**NOTICE OF STATE AGENCY RULEMAKING**

**PUBLIC INPUT FOR RULES** A list of state agency rule proposals is published here each Wednesday. You can get a copy of a proposed rule by contacting the person listed in the notice. You can comment on a proposed rule by submitting a written comment to the agency or by attending the public hearing, if one is scheduled. If no hearing is scheduled, you can request one.  The agency must hold a hearing if it receives 5 or more requests.  If you have a disability and need assistance to participate in a hearing you should tell the agency at least 7 days before the hearing. **ONLINE INFORMATION** Weekly notices, full text of adopted rules, and a list of agency rulemaking contacts are available at this website: [https://www.maine.gov/sos/cec/rules/index.html](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.maine.gov%2Fsos%2Fcec%2Frules%2Findex.html&data=05%7C02%7CJ.Chris.Parr%40maine.gov%7C645b27059f0346864d7008dc94834bf0%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C638548538834447354%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=K93i9Iukz%2F4M1hnG1XnmVSNiEpRD2zB99vb6RheIZ8A%3D&reserved=0)

**PROPOSALS**

**AGENCY: 19-100** **Department of Economic and Community Development**

**CHAPTER NUMBER AND TITLE: Ch. 301, Dirigo Business Incentives Program** **(a joint rule with the Department of Administrative and Financial Services, Maine Revenue Services)**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P035**

**BRIEF SUMMARY:** Maine Department of Economic and Community Development is proposing new Rule 301 (“Dirigo Business Incentives Tax Credit”) to implement the Maine income tax credit recently enacted by P.L. 2023, c. 412, Pt. J, § 13. The credit, found in the law at 36 M.R.S. § 5219-AAA, applies to tax years beginning on or after January 1, 2025. The refundable credit (subject to limitations) is based on a combination of expenditures to purchase eligible business property and to train qualified employees for a qualified business activity carried on primarily in an eligible sector. The Department of Economic and Community Development (DECD) is jointly proposing this rule with Maine Revenue Services, which is proposing this same rule under DAFS Chapter 816.

**PUBLIC HEARING** (if any): N/A

**COMMENT DEADLINE:** Monday, May 5, 2025

**CONTACT PERSON FOR THIS FILING:** Shae McGehee, Economic Development Incentives Manager, Department of Economic and Community Development, 59 State House Station, Augusta, ME 04333; Shae.McGehee@maine.gov; 207-624-9875

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** (if any):  N/A

**STATUTORY AUTHORITY FOR THIS RULE:** 36 M.R.S. §§ 5219-AAA

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

**AGENCY WEBSITE:** [www.maine.gov/decd](http://www.maine.gov/decd)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** maureen.terry@maine.gov

**AGENCY: 18-125 Department of Administrative and Financial Services (DAFS), Maine Revenue Services (MRS)**

**CHAPTER NUMBER AND TITLE: Ch. 816, Dirigo Business Incentives Tax Credit (a joint rule with the Department of Economic and Community Development)**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P036**

**BRIEF SUMMARY:** Maine Revenue Services is proposing new Rule 816 (“Dirigo Business Incentives Tax Credit”) to implement the Maine income tax credit recently enacted by P.L. 2023, c. 412, Pt. J, § 13. The credit, found in the law at 36 M.R.S. § 5219-AAA, applies to tax years beginning on or after January 1, 2025. The refundable credit (subject to limitations) is based on a combination of expenditures to purchase eligible business property and to train qualified employees for a qualified business activity carried on primarily in an eligible sector. Maine Revenue Services is jointly proposing this rule with the Department of Economic and Community Development (DECD), which is proposing this same rule under DECD Chapter 301.

**PUBLIC HEARING** *(if any)*: N/A

**COMMENT DEADLINE:** Monday, May 5, 2025

**CONTACT PERSON FOR THIS FILING:** Alex Weber, Office of General Counsel, Maine Revenue Services, 24 State House Station, Augusta, ME 04333-0024, (207) 624-9712, alexander.j.weber@maine.gov

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*:  N/A

**STATUTORY AUTHORITY FOR THIS RULE:** 36 M.R.S. §§ 112 & 5219-AAA

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

**AGENCY WEBSITE:** [www.maine.gov/revenue](http://www.maine.gov/revenue)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Anya.Trundy@maine.gov

**ADOPTIONS**

**AGENCY: 65-407 Maine Public Utilities Commission**

**CHAPTER NUMBER AND TITLE: Ch. 870, Late Payment Charges, Interest Rates to Be Paid on Customer Deposits and Charges for Returned Checks**

**ADOPTION FILING NUMBER: 2025-037**

**CONCISE SUMMARY:**

The amendment to the rule is in response to a recent legislative resolve that prohibits transmission and distribution utilities from charging late fees to low-income customers.

