**State of Maine: Notice of Agency Rulemaking – April 6, 2022**

**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 #05-22**

PROPOSED RULE NUMBER: **2022-P043**

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: April 21, 2022, Thursday, starting at 10:30 a.m., Room 101, Department of Agriculture, Conservation & Forestry, Deering Building, Hospital Street, Augusta, Maine

COMMENT DEADLINE: April 21, 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: **65-407 – Maine Public Utilities Commission (MPUC)**

CHAPTER NUMBER AND TITLE: **Ch. 850** *(formerly Ch. 85)*, Regulatory Proceeding Expenses

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2022-P044**

BRIEF SUMMARY: The Public Utilities Commission initiates a rulemaking proceeding to consider proposed amendments to the Commission’s *Regulatory Proceeding Expenses* rule (ch. 850 – formerly ch. 85). The proposed amendments update the rule to be more in accordance with recent Commission practice and include a change to the way regulatory proceeding expenses are determined and calculated for inclusion in rates.

PUBLIC HEARING: April 28, 2022 at 9:00 a.m., via Microsoft Teams. *Interested persons may dial in to the hearing at (207) 209-4724, Conference ID 692 565 494#. Interested Persons wishing to participate in the hearing by video may contact* [*Margaret.Priest@Maine.gov*](mailto:Margaret.Priest@Maine.gov) *to request a video link, referencing Docket No. 2022-00072 and the date of the hearing.*

COMMENT DEADLINE: May 10, 2022. Written comments on the proposed rule may be filed until close of business on **May 10, 2022.** However, the Commission requests that initial comments be filed by **April 21, 2022** to allow for follow-up inquires during the hearing. Supplemental comments may be filed after the hearing. Written comments should refer to the docket number of this proceeding, Docket No. 2022-00072, and be filed using the Commission’s case management system (CMS), which is accessible from the Commission’s website.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Eric Bryant, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333. Telephone: (207) 287-1313. [Eric.J.Bryant@Maine.gov](mailto:Eric.J.Bryant@Maine.gov)

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: Minimal impact

STATUTORY AUTHORITY FOR THIS RULE: 35-A MRS §111

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

MPUC WEBSITE: [www.maine.gov/mpuc](http://www.maine.gov/mpuc).

MPUC RULEMAKING LIAISON: [Jamie.A.Waterbury@Maine.gov](mailto:Jamie.A.Waterbury@Maine.gov).

AGENCY: **09-137 – Department of Inland Fisheries and Wildlife (IFW)**

CHAPTER NUMBER AND TITLE: **Ch. 16**, Hunting: **16.08**, Moose Hunting (permit allocations)

PROPOSED RULE NUMBER: **2022-P045**

BRIEF SUMMARY: The Department of Inland Fisheries and Wildlife is proposing moose permit allocation numbers for moose hunting permits to be issued for the 2022 moose hunting season. Permits will be issued for antlered, antlerless and any-moose. Proposed permit allocations according to Wildlife Management District are as follows:

**WMD 1** – 450 antlered / 175 antlerless

**WMD 2** – 350 antlered /175 antlerless

**WMD 3 –** 200 antlered / 125 antlerless

**WMD 4** – 400 antlered / 100 antlerless

**WMD 4A (adaptive hunt)** – 550 antlerless

**WMD 5** – 250 antlered / 125 antlerless

**WMD 6 –** 200 antlered / 60 antlerless

**WMD 7 –** 125 antlered

**WMD 8** – 200 antlered / 100 antlerless

**WMD 9** - 125 antlered

**WMD 10** – 60 antlered

**WMD 11** – 50 antlered

**WMD 12** – 25 antlered

**WMD 13** – 15 antlered

**WMD 14** – 30 antlered

**WMD 15** – 25 any-moose

**WMD 16** – 15 any-moose

**WMD 17** – 10 antlered

**WMD 18** – 40 antlered

**WMD 19** – 60 antlered

**WMD 27** **& 28 (combined)** – 40 antlered

**TOTAL: 2,630 antlered / 1410 antlerless / 40 any-moose**

PUBLIC HEARING: Tuesday, April 26, 2022 @ 4:00 p.m. – Inland Fisheries & Wildlife, 353 Water Street, Room 400, Augusta, ME

COMMENT DEADLINE: May 6, 2022

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION / IFW RULEMAKING LIAISON: Becky Orff, Inland Fisheries and Wildlife, 353 Water Street -41 State House Station, Augusta, ME 04333. Telephone: (207) 287-5202. Fax: (207) 287-6395. Email: [Becky.Orff@Maine.gov](mailto:Becky.Orff@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §§ 11551, 11552

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: N/A

IFW WEBSITE: [www.maine.gov/ifw](http://www.maine.gov/ifw).

AGENCY: **09-137 – Department of Inland Fisheries and Wildlife (IFW)**

CHAPTER NUMBER AND TITLE: **Ch. 28** *(New)*, Educational Trip Leader Rules

PROPOSED RULE NUMBER: **2022-P046**

BRIEF SUMMARY: In accordance with [Public Law Chapter 162](http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1089&item=4&snum=130) (LD 1474) the Commissioner of Inland Fisheries and Wildlife is proposing to adopt new rule ch. 28 to create an Educational Trip Leader Permit program within the Department which will allow staff and students from public and private schools and postsecondary educational institutions to conduct, without a guide license, paddling and primitive camping trips for students and adults associated with those institutions. A complete copy of the proposed rule may be requested by contacting the Agency Contact Person.

