**State of Maine: Notice of Agency Rulemaking – June 3, 2020**

**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 #07-20**

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P109**

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:June 18, 2020, Thursday, starting at 10:30 a.m. *Because* *of the COVID-19 Public Health Emergency and pursuant to 1 MRS §403-A, enacted by PL 2020 c. 617 part G (eff. March 18, 2020), this hearing will be held remotely by telephonic conference. Directions on how to attend the hearing telephonically will be posted on the Milk Commission website and sent to the interested persons list in advance of June 18, 2020. If the civil emergency is not extended the meeting will be held in Room 101, Deering Building, Augusta, Maine.*

COMMENT DEADLINE:June 18, 2020

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION / MMC RULEMAKING LIAISON: Tim Drake, Maine Milk Commission, 28 State House Station, Augusta, ME 04333. Telephone: (207) 287-7521. Email: Tim.Drake@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: **10-144** - Department of Health and Human Services (DHHS), **Office for Family Independence (OFI)**

CHAPTER NUMBER AND TITLE: **Ch. 607**, ASPIRE-TANF Program Manual: **ASPIRE Rule #25P**, Working Cars for Working Families

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P110**

BRIEF SUMMARY: The Department was directed to operate a Working Cars for Working Families program, 22 MRS §3769-F, by the 128th Legislature as part of the 2017-2018 biennial budget. The purpose is to assist participants in obtaining and maintaining sustainable employment by providing them with access to reliable, affordable transportation.

The rule establishes the program, sets out eligibility and ongoing participation criteria, and describes the application and decision processes, including termination of services and appeal rights.

PUBLIC HEARING: None Scheduled

COMMENT DEADLINE: July 5, 2020

CONTACT PERSON FOR THIS FILING: Julian Baer, Senior Program Manager – TANF ASPIRE, Department of Health and Human Services - Office for Family Independence, 109 Capital Street – 11 State House Station, Augusta, ME 04330-6841. Telephone: (207) 624-4105. Fax: (207) 287-3455. TT Users Call Maine Relay – 711. Email: Julian.Baer@Maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: The Legislature allocated $6,000,000.00 in TANF Block Grant funding for the Working Cars for Working Families program to be used between July 1, 2018 and June 30, 2022. The Department is in the process of submitting a Request for Proposals from entities to administer the program for the Department. However, the Department expects that municipalities may experience some increase in revenue from excise taxes and registration fees.

STATUTORY AUTHORITY FOR THIS RULE: 22 MRS §3769-F

OFI WEBSITE: http://www.maine.gov/dhhs/ofi/rules/index.shtml .

DHHS WEBSITE: https://www.maine.gov/dhhs/ .

OFI RULEMAKING LIAISON: Dan Cohen@Maine.gov .

DHHS RULEMAKING LIAISON: Kevin.Wells@Maine.gov .

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

CHAPTER NUMBER AND TITLE: **Ch. 319**, Criteria to Exclude Small Transmission Projects and Distribution Projects from Investigation by the Nonwires Alternative Coordinator

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P111**

BRIEF SUMMARY: The Public Utilities Commission initiates a rulemaking proceeding to consider amendments to the Commission’s *Criteria to Exclude Small Transmission Projects and Distribution Projects from Investigation by the Nonwires Alternative Coordinator* rule (Ch. 319). This proceeding follows the Commission’s approval of its Order Adopting Emergency Rule and Statement of Factual and Policy Basis issued on April 8, 2020 in Docket No. 2020-00085. The emergency rule became effective on April 15, 2020. 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.

PUBLIC HEARING: June 23, 2020 - 1:00 p.m., Public Utilities Commission, 101 Second Street, Hallowell, Maine

COMMENT DEADLINE: July 3, 2020. *Written comments on the proposed rule may be filed with the Administrative Director until close of business on July 3, 2020. However, the Commission requests that comments be filed by close of business on June 18, 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. 2020-00152, and be filed using the Commission’s case management system which is accessible from the Commission’s website.*

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Paulina Collins, PUC, 18 State House Station, Augusta, Maine 04333. Telephone: (207) 287-1566. Email: Paulina.Collins@Maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact

STATUTORY AUTHORITY FOR THIS RULE: 35-A MRS §§ 104, 111, 1301; Public Law 2019 c. 298

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

MPUC WEBSITE: www.maine.gov/mpuc .

