

01

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**

**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**

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

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

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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, 4th Floor., Bangor, ME 04401,
(207) 941-4014, 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, 4th Floor., Bangor, ME 04401, (207) 941-4014, 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA: None

EXPECTED 2024-2025 RULE-MAKING ACTIVITY:

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

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

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 .

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.

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

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

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

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.

65
PUBLIC UTILITIES COMMISSION
2023-2024 Regulatory Agenda
July 2024-June 2025

AMENDED (November 26, 2024)

65-407: Public Utilities Commission (General)
65-624: Emergency Services Communication Bureau

AGENCY UMBRELLA-UNIT NUMBER: **65-407**
AGENCY NAME: **Maine Public Utilities Commission**

CONTACT PERSON (for regulatory agenda):

Elizabeth J. Wyman, General Counsel
18 State House Station, Augusta, ME 04333
(207) 287-1321
liz.wyman@maine.gov

RULEMAKING LIAISON CONTACT INFORMATION:

Pam Kowalchuk, Clerk of the Commission
18 State House Station, Augusta, ME 04333
(207) 287-6074
Pamela.Kowalchuk@maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

EXPECTED 2024-2025 RULE-MAKING ACTIVITY:

CHAPTER 110: Rules of Practice and Procedure

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111

PURPOSE: To amend this rule based on statutory changes and operational need (will be proposed as a repeal and replace)

ANTICIPATED SCHEDULE: July 2024 to commence inquiry – adoption anticipated Spring 2025

AFFECTED PARTIES: Utilities and participants in proceedings

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 120: Filing Requirements for Schedules of Rates, Terms and Conditions

STATUTORY AUTHORITY: 35-A M.R.S. §§ 101, 103, 104, 107, 111, 112, 301, 304-311, 1301, 1304-1306, 1321, 1702, 1708, 3502, and 6104

PURPOSE: To amend this rule based on statutory changes and operational need

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Utilities and participants in proceedings

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 140: Utility Service Area and Infrastructure Maps

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 112, 301, 307, 1311-A, 1311-B, 2012-2015, and 2110

PURPOSE: To amend the rule to reflect regulatory and operational need

ANTICIPATED SCHEDULE: Fall/Winter 2025

AFFECTED PARTIES: Regulated utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 200: Reporting Requirements for Telecommunications Carrier's Service Outages

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, and 7226

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Winter 2025

AFFECTED PARTIES: Incumbent Local Exchange Carriers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 202: Requirements for Audiotext (Pay-Per-Call) Services

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 801-808

PURPOSE: To repeal the rule as the Legislature has repealed the authorizing statutes

ANTICIPATED SCHEDULE: Winter 2025

AFFECTED PARTIES: Telephone Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 210: Uniform System of Accounts-Telephone Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 101, 103, 104, 107, 111, 112, 501, 502, 504, 505

PURPOSE: To amend this rule in light of the substantial changes in the telecommunications industry and telecommunications regulation

ANTICIPATED SCHEDULE: Winter 2025

AFFECTED PARTIES: Telephone Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 230: Installation, Maintenance and Ownership of Customer Premises Wire

STATUTORY AUTHORITY: 35-A M.R.S. §§ 111, 7306

PURPOSE: To examine whether this rule should be amended or repealed

ANTICIPATED SCHEDULE: Winter 2025

AFFECTED PARTIES: Telephone Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER [240]¹: Video Service Providers Franchise Dispute Resolution

STATUTORY AUTHORITY: 30-A M.R.S. § 3009-B(1); 35-A M.R.S. § 111,

PURPOSE: To promulgate new rule

ANTICIPATED SCHEDULE: Winter 2024

AFFECTED PARTIES: Municipalities and video service providers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 280: Provision of Competitive Telecommunications Services

¹ This is the Chapter number that the Commission has assigned; subject to change when codified.

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 301, 1301, 2102, 2110, 7101-B, 7104-A, and 7303

PURPOSE: To amend the rule to comport with legislative changes to telecommunications regulation in Maine

ANTICIPATED SCHEDULE: Winter 2025

AFFECTED PARTIES: Competitive Local Exchange Carriers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 289: Requirements and Terms for Bundled Services Offered by Incumbent Local Exchange Carriers

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 704, 7302

PURPOSE: To reexamine this rule in light of changes in the telecommunications industry and telecommunications regulation

ANTICIPATED SCHEDULE: Winter 2025

AFFECTED PARTIES: Telephone Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 293: Abandonment of Service and Authority to Provide Service and Transfer of Customers by Competitive Telecommunications Carriers