The Commission requests an effective date of March 31, 2025.

**EFFECTIVE DATE: Monday, March 31, 2025**

**AGENCY CONTACT PERSON:** Pam Kowalchuk, pamela.kowalchuk@maine.gov

AGENCY NAME: Public Utilities Commission

ADDRESS: 18 State House Station, Augusta, ME 04333-0018

TELEPHONE: 207-287-1564

**AGENCY: 06-096 Department of Environmental Protection**

**CHAPTER NUMBER AND TITLE: Ch. 583, Nutrient Criteria for Class AA, A, B, and C Fresh Surface Waters**

**ADOPTION FILING NUMBER: 2025-075**

**CONCISE SUMMARY:**

The new chapter 583 establishes methods to address nutrient enrichment in fresh surface waters of the state. Nutrient enrichment can cause negative environmental impacts to surface waters—such as algal blooms, low dissolved oxygen concentrations, excessive growths of filamentous algae or bacteria, and generation of cyanotoxins—or affect the resident biological community. The Department of Environmental Protection (Department) will use the methods described in this Chapter to make decisions about attainment of designated and existing uses of aquatic life support, habitat, and recreation in and on the water of surface waters established in the State’s water quality classification system (38 M.R.S. §§ 464-470). This Chapter also sets forth a framework to identify and establish site-specific phosphorus and other nutrient criteria through additional rulemaking.

**EFFECTIVE DATE: Monday, March 31, 2025**

**AGENCY CONTACT PERSON:**

Matthew Hight

17 State House Station

Augusta, Maine 04333-0017

207-719-0703

matt.hight@maine.gov

**AGENCY: 18-553 Department of Administrative and Financial Services, Bureau of Alcoholic Beverages & Lottery Operations**

**CHAPTER NUMBER AND TITLE: Ch. 40, Mega Millions Rules**

**ADOPTION FILING NUMBER: 2025-077**

**CONCISE SUMMARY:**

These rules are to amend the rules to the lottery game Mega Millions. The Mega Millions lottery game is changing several attributes of the game including the game matrix, price point, prizes, starting jackpot, and multiplier features. The game will eliminate the current megaplier option for players and replace it with a multiplier number associated with each play as part of the base price. The game matrix will change from a player selecting five (5) numbers from a field of one (1) through seventy (70) inclusive and one (1) number from one (1) through twenty-five (25) inclusive to selecting five (5) numbers from a field of one (1) through seventy (70) inclusive and one (1) number from one (1) through twenty-four (24) inclusive. The overall odds of winning a prize will change from 1:24 to 1:23. The starting jackpot will increase from $20 million to $50 million. The price of the game will increase from $2 per play to $5 per play. In addition, this includes technical changes to clarify language and fix typographical errors.

**EFFECTIVE DATE: Sunday, April 6, 2025**

**AGENCY CONTACT PERSON:** Anya Trundy

AGENCY NAME: DAFS - BABLO

ADDRESS: 8 State House Station, Augusta, ME 04333-0008

TELEPHONE: 207-624-7832

**AGENCY: 02-030 Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection**

**CHAPTER NUMBER AND TITLE:** **Ch. 711, Establishment of license and renewal fees and application requirements for Maine’s supervised lenders and requirement for licensing of all supervised lenders through the Nationwide Multistate Licensing System (NMLS)**

**ADOPTION FILING NUMBER:** **2025-076**

**CONCISE SUMMARY:**

This rule amends Chapter 711 pertaining to the financial documentation required for Supervised Lenders to obtain or renew a license. The current rule requires the submission of audited financial statements. While only roughly 9% of supervised lenders do not have audited reports (43 out of 496 companies), those companies are small businesses which may find procuring audited financial statements overwhelming. For this reason, the rule is being clarified to ensure that while audited financial statements are preferred, there are alternative ways to provide sufficient indicia of financial responsibility for purposes of licensing.

**EFFECTIVE DATE: Monday, March 31, 2025**

**AGENCY CONTACT PERSON:** Linda J. Conti

**AGENCY NAME:** Bureau of Consumer Credit Protection

**ADDRESS:** 35 State House Station, Augusta, ME 04333

**TELEPHONE:** 207-624-8527

**AGENCY: 10-144 Department of Health and Human Services, Office for Family Independence**

**CHAPTER NUMBER AND TITLE: Ch. 323, Maine General Assistance (GA) Manual (Sections II, III, V, VI, VII, X, XI, XII and XIII; GA Rule #26A – P.L. 2024, Chapters 575 and 643**

**ADOPTION FILING NUMBER: 2025-078**

**CONCISE SUMMARY:**

The adopted rule effectuates changes to 10-144 C.M.R. Ch. 323; Maine General Assistance (GA) Manual consistent with legislative changes to 22 M.R.S. §§ 4302, 4304 and 4305 made by P.L. 2024, Chapters 575 and 643.