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

AGENCY: **10-144** - Department of Health and Human Services (DHHS), **Office of MaineCare Services (OMS) - Division of Policy**

CHAPTER NUMBER AND TITLE: **Ch. 101**, MaineCare Benefits Manual (MBM): **ch. II & III section 65**, Behavioral Health Service

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P112**

CONCISE SUMMARY: The Department of Health and Human Services (“the Department”) proposes the following changes to 10-144 CMR ch. 101, *MaineCare Benefits Manual*, ch. II and III Section 65, “Behavioral Health Services”.

In ch. II, the Department proposes to remove the twenty-four (24) month lifetime limit for reimbursement for Medication Assisted Treatment (“MAT”) with Methadone for opioid addiction to align with changes in state law which took effect on March 14, 2019 under PL 2019 ch. 4, *An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2019*, and which were previously announced via the Department’s list serv to interested parties on March 22, 2019. The Act repealed 22 MRSA §§ 3174-SS and 3174-VV which had set limitations on these services. By removing the lifetime limit, members may access MAT with Methadone for as long as medically necessary, with no lifetime cap of services. The Department’s removal of the 24- month cap has already been approved by the Centers for Medicare and Medicaid Services (“CMS”).

Additionally, in ch. III the Department proposes this rule to seek to increase the rate of reimbursement for MAT with Methadone retroactive to July 1, 2019. Pursuant to PL 2019 ch. 343, *An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021*, (effective June 17, 2019), the Legislature increased funding for the weekly reimbursement rate for MAT services for the FY2020 and FY2021 state budgets. In light of the state’s ongoing opioid crisis, the Department has found that the immediate adoption of the MAT rate increase is necessary to avoid an immediate threat to public health, safety, or general welfare under 5 MRS §8054, and will be adopting an emergency rule concurrent with this rule proposal. The emergency rate increase and the Department’s intended adoption of the increase following this routine technical rulemaking will benefit both providers and members and will further support the delivery of these critical services to those in need.

The Department is seeking and anticipates approval from the CMS for the MAT rate increase. The Department published a Notice of MaineCare Reimbursement Methodology Change on June 28, 2019 notifying providers of this increase and is awaiting approval of a state plan amendment. Pending that approval, the Department will reimburse MAT services at the increased rate retroactive to July 1, 2019.

Additionally, the Department proposes to increase of the rates of reimbursement in ch. III for Functional Family Therapy (FFT), Multisystemic Therapy (MST), Multisystemic Therapy for Problem Sexualized Behaviors (MST-PSB) by 20% effective January 1, 2020 in accordance with Resolves 2019 ch. 110, *Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children* (effective January 12, 2020)*.* In approving this legislation (which became law without the Governor’s signature), the Legislature determined that an immediate effective date was necessary given the rates had “not been adjusted in more than 8 years” and the rates were “insufficient to enable some providers to continue to provide services.” The Department agrees with and incorporated these findings in support of this emergency rulemaking under 5 MRS §8054.

The Department is seeking and anticipates CMS approval for the 20% rate increases for FFT, MST, and MST-PSB services. The Department published a Notice of MaineCare Reimbursement Methodology Change on June 28, 2019 of the intended 20% rate increases with the expectation that the Legislature would approve the increases effective July 1, 2019. The Department believes this notice is sufficient despite the legislation not taking effect until January 12, 2020. Pending CMS approval, the Department will reimburse FFT, MST, and MST-PSB services at increased rates retroactive to January 1, 2020.

Additionally, following the completion of the rate study directed by Resolves 2010 ch. 110 and completed by Burns and Associates, the Department is proposing new increased rates for MST, MST-PSB, and FFT. The additional funding has been approved for the FY2021 state budget pursuant to PL 2019 ch. 616, *An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2020 and June 30, 2021* (effective March 18, 2020). Through the rate study process and in line with the Legislature’s directive in the Resolve, the Department has made the determination to switch reimbursement from quarter hour billing to a weekly case rate to reflect the requirements for the evidence-based models. In ch. II, the Department has ended Collateral Contacts for MST, MST-PSB, and FFT as these services have been incorporated into the new weekly case rate, and the Department has also proposed minimum contact standards for providers accessing this new weekly case rate. In ch. III, the Department has deleted the prior quarter hour codes and added in the new weekly codes and rates. In response to financial challenges and civil emergency created by the COVID-19 pandemic, the Department has advanced the increased rates from the anticipated July 1, 2020 start date approved in the FY2021 budget retroactively to May 1, 2020, in order to provide financial relief, to support stability in the workforce, and to increase access to members in need. The Department has further found that the immediate adoption of the MST, MST-PSB, and FFT rate increases is necessary to avoid an immediate threat to public health, safety, or general welfare under 5 MRS §8054, and will be adopting an emergency rule concurrent with this rule proposal. The emergency rate increase and the Department’s intended adoption of the increase following this routine technical rulemaking will benefit both providers and members and will further support the delivery of these critical services to those in need.