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 1105, and 7106

PURPOSE: To reexamine this rule in light of the changes in the telecommunications industry and telecommunications regulation

ANTICIPATED SCHEDULE: Winter 2025

AFFECTED PARTIES: Telephone Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 301: Standard Offer Service

STATUTORY AUTHORITY: 35-A M.R.S. § 3212

PURPOSE: To amend the rule and to reflect legislative enactments

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Standard Offer Providers and Transmission and Distribution Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 305: Licensing Requirements, Annual Reporting, Enforcement and Consumer Protection Provisions For Competitive Provision Of Electricity

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 3203

PURPOSE: To conform rule to recently enacted legislation

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Competitive Electricity Providers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 308: Standards of Conduct for Transmission and Distribution Utilities and Affiliated Generators

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 3204(11) AND Resolves 2017, Chapter 49

PURPOSE: To amend the rule and respond to any legislative initiatives regarding performance standards for T&D utilities

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Transmission and Distribution Utilities, their generating affiliates and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 310: Uniform System of Accounts for Electric Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 101, 103, 104, 107, 111, 112, 501, 502, 504 and 505

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Summer 2025

AFFECTED PARTIES: Transmission and Distribution Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 311: Renewable Resource Portfolio Requirement

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 3210

PURPOSE: To amend the rule to conform to recently enacted legislation

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Generator Developers and Competitive Electricity Providers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 313: Net Energy Billing

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 3209-A, 3209-B

PURPOSE: To amend the rule to respond to any legislative directives

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Small Generator Developers and Transmission and Distribution Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 314: Statewide Low-Income Assistance Plan

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 704, 1308, and 3214

PURPOSE: To amend the rule to conform to recent legislation as well as sources of funding that become available due to federal and state relief programs

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Transmission and Distribution Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 315: Small Generator Aggregation

STATUTORY AUTHORITY: 35-A M.R.S. § 104, 111, 1301, and 3210-A

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Summer 2025

AFFECTED PARTIES: Small Generators and Transmission and Distribution Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 316: Long-Term Contracting and Resource Adequacy

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 3210-C, 3210-G, 3210-H, and 3210-I

PURPOSE: To amend the rule and conform with legislative enactments

ANTICIPATED SCHEDULE: Winter 2024

AFFECTED PARTIES: Generation Developers, Transmission and Distribution Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 317: Statewide Arrearage Management Program

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 3214, and 10110

PURPOSE: To amend the rule to respond to legislative directives

ANTICIPATED SCHEDULE: Spring 2024

AFFECTED PARTIES: Transmission and Distribution Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 319: Criteria To Exclude Small Transmission Projects and Distribution Projects from Investigation by the Non-Wires Alternative Coordinator

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 1301, and 3132

PURPOSE: To amend the rule to conform to legislative enactments

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Transmission and Distribution Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 320: Electric Transmission and Distribution Utility Service Standards

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 2305-A, 3104-A, 3106, P.L. 2021, Ch. 702

PURPOSE: To amend the rule to conform to legislative directives

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Transmission and Distribution Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 322: Metering, Billing, Collections and Enrollment Interactions Among Transmissions and Distribution Utilities and Competitive Electricity Providers

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, and 3203

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Transmission and Distribution Utilities and Competitive Electricity Providers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 324: Small Generator Interconnection Procedures

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 3474, and 3482; P.L. 2023 ch. 307

PURPOSE: To amend the rule to incorporate improvements and refinements

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Small Generator Developers and Transmission and Distribution Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 328: Funding Source for Interconnection Ombudsman

STATUTORY AUTHORITY: 35-A M.R.S. § 111; P.L. 2023, ch. 307 as amended by P.L. 2024, ch. 643, § WWW-1, codified at 35-A M.R.S. § 3474

