# 18

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**

# 2018-2019 Regulatory Agenda

**18-119: Office of the State Controller**

**18-125: Bureau of Revenue Services**

**18-389: Bureau of Human Resources**

**18-553: Bureau of Alcoholic Beverages and Lottery Operations**

**18-554: Bureau of General Services**

# AGENCY UMBRELLA-UNIT NUMBER: 18-119

AGENCY NAME: **Office of the State Controller**

**CONTACT PERSON:** Douglas Cotnoir, State Controller, Office of the State Controller, 14 State House Station, Augusta, Maine 04333. Tel. (207) 626-8428; Douglas.E.Cotnoir@Maine.gov

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

**CONSENSUS-BASED RULE DEVELOPMENT:** None contemplated.

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY:**

**CHAPTER 1 – Travel and Expense Reimbursement Policies**

STATUTORY BASIS: 5 M.R.S. §1541, subsection 13.

PURPOSE: These regulations specify official policy which governs travel and expense reimbursement for State employees and officials, the definition of which expenses are reimbursable and the levels of such reimbursement.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All Maine State Employees who may travel in the course of their official duties.

# AGENCY UMBRELLA-UNIT NUMBER: 18-125

AGENCY NAME: **Bureau of Revenue Services**

**CONTACT PERSON:** John W. Sagaser, Tax Policy Counsel, Maine Revenue Services, 24 State House Station, Augusta, Maine 04333. Telephone: (207) 624-9536. E-mail: John.W.Sagaser@Maine.gov .

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

**CONSENSUS-BASED RULE DEVELOPMENT:** None contemplated.

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY:**

**CHAPTER 102: Electronic Funds Transfer**

STATUTORY BASIS: 36 M.R.S. §193

PURPOSE: This rule describes the requirements for tax and other types of payments by electronic funds transfer. MRS may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All Maine taxpayers who make Maine tax payments with Maine Revenue Services.

**CHAPTER 104**: **Filing of Maine Tax Returns**

STATUTORY BASIS: 36 M.R.S. §193

PURPOSE: This rule describes the requirements for filing certain Maine tax returns, including mandatory electronic filing of certain Maine tax returns. MRS may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

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

**CHAPTER 201: Rules of Procedure Used to Develop State Valuation**

STATUTORY BASIS: 36 M.R.S. §§ 112, 201, 208, 305

PURPOSE: The State Tax Assessor must annually develop the State Valuation for each municipality and for each county with unorganized territory. The rule establishes the methodology used to develop State Valuation and must be amended to make various technical changes.

SCHEDULE FOR ADOPTION: By May 30, 2019.

AFFECTED PARTIES: Maine municipalities, the unorganized territory, and their residents.

**CHAPTER 202**: **Tree Growth Tax Law Valuations**

STATUTORY BASIS: 36 M.R.S. §§ 112, 305, 576

PURPOSE: Section 576 of Title 36 M.R.S. requires the State Tax Assessor to establish annually by rule current use valuations for classified forestlands after considering area timber stumpage sales during previous calendar years. Taxpayers with land classified under Tree Growth Tax Law and municipal assessors require guidance in appropriate valuation of forestland based on representative proportions of forest growth and products generated.

SCHEDULE FOR ADOPTION: By April 1, 2019.

AFFECTED PARTIES: All Maine taxpayers with land classified under Tree Growth Tax Law and municipal assessors.

**CHAPTER 205**: **Certification of Assessors**

STATUTORY BASIS: 36 M.R.S. §§ 112, 305

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. MRS may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All Maine municipal assessors.

**CHAPTER 207**: **Real Estate Transfers**

STATUTORY BASIS: 36 M.R.S. §§ 112, 305, 4641-E

PURPOSE: 36 M.R.S. §4641-E authorizes the State Tax Assessor to adopt rules as are necessary to carry out the purposes of the real estate transfer tax. The current rule clarifies the process of assessing, collecting, and reporting the tax. The rule may be amended to update electronic filing requirements and make other update and clarification changes.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Sellers and buyers of Maine real property.