The Department published a Notice of MaineCare Reimbursement Methodology Change on April 30, 2020 of the intended rate increases and intends to file a State Plan Amendment within the quarter. Pending CMS approval, the Department will reimburse MST, MST-PSB, and FFT at increased weekly rates retroactive to May 1, 2020.

The rate study described above additionally developed a rate for an evidence-based modality of outpatient therapy, Trauma Focused Cognitive Behavioral Therapy (TF-CBT). The Department is proposing a service description, and provider requirements in ch. II and rate in ch. III for this evidence-based practice. The Department will be seeking and anticipates CMS approval for these new services that are intended to benefit providers and members alike.

In addition, this rulemaking proposes coverage in ch. II and reimbursement in ch. III for three evidence-based parenting programs for children with disruptive behavior disorders: Positive Parenting Program (Triple P), the Incredible Years (IY), and Parent-Child Interaction Therapy (PCIT). The Department will be seeking and anticipates CMS approval for these new services that are intended to benefit providers and members alike.

With this rule proposal, the Department proposes coding changes to comport with coding updates per the National Correct Coding Initiative for certain Neuropsychological testing services effective January 1, 2019. The reimbursement table for these codes in ch. III have been adjusted to reflect billing as of January 1, 2019. The changes were made in the system and the public notified via list serve of the coding changes on January 31, 2019, and now the Department wishes to update policy for consistency. Coverage language in ch. II has been updated to reflect the intent of the new codes.

Additionally, the Department proposes changes to the educational requirements for Behavioral Health Professionals in accordance with Resolves 2019 ch. 99, *Resolve, To Change the Educational Requirements of Certain Behavioral Health Professionals* (effective Sept. 19, 2019), creating three educational levels: high school diploma or equivalent with a minimum of 3 years direct experience working with children in a behavioral health with a specific plan for supervision and training; a minimum of 60 higher education credit hours in a related field of social services, human services, health or education; and a minimum of 90 higher education credit hours in an unrelated field with a specific plan for supervision and training. The Department has received CMS approval for these changes.

The Department proposes to increase rates for certain services in accordance with P.L. 2019 ch. 616. In response to the COVID emergency and hardships created during this period of civil emergency, the Department has made the decision to advance these rate increase to be effective retroactively to April 1, 2020. The rate changes include an increase for physicians delivering medication management, and an increase for Behavioral Health Professionals providing Home and Community-based Treatment (HCT) services. In order for physicians to access the increased rate of reimbursement, they will be required to use the AF modifier on their claims. Department has found that the immediate adoption of the medication management and HCT rate increases is necessary to avoid an immediate threat to public health, safety, or general welfare under 5 MRS §8054, and will be adopting an emergency rule concurrent with this rule proposal. The emergency rate increases, and the Department’s intended adoption of the increase following this routine technical rulemaking will benefit both providers and members and will further support the delivery of these critical services to those in need.

The Department published a Notice of MaineCare Reimbursement Methodology Change on March 31, 2020 of the intended rate increases and intends to file a State Plan Amendment within the quarter. Pending CMS approval, the Department will reimburse Behavioral Health Professionals delivering HCT and physicians delivering Medication Management at increased rates retroactive to April 1, 2020.

The Department is also proposing to add coverage for Adaptive Assessments, namely the Vineland, ABAS, Bayley, and Battelle rating scales, proposing coverage language within ch. II and coding within ch. III of this section. The Department has been allowing coverage for these assessments via the Comprehensive Assessment (code H2000) and wishes to clarify coverage, coding, and rate per assessment.

In addition to the above changes, the Department proposes in ch. II to:

**\*** Add protections for Adults with Serious and Persistent Mental Illness regarding providers terminating services and accepting referrals for this population as defined in the rule;

**\*** Modify HCT required team language to allow for flexibility when clinically appropriate;

**\*** Add background check requirements for staff having direct interaction with members within the provision of services;

**\*** Update the Comprehensive Assessment and Individualized Treatment Plan (ITP) sections to clearly note what services do not require these documents, and to include in the ITP section a schedule of development and review of the new services;

**\*** Update Appendix I and II to reflect the changes proposed in this rulemaking; and

**\*** Update formatting, citations, and references where necessary, including changing “Office of Substance Abuse and Mental Health Services” to “Office of Behavioral Health” throughout the rule.

