**State of Maine: Notice of Agency Rulemaking – January 5, 2022**

**NOTICE**

AGENCY: **29-250** - Department of Secretary of State, **Bureau of Corporations, Elections and Commissions**

RULE TITLE OR SUBJECT: **Request for Comments on the *Maine Administrative Procedure Act* (APA)**

CONCISE SUMMARY: By the end of January, 2022, the Secretary of State must file an annual report to the Governor and the Joint Standing Committee on State and Local Government on the *Administrative Procedure Act*. The purpose of this ad is to solicit, from state agencies and the public, recommendations for improvements to the rulemaking process. We will include a summary on these recommendations in the report. Please submit comments via email or U.S. postal.

STATUTORY AUTHORITY: 5 MRS §8056-A

PUBLIC HEARING: None

DEADLINE FOR COMMENTS: January 25, 2022

AGENCY CONTACT PERSON: Don Wismer, APA Coordinator, Department of Secretary of State, 101 State House Station, Augusta, ME 04333. Telephone: (207) 624-7650. Fax: (207) 287-6545. Email: Don.Wismer@Maine.gov .

WEBSITE: http://www.maine.gov/sos/cec/rules/index.html .

**PROPOSALS**

AGENCY: **01-015** – Department of Agriculture, Conservation and Forestry (DACF), **Maine Milk Commission (MMC)**

CHAPTER NUMBER AND TITLE: **Ch. 3**, Schedule of Minimum Prices, **Order #02-22**

PROPOSED RULE NUMBER: **2021-P245**

BRIEF SUMMARY: The principal reason for this rule is the need to respond to Federal Order changes and to certain other conditions affecting prevailing Class I, II and III milk prices in Southern New England in accordance with 7 MRS §2954.

PUBLIC HEARING: January 20, 2022, Thursday, starting at 4:00 p.m., Room 101, Department of Agriculture, Conservation & Forestry, Deering Building, Hospital Street, Augusta, Maine

COMMENT DEADLINE: January 20, 2022

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION / MMC RULEMAKING LIAISON: Julie-Marie Bickford, Maine Milk Commission, 28 State House Station, Augusta, ME 04333. Telephone: (207) 287-7521.Email: [Julie-Marie.Bickford@Maine.gov](mailto:Julie-Marie.Bickford@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 5 MRS §8054; 7 MRS §2954

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:

MMC WEBSITE: <http://www.maine.gov/dacf/milkcommission/index.shtml>.

AGENCY: **01-015** – Department of Agriculture, Conservation and Forestry (DACF), **Maine State Harness Racing Commission**

CHAPTER NUMBER AND TITLE: **Ch. 21**, General Hearing Procedures

PROPOSED RULE NUMBER: **2021-P246**

BRIEF SUMMARY: This is a “repeal and replace” makeover of the chapter in which much of previous language will be repealed because it was derived from, and is redundant to, the *Maine Administrative Procedure Act* (MAPA). While the MAPA has been amended, ch. 21 has not kept pace and is now in conflict with MAPA in places. Moreover, there is no legal or practical advantage to repeating statute in rule. In addition to the repeal of MAPA language, some of the more confusing language was clarified.

PUBLIC HEARING: No public hearing is scheduled.

COMMENT DEADLINE: 5:00 p.m. on February 4, 2022

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Henry Jennings, Harness Racing Commission, 28 State House Station, Augusta, ME 04333-0028. Telephone: (207) 287-7543. Email: [Henry.Jennings@Maine.gov](mailto:Henry.Jennings@Maine.gov).

IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 8 MRS §§ 263-A, 264, 267-A, 268, 272-B, 272-C, 279, 279-A, 279-E, 281, 298

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: none

RACING COMMISSION WEBSITE: <https://www.maine.gov/dacf/harnessracing/index.shtml>.

RACING COMMISSION RULEMAKING LIAISON: [Emily.Horton@Maine.gov](mailto:Emily.Horton@Maine.gov).

**ADOPTIONS**

AGENCY: **06-096 – Department of Environmental Protection (DEP)**

CHAPTER NUMBER AND TITLE: **Ch. 146** *(New)*, Hydrofluorocarbon Prohibitions

ADOPTED RULE NUMBER: **2021-262**

CONCISE SUMMARY: This rule restricts the use of certain hydrofluorocarbon compounds with high global warming potentials in specific end-use categories as required by Public Law 2021 ch. 21.

EFFECTIVE DATE: Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. Telephone: (207) 287-6115. Email: [Erle.Townsend@Maine.gov](mailto:Erle.Townsend@Maine.gov) .

DEP WEBSITE: <https://www.maine.gov/dep/> .

DEP RULEMAKING LIAISON: [Mark.T.Margerum@Maine.gov](mailto:Mark.T.Margerum@Maine.gov)