**CHAPTER 301:** **Sales for Resale and Sales of Packaging Materials**

STATUTORY BASIS: 36 M.R.S. §§ 1752(11)(B), 1754-B, 1756, 1760(12-A), 1951-B

PURPOSE: Explains procedures and certification requirements for making sales for resale, certain sales to lessors and service providers, and sales of packaging materials exempt from sales tax. This rule is being amended to incorporate recently enacted legislation and make other update and clarification changes.

SCHEDULE FOR ADOPTION: By June 2019.

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

**CHAPTER 302: Sales to Government Agencies and Exempt Organizations**

STATUTORY BASIS: 36 M.R.S. §§ 1760, 2557

PURPOSE: 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 Title 36, section 1760 are exempt from sales tax. This rule is being expanded to address sales made under the service provider tax to entities making exempt purchases under Title 36, section 2557 and to make other update and clarification changes.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All retailers, service providers, and certain tax-exempt entities.

**CHAPTER 304: Returns and Payments**

STATUTORY BASIS: 36 M.R.S. §§ 1754-B, 1951-A, 1951-B

PURPOSE: Establishes requirements for the filing of sales and use tax returns and the payment of taxes under the sales and use tax law. MRS anticipates amending this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All Maine retailers and certain remote sellers.

**CHAPTER 318: Instrumentalities of Interstate or Foreign Commerce**

STATUTORY BASIS: 36 M.R.S. §§ 1760(41-A)

PURPOSE: 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. This rule is being repealed and replaced in response to recently enacted legislation.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Retailers and purchasers of certain equipment used in interstate or foreign commerce.

**CHAPTER 603**: **Estate Tax**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule explains in further detail Maine estate tax laws for estates of decedents dying after 2012. MRS may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All resident and nonresident taxpayers subject to the Maine estate tax.

**CHAPTER 801**: **Apportionment**

STATUTORY BASIS: 36 M.R.S. §112

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

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Business taxpayers that have nexus with Maine and that have income from business operations in more than one state.

**CHAPTER 803**: **Withholding Tax Reports and Payments**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule identifies income subject to, prescribes methods for determining, and explains reporting requirements for, Maine income tax withholding. MRS anticipates amending this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Businesses that are subject to the Maine income tax withholding requirement.

**CHAPTER 805**: **Composite Filing**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule stipulates procedures and requirements by which a pass-through entity files a single income tax return for all of its participating nonresident owners or members. MRS may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Pass-through entities that participate in the Maine income tax composite filing program.

**CHAPTER 806**: **Nonresident Individual Income Tax**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule provides guidance regarding the taxation of individual taxpayers who are nonresidents of Maine. MRS anticipates amending this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Nonresident individuals who are subject to Maine income tax.

**CHAPTER 807**: **Residency**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule addresses the determination and effect of an individual’s residency status with respect to Maine individual income tax. MRS anticipates amending this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Individuals who are subject to Maine income tax.

**CHAPTER 808**: **Corporate Income Tax Nexus**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule describes the circumstances under which a foreign corporation is subject to the income tax jurisdiction of Maine. MRS anticipates amending this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Corporations subject to the Maine corporate income tax.

**CHAPTER 810**: **Maine Unitary Business Taxable Income, Combined Reports and Tax Returns**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule explains standards for determining Maine income tax for unitary businesses and for filing combined reports and related tax returns. MRS anticipates amending this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: Unitary businesses subject to the Maine income tax.

**CHAPTER 812**: **Educational Opportunity Tax Credit**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule explains in further detail the Maine income tax credit for educational opportunity pursuant to 36 M.R.S. §5217-D. MRS anticipates amending this rule for updates and clarification and to reflect recently enacted Maine tax law changes.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All Maine taxpayers subject to the Maine income tax and eligible to claim this credit.

**RULE 813**: **Property Tax Fairness Credit**

STATUTORY BASIS: 36 M.R.S. §112

PURPOSE: This rule provides guidance for the calculation of the Property Tax Fairness Credit. MRS may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2019.

AFFECTED PARTIES: All Maine taxpayers subject to the Maine income tax and eligible to claim the credit.