For ch. III, the Department is additionally proposing to add a modifier to Medication Management for Treatment with Suboxone to more clearly show coverage of that medication, which will aid in the Department’s licensing efforts for these programs.

See http://www.maine.gov/dhhs/oms/rules/index.shtml for rules and related rulemaking documents.

PUBLIC HEARING: No public hearing scheduled. *During the Civil State of Emergency declared by the Governor, public hearings are now closed to the public physically attending. During this State of Emergency, the Department will be providing a 30-day comment period instead of a public hearing.*

COMMENT DEADLINE: Comments must be received by 11:59 p.m. on July 3, 2020.

OMS CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION: Dean Bugaj, Comprehensive Health Planner II, MaineCare Services, 242 State Street - 11 State House Station, Augusta, Maine 04333-0011. Telephone: (207) 624-4045. Fax: (207) 287-1864. TTY: 711 (Deaf or Hard of Hearing). Email: Dean.Bugaj@Maine.gov .

IMPACT ON MUNICIPALITIES OR COUNTIES: The Department anticipates that this rulemaking will not have any impact on municipalities or counties.

STATUTORY AUTHORITY: 22 MRS §§ 42, 3173; 5 MRS §8053; PL 2019 ch. 4; PL 2019 ch. 343; Resolves 2019 ch. 99; Resolves 2019 ch. 110; PL 2019, ch. 616

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

OMS WEBSITE: https://www.maine.gov/dhhs/oms/.

DHHS WEBSITE: https://www.maine.gov/dhhs/ .

OFI RULEMAKING LIAISON: Thomas.Leet@Maine.gov .

DHHS RULEMAKING LIAISON: Kevin.Wells@Maine.gov .

AGENCY: **13-188 - Department of Marine Resources (DMR)**

CHAPTER NUMBER AND TITLE: **Ch. 26**, Sea Urchin 2020-2021 Season

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P113**

BRIEF SUMMARY: This regulation would establish open harvest days and tote limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 for the 2020-2021 season. For Zone 1, seasons are proposed for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 15 days of their choosing, the same number of days allowed during the 2019-2020 season. For Zone 1, the daily tote limit is nine (9), the same as in the 2019-2020 season. For Zone 2, 40-day seasons are proposed for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 30 days of their choosing. This proposal has the same number of fishing days and opportunity days as the 2019-2020 season. For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 15-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2020-2021. For Zone 2, the daily tote limit is six (6), the same as in the 2019-2020 season.

PUBLIC HEARING: None scheduled

COMMENT DEADLINE: July 3, 2020

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Amanda Ellis, DMR, 21 State House Station, Augusta, Maine 04333-0021. Telephone: (207) 624-6573. Fax: (207) 624-6024. TTY: (207) 624-6500 (Deaf/Hard of Hearing). Email: dmr.rulemaking@maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §§ 6171, 6749

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: Same

DMR RULEMAKING WEBSITE: http://www.maine.gov/dmr/rulemaking/ .

DMR WEBSITE: https://www.maine.gov/dmr/index.html .

EMAIL FOR DMR RULEMAKING LIAISON: dmr.rulemaking@maine.gov .

AGENCY: **13-188 - Department of Marine Resources (DMR)**

CHAPTER NUMBER AND TITLE: **Ch. 2**, Aquaculture Regulations

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P114**

BRIEF SUMMARY: This proposed rule-making corrects references to other chapters or sections of the regulation. It also strikes a provision requiring that the applicant secure a performance bond or escrow account and pay rent on their lease within 30 days of the Commissioner’s final decision. These requirements must still be completed before aquaculture activities can occur, but they are no longer tied to the date a decision is signed. This proposed change reflects administrative processing of new leases and provides for some additional flexibility, particularly for experimental lease holders who have the option to select the start date of their lease term.

PUBLIC HEARING: None scheduled

COMMENT DEADLINE: July 3, 2020

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Amanda Ellis, DMR, 21 State House Station, Augusta, Maine 04333-0021. Telephone: (207) 624-6573. Fax: (207) 624-6024. TTY: (207) 624-6500 (Deaf/Hard of Hearing). Email: dmr.rulemaking@maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §§ 6072. 6072-A, 6072-B

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: Same

DMR RULEMAKING WEBSITE: http://www.maine.gov/dmr/rulemaking/ .