PURPOSE: To promulgate new rule

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Transmission and Distribution Utilities, interconnection customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 330: Filing Requirements for Petitions for Certificates of Public Convenience and Necessity and Standards for Granting Certificates
STATUTORY AUTHORITY: 35-A M.R.S. §§ 101, 104, 107, 111, 112, 3131 and 3132
PURPOSE: To amend the rule
ANTICIPATED SCHEDULE: Spring 2025
AFFECTED PARTIES: Transmission and Distribution Utilities and their customers
CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 397: Procurement of Renewable Resources with a Preference for Projects Located on Contaminated Land (New Rule)
STATUTORY AUTHORITY: 35-A M.R.S. §§ 101, 111, 1301, P.L. 2023 c. 321
PURPOSE: To amend the rule to comply with recent legislation
ANTICIPATED SCHEDULE: Fall 2024
AFFECTED PARTIES: Transmission and Distribution Utilities and their customers, renewable resource developers, owners of contaminated land as that term is defined in statute
CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 420: Safety Standards for Natural Gas and Liquefied Natural Gas Facility Operators
STATUTORY AUTHORITY: 35-A M.R.S. §§ 111, 4508, 4515, 4516-A, and 4705-A
PURPOSE: To amend the rule
ANTICIPATED SCHEDULE: Spring 2025
AFFECTED PARTIES: Natural Gas Utilities and Liquefied Natural Gas Facility Operators and their customers
CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 421: Safety and Operation Standards for Liquefied Petroleum Gas (LPG) Distribution Systems
STATUTORY AUTHORITY: 35-A M.R.S. §§ 111, 4508 and 4702-A
PURPOSE: To amend the rule
ANTICIPATED SCHEDULE: Spring 2025
AFFECTED PARTIES: LPG Operators
CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 430: Cost of Gas Adjustment for Gas Utilities
STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 4703, and 4706
PURPOSE: To amend the rule
ANTICIPATED SCHEDULE: Spring 2025
AFFECTED PARTIES: Natural Gas and Liquefied Natural Gas Facility Operators
CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 440: Gas Utility Meter Performance, Accuracy, Testing, and Related Standards
STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111
PURPOSE: To amend the rule
ANTICIPATED SCHEDULE: Spring 2025
AFFECTED PARTIES: Natural Gas Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 510: Authorization and Operation of Ferries in Casco Bay

STATUTORY AUTHORITY: 35-A M.R.S. §§ 5101, 5101-A-5101-F, and 5102-5017

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Ferry operators and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 520: Tour, Charter and Water Taxi Services, and Unscheduled Freight Services in Casco Bay

STATUTORY AUTHORITY: 35-A M.R.S. §§ 5101-D, 5101-E

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Tour, charter and water taxi services and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 560: Publication and Posting Requirements for Rate Changes Filed by the Casco Bay Island Transit District

STATUTORY AUTHORITY: 35-A M.R.S. § 5101

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: The Casco Bay Island Transit District and its customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 610: Uniform System of Accounts for Water Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 101, 103, 104, 107, 111, 112, 501, 502, 504, 505; 5 M.R.S. § 8051

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Water Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 63: Major Construction Projects of Water Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, and 6102

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Water Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 65: Water Main Extension and Service Line Rule

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Winter 2024

AFFECTED PARTIES: Water Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 660: Consumer Protection Standards For Water Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 704, 716, and 1308

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025
AFFECTED PARTIES: Water utilities
CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 675: Infrastructure Surcharge and Capital Reserve Accounts

STATUTORY AUTHORITY: 35-A M.R.S. §§ 6105, 6107-A

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Summer 2025

AFFECTED PARTIES: Water Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 68: Water Utilities Depreciation Rates

STATUTORY AUTHORITY: 35-A M.R.S. § 111

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Water Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 691: Sale of Water Resource Land

STATUTORY AUTHORITY: 35-A M.R.S. §§ 101-104, 111, 112, 1301, 6109, and 6301

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Summer 2025

AFFECTED PARTIES: Water utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 710: Auditing Requirements for All Public Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 101, 103, 104, 107, 111, 112, 501, 502, 504, and 505

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Summer 2025

AFFECTED PARTIES: All public utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 85: Regulatory Proceeding Expenses

STATUTORY AUTHORITY: 35-A M.R.S. § 111

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Fall 2025

AFFECTED PARTIES: Public Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 815: Consumer Protection Standards For Electric and Gas Transmission and Distribution Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, and 717

PURPOSE: To amend the rule to conform rule to recently enacted legislation and other updates

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Transmission and distribution utilities and gas utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 820: Utility Requirements for Non-Core Activities and Transactions Between Affiliates

STATUTORY AUTHORITY: 35-A M.R.S. §§ 503, 707, 708, 713, 714, and 715

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: All utilities, their affiliates, and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 83: Political Activities, Institutional Advertising, Promotional Advertising, and Promotional Allowance by Public Utilities

STATUTORY AUTHORITY: 35-A M.R.S. §§ 111, 302-A

PURPOSE: To amend the rule and conform to recent legislative enactments

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Public Utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 840: Intervenor Funding

STATUTORY AUTHORITY: 35-A M.R.S. § 101, 111, 705, 1310, 3101, P.L. 2021, Ch. 376

PURPOSE: To amend the rule to conform to any additional legislative directives or operational needs following recent promulgation of amended rule

