**State of Maine: Notice of Agency Rulemaking – January 22, 2020**

**PROPOSALS**

AGENCY: **01-001 - Department of Agriculture, Conservation and Forestry (DACF)**

CHAPTER AND TITLE: **Ch. 266**, Hemlock Woolly Adelgid Quarantine

TYPE OF RULE : Routine Technical

PROPOSED RULE NUMBER: **2020-P004**

**BRIEF SUMMARY**: This proposed rule modifies the existing Hemlock Woolly Adelgid quarantine by adding 51 Minor Civil Divisions and one county in Maine and additional counties in other states that have been found to be infested with this pest to the area under quarantine.

**DETAILED SUMMARY**: This proposed rule modifies the existing Hemlock Woolly Adelgid quarantine by adding 51 Minor Civil Divisions and one county in Maine and additional counties in other states that have been found to be infested with this pest to the area under quarantine.

If this rule is adopted as is, the quarantined areas will include a 30-mile strip of the Maine coast from Kittery to Gouldsboro as well as many Counties and Provinces in the united States and Canada. See map at https://www.maine.gov/dacf/mfs/forest\_health/quarantine\_information.html#hwa .

A copy of the rule can be obtained on the DACF Horticulture Program website at https://www.maine.gov/dacf/mfs/forest\_health/quarantine\_information.html#hwa, by emailing Gary.Fish@Maine.gov or by calling Gary Fish at (207) 287-7545.

**PUBLIC HEARING**: No hearing

COMMENT DEADLINE: 5:00 p.m. February 28, 2020

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Gary Fish, State Horticulturist, DACF, 28 State House Station, Augusta, ME 04333-0028. Telephone: (207) 287-7545. Fax: (207) 287-7548. Email: Gary.Fish@Maine.gov .

FNANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None expected.

STATUTORY AUTHORITY FOR THIS RULE: 7 MRS ch. 409 §§ 2301-2303

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

AGENCY WEBSITE: http://www.maine.gov/dacf/mfs/forest\_health/quarantine\_information.html .

DACF RULEMAKIG LIAISON: Shannon.Ayotte@Maine.gov .

AGENCY: **01-001 - Department of Agriculture, Conservation and Forestry (DACF)**

CHAPTER NUMBER AND TITLE: **Ch. 275**, Emerald Ash Borer Quarantine

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P005**

**BRIEF SUMMARY**: This chapter establishes a quarantine against the Emerald Ash Borer (*Agrilus planipennis*) (EAB) to prevent its movement to un-infested parts of the State, in order to protect Maine's forest and timber resources. This proposal extends the quarantined area to all of Cumberland County and the southwestern corner of Oxford County. The emerald ash borer is a federally regulated pest and this rule fulfills the requirement that Maine must have a similar state quarantine in place because the state is partially regulated for emerald ash borer.

**DETAILED SUMMARY:** This chapter establishes a quarantine against the Emerald Ash Borer (*Agrilus planipennis*) (EAB) to prevent its movement to un-infested parts of the State, in order to protect Maine's forest and timber resources. This proposal extends the quarantined area to all of Cumberland County and the southwestern corner of Oxford County.

If this rule is adopted as is, the quarantined areas will include the northeastern corner of Aroostook County, the southwestern corner of Oxford County and all of Cumberland and York Counties.

The emerald ash borer is a federally regulated pest and this rule fulfills the requirement that Maine must have a similar state quarantine in place because the state is partially regulated for emerald ash borer.

A copy of the rule can be obtained on the DACF Horticulture Program website at https://www.maine.gov/dacf/php/caps/EAB/index.shtml, by emailing Gary.Fish@Maine.gov or by calling Gary Fish at (207) 287-7545.

**PUBLIC HEARING**: No hearing

COMMENT DEADLINE: 5:00 p.m. February 28, 2020

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Gary Fish, State Horticulturist, DACF, 28 State House Station, Augusta, ME 04333-0028. Telephone: (207) 287-7545. Fax: (207) 287-7548. Email: Gary.Fish@Maine.gov .

FNANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None expected.

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*:

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None expected

STATUTORY AUTHORITY FOR THIS RULE: 7 MRS ch. 409 §§ 2301-2303

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

AGENCY WEBSITE: http://www.maine.gov/dacf/mfs/forest\_health/quarantine\_information.html .

DACF RULEMAKIG LIAISON: Shannon.Ayotte@Maine.gov .