AGENCY UMBRELLA-UNIT NUMBER: **18-389**

AGENCY NAME: **Bureau of Human Resources**

**CONTACT PERSON:** J. Thaddeus Cotnoir, Public Service Manager II, 4 State House Station, Augusta, ME 04333-0004. (207) 624-7799. thaddeus.cotnoir@maine.gov

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

**CONSENSUS-BASED RULE DEVELOPMENT:** None contemplated.

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY:**

**CHAPTER 1: Purpose, Adoption and Amendment of Rules and Definition of Terms**

STATUTORY BASIS: 5 M.R.S. §7036, sub-§17

PURPOSE: Ensures definitions are consistent with Civil Service Law and the *Administrative Procedure Act*, reflecting changes in policy and procedures as a result of changes to these laws.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 2: Intermittent Employment**

STATUTORY BASIS: 5 M.R.S. §7053

PURPOSE: To comply with the Civil Service Law and to provide clarification of the benefits available to intermittent employees.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 3: Divisions of the Classified Service**

STATUTORY BASIS: 5 M.R.S. §§ 7036 and 7065; Ch. 147, P&SL 06/14/76

PURPOSE: Identifies the competitive, non-competitive (also known as "direct hire"), and labor divisions of Maine State Service.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 4: Classification Plan**

STATUTORY BASIS: 5 M.R.S. §7061

PURPOSE: Explains the classification plan and mechanism for its maintenance. Defines the allocation and re-allocation of positions and related actions. Identifies the purpose and use of classification specifications and classification titles and states the mechanism for appeals of classification actions.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 5: Compensation Plan**

STATUTORY BASIS: 5 M.R.S. §§ 7036 and 7065

PURPOSE: Defines the compensation plan in terms of fixed salary schedules as adopted, published, and emended for covered classifications of work in Maine State Service. Identifies pay rates, presents overtime provisions and gives rates of pay for specific personnel actions such as new hires, promotions, demotions, transfers, non-standard work designations, and project appointments.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 6: Applications and Examinations**

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051, 7052, 7054, 7055, 7062, 7063, 7064

PURPOSE: Provides information and procedures regarding the character and content of examinations and related announcement/examination administration practices. Gives requirements for admission, outlines exam scoring and notice procedures, and presents the mechanism for appeal of examination results.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 7: Eligible Registers**

STATUTORY BASIS: 5 M.R.S. §§ 7034, 7036, 7052, 7053, 7062, 7064

PURPOSE: Identifies the types of employment registers and the manner in which they are maintained and used. Establishes a mechanism for adding and removing names, and specifies the normal duration of registers.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 8: Certification and Appointment**

STATUTORY BASIS: 5 M.R.S. §§ 781-791, 7034, 7036, 7051, 7052, 7053, 7054, 7055, 7062, 7064

PURPOSE: Establishes rules which govern appointments to position vacancies in the classified service. Includes procedures for appointments made by certification from classification registers and for appointments resulting from nominations submitted by appointing authorities. Provisions are also included for: apprentice, trainee, and conditional appointment referrals that may be authorized by the Director; acting capacity assignments; and the reemployment of retired persons.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 9: Probationary Period**

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051

PURPOSE: Identifies the purpose and duration of the probationary period and presents the mechanism for transition from probationary to permanent status.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 10: Performance Appraisal and Training**

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7065, 7070

PURPOSE: Identifies the purpose and requirements for the performance appraisal system and establishes a mechanism for internships and apprentice training.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 11: Holidays, Leave of Absence and Related Compensation Practices**

STATUTORY BASIS: 5 M.R.S. §§ 721-727, 7036

PURPOSE: Designates holidays and related compensation procedure and presents regulations governing leaves of absence with pay and without pay. Includes sick leave, vacation leave, military leave, educational leave, jury duty and court appearances, workers' compensation, and unclassified service appointments.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 12: Disciplinary Action, Demotion and Layoff**

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051, 7052, 7054, 7055, 7062, 7063, 7064

PURPOSE: Presents the basis and procedure for demotions, suspensions and dismissals in the State service; the procedure for resignation in good standing; and the statewide mechanism for addressing the unavoidable layoff of employees.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 13: Complaints, Grievances and Investigations**