The adopted rule updates are consistent with the proposed rule except for the following updates made to the final rule in response to public comments:

* SECTION II. DEFINITIONS – a definition for ADEQUATE HOUSING has been added as “Adequate housing is defined as meeting the basic needs for safety, space, and protection from the elements.”
* SECTION II. DEFINITIONS – the definition of AVAILABLE RESOURCES has been updated to “Any asset, income or other source of support that can be accessed by the applicant or Authorized Representative to alleviate the need for General Assistance. Potential Resources are not considered Available Resources.”
* SECTION V. MAXIMUMS, CATEGORIES AND LEVELS OF ASSISTANCE – (D)(8)(a) has been updated to “A municipality may choose to consider the actual costs of an emergency shelter up to the housing maximums allowed by ordinance, applying the zero-bedroom level for one person, in accordance with 22 M.R.S. § 4305(3-B).
* SECTION VI. MUNICIPALITY OF RESPONSIBILTY (B)(5) is updated to “If an applicant is in an institution at the time of application and has been for 12 months or less, or had a residence immediately prior to entering the institution that the applicant had maintained and to which the applicant intends to return, the municipality of responsibility is the municipality where the applicant was a resident immediately prior to entering the institution.”
* SECTION XIII. TRAINING (A)(2) is updated to “As part of its role in jointly administering the General Assistance Program, the Department shall, upon request from a municipality, provide training to new administrators; provide guidance and opinions on issues brought to its attention by a municipality; and provide General Assistance training and/or guidance subsequent to statutory or policy changes.”

**See** <https://www.maine.gov/dhhs/about/rulemaking> **for rules and related rulemaking documents.**

**EFFECTIVE DATE: Tuesday, April 1, 2025**

**AGENCY CONTACT PERSON:**

Sara Denson, General Assistance Program Manager

Office for Family Independence

Department of Health & Human Services

109 Capitol Street

Augusta, ME 04333

Phone: (207)446-6742/ Fax: (207)287-3455

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Sara.Denson@maine.gov

**AGENCY: 65-407 Maine Public Utilities Commission**

**CHAPTER NUMBER AND TITLE: Ch. 313, Customer Net Energy Billing**

**ADOPTION FILING NUMBER: 2025-055**

**CONCISE SUMMARY:**

The Public Utilities Commission amends its Net Energy Billing (NEB) rule, Chapter 313 to clarify that the monetization of unused or expired credits does not include the credits that are assigned to the facility account of an eligible NEB facility.

**EFFECTIVE DATE**: **Tuesday, April 1, 2025**

**AGENCY CONTACT PERSON:** Pam Kowalchuk, pamela.kowalchuk@maine.gov

AGENCY NAME: Public Utilities Commission

ADDRESS: 18 State House Station, Augusta, ME 04333-0018

TELEPHONE: 207-287-1564

**AGENCY: 10-144 Department of Health and Human Services, Maine Center for Disease Control and Prevention**

**CHAPTER NUMBER AND TITLE:** **Ch. 266, Certification Standards For Persons Conducting Chemical Analyses For The Detection And Identification Of Seized Drugs**

**ADOPTION FILING NUMBER: 2025-079**

**CONCISE SUMMARY:**

The Department adopted this routine technical rule change to amend Chapter 266. This rulemaking coincides with the expiration of the emergency rule effective January 2, 2025, ensuring competency requirements and accreditation standards adopted on an emergency basis remain the standard for labs analyzing controlled substances seized by law enforcement and used in Maine's courts procedures. This non-emergency rule incorporates the changes adopted by emergency rule to update the oversight authority and certification standards, including the educational and training requirements. Consistent with the emergency rule, accredited labs and personnel are required to comply with international standards for forensic testing and calibration laboratories (ISO 17025 standards), shorten the time a certificate is valid from five years to one year, and permit the certified analyst to perform examinations, analyze forensic casework, and technically review other certified analysts case reports. Additionally, the adopted rule includes the amendments proposed that: repeal of the semiannual reporting requirement; change the current two-year preservation period for test results to be available for inspection for 20 years; remove the exception for a laboratory analyst to be qualified as an expert witness prior to 1976; and update the rule format and title.

**EFFECTIVE DATE: Wednesday, April 2, 2025**

**AGENCY CONTACT PERSON:**

NAME: Bridget Danis, Policy Analyst

ADDRESS: 11 State House Station, Augusta, Maine 04330

TELEPHONE: (207) 287-9394

E-MAIL ADDRESS: bridget.danis@maine.gov

DHHS RULES WEBSITE: <https://www.maine.gov/dhhs/about/rulemaking>

AGENCY WEBSITE: <http://www.maine.gov/dhhs/mecdc/rules/>