULE FOR ADOPTION: By June 30, 2025.

AFFECTED PARTIES: Nonresident individual taxpayers that realize income from Maine sources.

**CHAPTER 807: RESIDENCY**

STATUTORY BASIS: 36 M.R.S. § 112(1)

PURPOSE: This rule provides income tax guidance for individuals in determining residency status for purposes of the Maine individual income tax. Maine Revenue Services anticipates amending this rule to reflect recent changes in Maine income tax law.

SCHEDULE FOR ADOPTION: By June 30, 2025.

AFFECTED PARTIES: Individual income tax taxpayers.

**NEW CHAPTER 816: DIRIGO BUSINESS INCENTIVES TAX CREDIT**

STATUTORY BASIS: 36 M.R.S. §§ 112(1), 5219-AAA(9)

PURPOSE: This rule provides guidance regarding eligibility and calculation of the Dirigo Business Incentives Tax Credit applicable to tax years beginning on or after January 1, 2025.

SCHEDULE FOR ADOPTION: By December 31, 2024.

AFFECTED PARTIES: Businesses seeking to claim the new Maine Dirigo Business Incentives Tax Credit.