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051, 7081-7085

PURPOSE: Presents the various mechanisms through which complaints and/or grievances of State employees may be discovered, filed and/or heard, and related investigation and enforcement powers of the Director with respect to proper administration and application of the Civil Service Law to these rules.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 14: Employee Work Records and Payroll Certification Procedure**

STATUTORY BASIS: 5 M.R.S. §§ 7070, 7071

PURPOSE: Provides information and establishes procedures with respect to employment history and records maintained by the appointing authority and the Bureau of Human Resources. Provides requirements for information regarding changes in employee status for purposes of payroll authorization and the permanent record thereof. Provides access to public records, with restriction.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: New hire applicants, confidential employees and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

**CHAPTER 15: The Maine Management Service**

STATUTORY BASIS: 5 M.R.S. §§ 7031, 7034, 7036, 7051, 7052, 7061, 7065, 7081-7085

PURPOSE: This chapter, adopted in 2002, establishes the Maine Management Service and provides separate and distinct rules for confidential employees who occupy positions that are specifically designated as included in the Maine Management Service. Provides a definition and outlines the goals of the Maine Management Service; provides the manner in which positions are included in the Maine Management Service; and defines terms associated with the Maine Management Service. This chapter also provides a classification and compensation plan for the Maine Management Service; provides unique procedures for recruitment, application, selection, training, and development. This chapter also provides a unique procedure for layoff, complaints, grievances, investigations, and discipline of employees included in the Maine Management Service.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Applicants for positions included in the Maine Management Service, confidential employees who occupy positions that are specifically designated as included in the Maine Management Service.

AGENCY UMBRELLA-UNIT NUMBER: **18-553**

AGENCY NAME: **Bureau of Alcoholic Beverages and Lottery Operations(BABLO)/Maine State Liquor and Lottery Commission**

**CONTACT PERSON:** Timothy R. Poulin, Deputy Director, 8 State House Station, Augusta, ME 04333-0008, 207-287-6750, Tim.Poulin@Maine.gov.

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

**CONSENSUS-BASED RULE DEVELOPMENT:** None contemplated.

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY:**

**CHAPTER 10: Maine State Lottery**

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish such rules as necessary for the operation of the Maine State Lottery including types of games offered, subscriptions, price of tickets, number and size of prizes, manner of selecting winning tickets, the method of paying prizes, the sale of tickets and the licensing, performance, fee charges and commission of ticket agents.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Licensed Lottery Retail Agents and the Public.

**CHAPTER 20: Powerball**

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Licensed Lottery Retail Agents and the Public.

**CHAPTER 40: Mega Millions**

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Licensed Lottery Retail Agents and the Public.

**CHAPTER 50: Lucky for Life**

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Licensed Lottery Retail Agents and the Public.

**CHAPTER 70: World Poker Tour Game Rules**

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a Maine only lottery including any marketing and promotion of the lottery game.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Licensed Lottery Retail Agents and the Public.

**CHAPTER 80**: **Lotto America Game Rules**

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Licensed Lottery Retail Agents and the Public.

AGENCY UMBRELLA-UNIT NUMBER: **18-553**

AGENCY NAME: **Bureau of Alcoholic Beverages and Lottery Operations**

**CONTACT PERSON:** Timothy R. Poulin, Deputy Director, 8 State House Station, Augusta, ME 04333-0008, 207-287-6750, Tim.Poulin@Maine.gov.

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

**CONSENSUS-BASED RULE DEVELOPMENT:** None contemplated.

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY:**

**CHAPTER 2: Pricing of Spirits**

STATUTORY BASIS: 28-A M.R.S. §83

PURPOSE: To establish such rules as necessary for the administration of the state liquor laws under the jurisdiction of the Bureau of Alcoholic Beverages and Lottery Operations.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Agency liquor stores and licensees; wholesale distributors of spirits and suppliers of spirits.