DMR WEBSITE: https://www.maine.gov/dmr/index.html .

EMAIL FOR DMR RULEMAKING LIAISON: dmr.rulemaking@maine.gov .

AGENCY: **13-188 - Department of Marine Resources (DMR)**

CHAPTER NUMBER AND TITLE: **Ch. 50**, Spiny Dogfish and Coastal Sharks

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2020-P115**

BRIEF SUMMARY: A 2017 assessment found the North Atlantic shortfin mako shark stock to be overfished and experiencing overfishing. In response, NOAA Fisheries implemented measures which aim to achieve at least a 75% reduction in US shortfin mako shark landings. Currently, North Atlantic shortfin mako sharks are not included in the definition of ‘Coastal Sharks’ in the Department’s ch. 50 regulations. As a result, the regulations are silent on the retention of this species. This rule proposes adding North Atlantic shortfin mako sharks to the list of species included under ‘Coastal Sharks’. Given ch. 50 prohibits the take of species defined as ‘Coastal Sharks’, this proposed rule would prohibit the taking of North Atlantic shortfin mako sharks in Maine’s territorial waters.

PUBLIC HEARING: None scheduled

COMMENT DEADLINE: July 3, 2020

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Amanda Ellis, DMR, 21 State House Station, Augusta, Maine 04333-0021. Telephone: (207) 624-6573. Fax: (207) 624-6024. TTY: (207) 624-6500 (Deaf/Hard of Hearing). Email: dmr.rulemaking@maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §6171

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: Same

DMR RULEMAKING WEBSITE: http://www.maine.gov/dmr/rulemaking/ .

DMR WEBSITE: https://www.maine.gov/dmr/index.html .

EMAIL FOR DMR RULEMAKING LIAISON: dmr.rulemaking@maine.gov .

**ADOPTIONS**

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

CHAPTER NUMBER AND TITLE: **Ch. 3**, Schedule of Minimum Prices, **Order#06-20**

ADOPTED RULE NUMBER: **2020-127** *(Emergency)*

CONCISE SUMMARY: Minimum June 2020 Class I price is $14.67/cwt. plus $1.63/cwt. for Producer Margins, an over-order premium of $1.04/cwt. as being prevailing in Southern New England and $6.05/cwt. handling fee for a total of $23.59/cwt. that includes a $0.20/cwt. Federal promotion fee.

EFFECTIVE DATE: May 31, 2020

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

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

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

CHAPTER NUMBER AND TITLE: **Ch. 16**, Hunting: **16.08**, Moose Hunting

ADOPTED RULE NUMBER: **2020-129**

CONCISE SUMMARY: The Department of Inland Fisheries and Wildlife has adopted moose permit allocation numbers for moose hunting permits to be issued for the 2020 moose hunting season. Permits will be issued for antlered, antlerless and any-moose. Permit allocations according to Wildlife Management District are as follows:

WMD 1 – 400 antlered / 150 antlerless

WMD 2 – 300 antlered /150 antlerless

WMD 3 – 175 antlered / 110 antlerless

WMD 4 – 350 antlered / 175 antlerless

WMD 5 – 225 antlered / 110 antlerless

WMD 6 – 170 antlered / 50 antlerless

WMD 7 – 125 antlered

WMD 8 – 175 antlered

WMD 9 - 100 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: 2,350 antlered /745 antlerless / 40 any-moose**

A complete copy of the rule can be obtained from the Agency Rulemaking Contact Person.

EFFECTIVE DATE: June 2, 2020

IFW CONTACT PERSON / RULEMAKING LIAISON: Becky Orff, Inland Fisheries and Wildlife, 284 State Street - 41 State House Station, Augusta, ME 04333. Telephone: (207) 287-5202. Email: Becky.Orff@Maine.gov .

IFW WEBSITE: https://www.maine.gov/ifw/ .

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

CHAPTER NUMBER AND TITLE: **Ch. 202**, Tree Growth Tax Law Valuations – 2020

ADOPTED RULE NUMBER: **2020-130**

CONCISE SUMMARY: Maine Revenue Services has repealed and replaced Rule 202 (*Tree Growth Tax Law Valuations – 2020*). The replaced rule provides updated valuation rates for each forest type by region.