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: All utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 870: Late Payment Charges, Interest To Be Paid On Customer Deposits, and Charges For Returned Checks

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 301, 304, 705(3)

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Winter 2024

AFFECTED PARTIES: Public utilities and their customers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 880: Attachments to Joint-Use Utility Poles; Determination and Allocation of Costs; Procedure

STATUTORY AUTHORITY: 35-A M.R.S. §§ 111, 301, 711, 7903, 8302; PL 2019 c. 128

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Telecommunications providers and Electric Transmission and Distribution Utilities

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 895: Underground Facility Damage Prevention Requirements

STATUTORY AUTHORITY: 35-A M.R.S. §§ 104, 111, 23 M.R.S. § 3360-A, Resolves 2023, ch. 47

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: Excavators, underground facility operators, Dig Safe System operators

CONSENSUS-BASED RULE DEVELOPMENT: N/A

AGENCY UMBRELLA-UNIT NUMBER: **65-625**

AGENCY NAME: Maine Public Utilities Commission, **Emergency Services
Communication Bureau**

CONTACT PERSON:

Elizabeth J. Wyman, General Counsel
18 State House Station, Augusta, ME 04333
(207) 287-1321
liz.wyman@maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

EXPECTED 2022-2023 RULE-MAKING ACTIVITY:

CHAPTER 1: Standards for Establishing a Statewide Enhanced 9-1-1 System

STATUTORY AUTHORITY: 25 M.R.S. § 2926(3); 35-A M.R.S. §§ 103(2)(D), 111

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Public Safety and Emergency Services providers and
communications providers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 2: Requirements for the Enhanced 9-1-1 System Service Provider and Local
Exchange Carriers

STATUTORY AUTHORITY: 25 A M.R.S. §§ 2926, 2927 2933, 35-A M.R.S. §§ 103(2)(D)

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: 9-1-1 System Service Providers and Telecommunications Local
Exchange Carriers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

ENERGY PROGRAMS: Formerly 19-530 Department of Economic and Community
Development, Energy Conservation Division

CONTACT PERSON:

Elizabeth J. Wyman, General Counsel
18 State House Station, Augusta, ME 04333
(207) 287-1321
liz.wyman@maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

EXPECTED 2022-2023 RULE-MAKING ACTIVITY:

CHAPTER 400: Energy Efficiency Standards for Subsidized Multi-Family Residences

STATUTORY AUTHORITY: Moved to 65-407, PUBLIC UTILITIES COMMISSION:

July 1, 2003 - PL 2003 ch.20

PURPOSE: To amend the rule

ANTICIPATED SCHEDULE: Spring 2025

AFFECTED PARTIES: Subsidized Housing Developers

CONSENSUS-BASED RULE DEVELOPMENT: N/A

94-388
STATE CIVIL SERVICE APPEALS BOARD
Regulatory Agenda
December 2024

AGENCY UMBRELLA-UNIT NUMBER: **94-388**

AGENCY NAME: **State Civil Service Appeals Board**

RULEMAKING LIAISON: Jeremy C. Carter, Assistant Attorney General, Office of the Attorney General, 6 State House Station, Augusta, ME 04333-0006.

Tel.: (207) 626-8568 E-mail: jeremy.carter@maine.gov

EMERGENCY RULED ADOPTED SINCE THE LAST REGULATORY AGENDA DUE DATE:
None

CONSENSUS-BASED RULE DEVELOPMENT: Not anticipated

EXPECTED 2024-2025 RULEMAKING ACTIVITY:

New Rule: Chapter 1, Rules of Practice and Procedure

STATUTORY BASIS: 5 M.R.S.A. §§ 7081-7085 and 5 M.R.S.A. § 12004B

PURPOSE: The purpose of this rule is to establish a set of uniform procedures and practices by which the Board will operate, process appeals, conduct hearings, communicate with parties, receive evidence and submissions, and issue written decisions in accordance with the Maine Administrative Procedure Act and the Board's specific enabling statutes.

SCHEDULE FOR ADOPTION: February/March 2025

AFFECTED PARTIES: State Civil Service Appeals Board; parties and counsel appearing before the Board; state employees seeking guidance on their appeal rights and procedures

CONTACT PERSON: Breanna M. Godreau, Board Secretary, State Civil Service Appeals Board, Cross Office Building, 79 State House Station, Augusta Maine 04333-0006.

Tel: (207) 287-4447 E-mail: breanna.m.godreau@maine.gov