AGENCY: **65-407 – Maine Public Utilities Commission (MPUC)**

CHAPTER NUMBER AND TITLE: **Ch. 324**, Small Generator Interconnection Procedures

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P006**

BRIEF SUMMARY: The Public Utilities Commission initiates a rulemaking proceeding to consider proposed amendments to the Commission’s *Small Generator Interconnection Procedures* rule (Ch. 324). This proceeding follows the Commission’s approval of an Order Adopting Emergency Rule issued on November 27, 2019 in Docket No. 2019-00303. The amendments to Ch. 324 approved in the emergency rule became effective on December 11, 2019. As required by 5 MRS §8054, an emergency rule shall be in effect only until it is amended in accordance with 5 MRS §§ 8052 and 8053, but in no event shall this emergency rule remain in effect for longer than 90 days from its effective date. Therefore, the Commission initiates this rulemaking to amend Ch. 324

PUBLIC HEARING: February 13, 2020 - 1:30 p.m., Public Utilities Commission, 101 Second street, Hallowell, Maine 04347

COMMENT DEADLINE: February 23, 2020. Written comments on the proposed rule may be filed until February 23, 2020. However, the Commission requests that initial comments be filed by February 10, 2020, to allow for follow-up inquiries during the hearing; supplemental comments may be filed after the hearing. Written comments should refer to the docket number of this proceeding, Docket No. 2020-00004 and be submitted through the Commission’s case management system.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Leslie Raber, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333. Telephone: (207) 287-1562. Email: Leslie.Raber@Maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: Minimal

STATUTORY AUTHORITY FOR THIS RULE: 35-A MRS §§ 104, 111; PL 2019 ch. 478

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

MPUC WEBSITE: www.maine.gov/mpuc .

MPUC RULEMAKING LIAISON: Jamie.A.Waterbury@Maine.gov .

AGENCY: **16-633 –** Department of Public Safety, **Gambling Control Unit**

CHAPTER NUMBERS AND TITLES OF THE RULES:

**Ch. 33**, Introduction

**Ch. 34**, Definitions

**Ch. 35**, License Application

**Ch. 36**, License Fee and Renewal

**Ch. 37**, Fantasy Contest Monitoring

**Ch. 38**, Fantasy Contest Account Activity

**Ch. 39**, Registration of Fantasy Contestants

**Ch. 40**, Fantasy Contestant Funds and Required Reserves

**Ch. 41**, Licensee Records, Annual Reporting and Audits

**Ch. 42**, Collection of Payments

**Ch. 43**,Complaints and Disciplinary Actions

TYPE OF RULES: New (Major Substantive)

PROPOSED RULE NUMBERS**: 2020-P007** *to* **P017**

CONCISE SUMMARY: These rules are to comply with changes in state law under 8 MRS ch. 33; they establish rules for Fantasy Sports Contests to include eligibility for a license, registration of players, player account activity and monitoring, enforcement of self -exclusion and data and report requirements for both players and the State.

PUBLIC HEARING: N/A

DEADLINE FOR COMMENTS: February 28, 2020

AGENCY CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION / RULEMAKING LIAISON: Milton Champion, Executive Director, Gambling Control Unit, 45 Commerce Drive - Suite 3, Augusta ME 04333-0087. Telephone: (207) 626-3900. Email: Milton.F.Champion@Maine.gov .

THESE RULES WILL NOT HAVE A FISCAL IMPACT ON MUNICIPALITIES.

STATUTORY AUTHORITY: 8 MRS §§ 1102(D), 1106(1)

AGENCY WEBSITE: http://www.maine.gov/dps/gamb-control/index.html .

**ADOPTIONS**

AGENCY: **02-298** - Department of Professional and Financial Regulation (PFR), Office of Professional and Occupational Regulation (OPOR), **Board of Real Estate Appraisers**

CHAPTER NUMBER AND TITLE: **Ch. 240**, Standards of Professional Practice

ADOPTED RULE NUMBER: **2020-010**

CONCISE SUMMARY: The amendments to Ch. 240 update the Standards with which licensees must comply. Effective January 1, 2020 licensees will be expected to comply with the 2020-2021 edition of the *Uniform Standards of Professional Appraisal Practice* (“USPAP”). Title 32 MRS §14012(3) authorizes the board to establish standards of practice for licensed real estate appraisers, and 32 MRS §14028 requires licensees to comply with the *Uniform Standards of Professional Appraisal Practice* (“USPAP”), as promulgated by the Appraisal Standards Board of the Appraisal Foundation. This amendment designates the 2020-21 edition of USPAP as the standards of practice in effect beginning January 1, 2020. Changes from the 2019-2020 edition are discussed in detail in the Appraisal Standards Board’s “2020 Summary of Actions Related to USPAP Changes” (June 25, 2019). This document may be downloaded from the Appraisal Foundation website: www.appraisalfoundation.org.

These are routine technical rules as defined in the *Maine Revised Statutes*, Title 5 ch. 375 sub-ch. 2-A.

EFFECTIVE DATE: January 20, 2020

AGENCY CONTACT PERSON: Karen L. Bivins, Board Administrator, Office of Professional and Occupational Regulation, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8524. Email: Karen.L.Bivins@Maine.gov .

BOARD WEBSITE: http://www.maine.gov/pfr/professionallicensing/professions/appraisers/index.html .

PFR RULEMAKING LIAISON: Anne.L.Head@Maine.gov .