EFFECTIVE DATE: June 3, 2020

BRS CONTACT PERSON: Alex Weber, General Counsel, Maine Revenue Services, 24 State House Station, Augusta, Maine 04333. Telephone: (207) 624-9712. Email: Alexander.J.Weber@Maine.gov .

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

MRS RULEMAKING LIAISON: Anya.Trundy@Maine.gov .

AGENCY: **01-017** - Department of Agriculture, Conservation and Forestry (DACF), **Maine State Harness Racing Commission**

CHAPTER NUMBER AND TITLE: **Ch. 7**, Racing: **Section 75**, Purse Money, and **Section 76**, Dashes

ADOPTED RULE NUMBER: **2020-131**

CONCISE SUMMARY: On May 29, the Maine State Harness Racing Commission adopted an emergency amendment to ch. 7, sections 75 & 76 which allows the first six finishers of a race to receive a percentage of the purse.

EFFECTIVE DATE: June 1, 2020

COMMISSION CONTACT PERSON: Henry Jennings, Maine State Harness Racing Commission, 28 State House Station, Augusta, ME 04333-0028. Telephone: (207) 287-7568. Email: Henry.Jennings@Maine.gov .

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

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

AGENCY: **99-626** - Finance Authority of Maine (FAME), **Maine Rural Development Authority (MRDA)**

CHAPTER NUMBER AND TITLE: **Ch. 3**, Rural Manufacturing and Industrial Site Redevelopment Program, *Amendment 1*

ADOPTED RULE NUMBER: **2020-132**

CONCISE SUMMARY: The rule amendment amends the current provisions relating to Program Grants. The amendment creates a new grant category for otherwise eligible projects that are also eligible for grant funds under a federal grant from the Northern Border Regional Commission. The amendment provides the eligibility requirements for this additional grant category, the terms and conditions applicable to such grants, as well as the application and selection process related thereto.

EFFECTIVE DATE: June 7, 2020

CONTACT PERSON: Christopher Roney, General Counsel, Finance Authority of Maine, PO Box 949 - 5 Community Drive, Augusta, ME 04332-0949. Telephone: (207) 623-3263 x3520. Email: croney@famemaine.com .

MRDA WEBSITE: https://www.mainerda.org/ .

AGENCY: **13-188 - Department of Marine Resources (DMR)**

CHAPTER NUMBER AND TITLE: **Ch. 36**. Atlantic Herring; 2020 Harvest Rules

ADOPTED RULE NUMBER: **2020-133** *(Emergency)*

CONCISE SUMMARY: This rulemaking sets the start date for the mobile Atlantic herring fishery to commence on Sunday, July 19, 2020 and sets harvest parameters for the Atlantic Herring fishery as determined at the Days Out meeting held May 12, 2020. The Days Out Commissioners designated zero landing days June 1 through July 18, 2020. The Days Out Commissioners designated four consecutive landing days, beginning at 6:00 p.m. Sunday to 6:00 p.m. Thursday for vessels issued an Atlantic Herring Limited Access Category A Permit. These vessels are limited to landing 240,000 lbs. (6 trucks) weekly. The Days Out Commissioners designated five consecutive landing days, beginning at 6:00 p.m. Sunday to 6:00 p.m. Friday for vessels issued an Atlantic Herring Limited Access Category C Permit. Limited access harvester vessels may transfer Atlantic herring at-sea to other limited access harvester vessels. All harvester vessels are prohibited from at-sea transfers of Atlantic herring to carrier vessels. All vessels landing herring caught in Management Area 1A in any Maine port are limited to one landing per 24 hour period (6:00 p.m. to 6:00 p.m.). Daily electronic landings reports are required. The Commissioner has determined that it is necessary to take emergency action to implement these limitations to prevent the depletion of the supply of Atlantic herring and to comply with the changes to the interstate management of the Atlantic herring resource. The Commissioner hereby adopts this emergency regulation as authorized by 12 MRS §6171(3)(C).

EFFECTIVE DATE: May 30, 2020

DMR CONTACT PERSON: Melissa Smith, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021. Telephone: (207) 624-6558. Fax: (207) 624-6024. TTY: (207) 633-9500 (Deaf/Hard of Hearing). Email: Melissa.Smith@Maine.gov .

DMR RULES WEBSITE: http://www.maine.gov/dmr/rulemaking/ .

DMR WEBSITE: http://www.maine.gov/dmr/ .

DMR RULEMAKING LIAISON: Deirdre.Gilbert@Maine.gov .