**CHAPTER 3:** **On-Premise Data Collection**

STATUTORY BASIS: 28-A M.R.S. §453-C, sub-§4, ¶D

PURPOSE: To establish such rules as necessary for mitigating the costs incurred by reselling agents in providing sales data of spirits to on-premise licensees to the Bureau of Alcoholic Beverages and Lottery Operations.

SCHEDULE FOR ADOPTION: By September 2019.

AFFECTED PARTIES: Agency liquor stores that are licensed as reselling agents.

**CHAPTER 101: Operation and Control of All Licensed Premises**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of 28-A M.R.S. Maine Liquor Laws.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons owning and/or operating premises licensed to sell and/or serve alcoholic beverages pursuant to applicable provisions of 28-A M.R.S.

**CHAPTER 102: Premises Licensed for On-Premises Consumption Only**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to licenses for on-premises consumption of alcoholic beverages.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons owning and/or operating premises where alcoholic beverages may be consumed on-premises.

**CHAPTER 103: Premises Licensed for Off-Premises Sales Only**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to licenses for off-premises sales of alcoholic beverages.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons owning and/or operating premises where alcoholic beverages may be sold off-premises.

**CHAPTER 104: Premises Licensed as Wholesalers, Manufacturers and Certificates of Approval**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to wholesalers and manufacturers of alcoholic beverages, and certificates of approval.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Wholesalers and manufacturers of alcoholic beverages; holders of certificates of approval.

**CHAPTER 105: Labeling**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to the labeling of alcoholic beverages.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Labelers of alcoholic beverages.

**CHAPTER 106: Salesmen**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to salespersons selling alcoholic beverages.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Salespersons selling alcoholic beverages.

**CHAPTER 107: Advertising and Signs Applicable to All License Holders**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to persons licensed to sell and/or serve alcoholic beverages who advertise and/or place signs regarding the sale and/or service of alcoholic beverages.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons licensed to sell and/or serve alcoholic beverages who advertise and/or place signs regarding the sale and/or service of alcoholic beverages.

**CHAPTER 110: Agency Liquor Stores**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

**CHAPTER 120: Licensing Procedure**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

**CHAPTER 130: Selection and Location of Agency Liquor Stores**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

**CHAPTER 140: Merchandising and Stock**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

**CHAPTER 150: Signs and Advertising**

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: September 2019.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

**Chapter 160: Definition of Brand**

STATUTORY BASIS: Resolve 2013, chapter 89.

PURPOSE: To assist licensees under Title 28-A, chapters 55 and 57 in defining brand for the distribution of malt beverages and wine.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons holding or applying for a certificate of approval holder or wholesaler license.

**Chapter X: Rules Governing the Process for the Relocation of an Agency Liquor Store within the same municipality**

STATUTORY BASIS: 28-A M.R.S. §453-D, sub-§3.

PURPOSE: To establish a process by which an agency liquor store may provide support of or objection to the relocation of another agency liquor store within the same municipality.

SCHEDULE FOR ADOPTION: Prior to September 2019.

AFFECTED PARTIES: Persons licensed as an agency liquor store.

AGENCY UMBRELLA-UNIT NUMBER: **18-554**

AGENCY NAME: **Bureau of General Services**

**CONTACT PERSON:** Craig Patterson, Maine Medical Use of Marijuana Program Manager, Bureau of Business Management, Burton M. Cross Building, 3rd Floor, 162 State House Station, Augusta, Maine 04333. Telephone: (207)287-5810

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

**CONSENSUS-BASED RULE DEVELOPMENT:** None contemplated.

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY:**

**CHAPTER 122: MAINE MEDICAL USE OF MARIJUANA PROGRAM RULE**

STATUTORY BASIS: 22 M.R.S. §2421-§2430-B

PURPOSE: This rule governs all aspects of the Maine Medical Use of Marijuana Program.

SCHEDULE FOR ADOPTION: By October 2018.

AFFECTED PARTIES: All Maine medical marijuana dispensaries, all Maine medical marijuana caregivers, all Maine medical marijuana patients and out-of-state visiting patients, all Maine medical marijuana medical providers, all Maine medical marijuana manufacturers and participating medical marijuana laboratories.