PUBLIC HEARING: None scheduled.

COMMENT DEADLINE: May 6, 2022

CONTACT PERSON FOR THIS FILING: Becky Orff, Inland Fisheries and Wildlife, 353 Water Street - 41 State House Station, Augusta, ME 04333. Telephone: (207) 287-5202. Fax: (207) 287-6395. Email: [Becky.Orff@Maine.gov](mailto:Becky.Orff@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §§ 10104, 12863

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: N/A

IFW WEBSITE: [www.maine.gov/ifw](http://www.maine.gov/ifw).

**ADOPTIONS**

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 #04-22**

ADOPTED RULE NUMBER: **2022-048** *(Emergency)*

CONCISE SUMMARY:

Minimum April 2022 Class I price is $27.63/cwt. plus $1.58/cwt. for Producer Margins, an over-order premium of $1.04/cwt. as being prevailing in Southern New England and $0.47/cwt. handling fee for a total of $30.92/cwt. that includes a $0.20/cwt. Federal promotion fee.

EFFECTIVE DATE: April 3, 2022

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

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

AGENCY: **02-031** - Department of Professional & Financial Regulation (PFR), **Bureau of Insurance**

CHAPTER NUMBER AND TITLE: **Ch. 857** *(New)*, Small Business Health Insurance Premium Support Program

ADOPTED RULE NUMBER: **2022-049**

CONCISE SUMMARY: The purpose of the rule is to establish the necessary conditions and procedures to implement the Small Business Premium Support Program, including: the procedure for allocating the appropriated funding to Maine small group policyholders; setting the conditions and requirements for reimbursement to small group health insurance carriers of their provision of premium relief credits to small groups; and setting the conditions and requirements to provide reimbursement to small group carriers of their administrative costs in providing the premium relief credits.

EFFECTIVE DATE: April 5, 2022

BUREAU CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION / RULEMAKING LIAISON: Benjamin Yardley, Senior Staff Attorney, Department of Professional & Financial Regulation - Bureau of Insurance, 76 Northern Avenue – 34 State House Station, Gardiner, ME 04345. Telephone: (207) 624-8537. Email: [Benjamin.Yardley@Maine.gov](mailto:Benjamin.Yardley@Maine.gov).

BUREAU WEBSITE: <https://www.maine.gov/pfr/insurance/home>.

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

CHAPTER NUMBER AND TITLE: **Ch. 202**, Tree Growth Tax Law Valuations – 2022

ADOPTED RULE NUMBER: **2022-050** *(Repeal and replace)*

CONCISE SUMMARY: Maine Revenue Services has repealed and replaced Rule 202 (*Tree Growth Tax Law Valuations – 2022*). The replaced rule provides updated valuation rates for each forest type by region.

EFFECTIVE DATE: April 6, 2022

MRS CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION / MRS RULEMAKING LIAISON: Alex Weber, General Counsel, Maine Revenue Services, 24 State House Station, Augusta, Maine 04333. Telephone: (207) 624-9712. Email: [Alexander.J.Weber@Maine.gov](mailto:Alexander.J.Weber@Maine.gov).

MRS WEBSITE: <https://www.maine.gov/revenue/>.

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

CHAPTER NUMBER AND TITLE: **Ch. 803**, Income Tax Withholding Reports and Payments

ADOPTED RULE NUMBER: **2022-051**

CONCISE SUMMARY: MRS is adopting Rule 803 (“Income Tax Withholding Reports and Payments”) to reflect recent legislative changes and to make other technical changes by adding language to address partnership audit requirements related to pass-through entity withholding and to reflect recently enacted penalties for failure to furnish, or for furnishing fraudulent or false, information statements (e.g., Forms W-2, 1099) to MRS.

EFFECTIVE DATE: April 6, 2022

MRS CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION / MRS RULEMAKING LIAISON: Alex Weber, General Counsel, Maine Revenue Services, 24 State House Station, Augusta, Maine 04333. Telephone: (207) 624-9712. Email: [Alexander.J.Weber@Maine.gov](mailto:Alexander.J.Weber@Maine.gov).

MRS WEBSITE: <https://www.maine.gov/revenue/>.

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

CHAPTER NUMBER AND TITLE: **Ch. 805**, Composite Filing

ADOPTED RULE NUMBER: **2022-052**

CONCISE SUMMARY: MRS is adopting Rule 805 to add language to address partnership audit requirements related to composite filing and to make other technical changes. Affected partnerships must file amended composite returns within 180 days of the final determination date of a partnership-level audit to report additional Maine income tax due.

EFFECTIVE DATE: April 6, 2022

MRS CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION / MRS RULEMAKING LIAISON: Alex Weber, General Counsel, Maine Revenue Services, 24 State House Station, Augusta, Maine 04333. Telephone: (207) 624-9712. Email: [Alexander.J.Weber@Maine.gov](mailto:Alexander.J.Weber@Maine.gov).

MRS WEBSITE: <https://www.maine.gov/revenue/>.