**State of Maine: Notice of Agency Rulemaking – July 31, 2024 ONLINE**

**NOTICE OF STATE 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: 01-001 Department of Agriculture, Conservation and Forestry**

**CHAPTER NUMBER AND TITLE: Chapter 35, Rules for Operation of the Maine Healthy Soils Fund**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P220**

BRIEF SUMMARY: This rule chapter defines the procedures and criteria for spending funds available from the Maine Healthy Soils Fund to improve soil health on Maine farms. These include incentives for practice adoption, reduction of on-farm barriers to improved soil health, and improvement of the soil health technical assistance capacity of Maine’s agriculture service provider networks.

PUBLIC HEARING *(if any)*: 8/19/2024; 2:00 – 4:00PM; Deering Building, Rm. 101 – 90 Blossom Lane, Augusta, ME and remotely via Microsoft Teams

COMMENT DEADLINE: 8/29/2024

CONTACT PERSON FOR THIS FILING: Matthew Boucher, State Soil Scientist, 22 SHS, Augusta, Maine 04333, (207) 215-5569 (telephone), matthew.boucher@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: 12 MRS §§ 351-353; 7 MRS § 12

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

AGENCY WEBSITE: <https://www.maine.gov/dacf/index.shtml>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: shannon.ayotte@maine.gov

**AGENCY: 09-137 Inland Fisheries and Wildlife**

**CHAPTER NUMBER AND TITLE: Chapter 16 – Hunting (Registration of Big Game and Furbearers)**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P221**

BRIEF SUMMARY: The Commissioner of Inland Fisheries and Wildlife is proposing a change to Chapter 16 rules to adjust the tagging and registration of furbearers taken by hunters. The proposed changes move the information pertaining to the possession, transportation, and registration of furbearers taken by hunting or trapping from Chapter 16 to Chapter 17 rules, “Furbearers and Trapping.” If adopted, these rules will become effective on July 1, 2025. Please contact the agency contact person for this filing for a complete copy of the proposed rule.

PUBLIC HEARING: Monday, August 19, 2024 @ 4:00pm – IFW, 353 Water Street, 3rd floor conference room, Augusta

COMMENT DEADLINE: Thursday, August 29, 2024

CONTACT PERSON FOR THIS FILING: Becky Orff, 353 Water Street, 41 SHS, Augusta, ME 04333, 207-287-5202; fax: 207-287-6395; email: Becky.Orff@maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT:

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact anticipated as a result of this rule.

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS, 10104, 12301-A

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED:

AGENCY WEBSITE: <https://www.maine.gov/ifw/>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: Becky.Orff@maine.gov

**AGENCY: 09-137 Inland Fisheries and Wildlife**

**CHAPTER NUMBER AND TITLE: Chapter 17 – Furbearers and Trapping (Registration of Furbearing Animals and Bears Taken by Hunting or Trapping)**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P222**

BRIEF SUMMARY: The Commissioner of Inland Fisheries and Wildlife is proposing a change to Chapter 17 rules to adjust the tagging and registration of furbearers taken by hunters and trappers. These changes move the information pertaining to the possession, transportation, and registration of furbearers taken by hunting or trapping from Chapter 16 to Chapter 17 rules and amends the title of the Chapter to “Furbearers and Trapping.” If adopted, these rules will become effective on July 1, 2025. Please contact the agency contact person for this filing for a complete copy of the proposed rule.

PUBLIC HEARING: Monday, August 19, 2024 @ 4:00pm – IFW, 353 Water Street, 3rd floor conference room, Augusta

COMMENT DEADLINE: Thursday, August 29, 2024

CONTACT PERSON FOR THIS FILING: Becky Orff, 353 Water Street, 41 SHS, Augusta, ME 04333, 207-287-5202; fax: 207-287-6395; email: Becky.Orff@maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT:

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact anticipated as a result of this rule.

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS, 10104, 12301-A

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED:

AGENCY WEBSITE: <https://www.maine.gov/ifw/>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: Becky.Orff@maine.gov

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

**CHAPTER NUMBER AND TITLE: 10-144 C.M.R. Chapter 331; Public Assistance Manual Temporary Assistance for Needy Families (TANF) Manual, Chapter IV**

**TANF Rule #120 – Step Disregard**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P223**

BRIEF SUMMARY:The proposed rule changes would update the Public Assistance Manual Temporary Assistance for Needy Families (TANF) consistent with a legislative change to 22 M.R.S. § 3762 made by P.L. 2023, Ch. 29, *An Act to Improve Family Economic Security Under the Temporary Assistance for Needy Families Program*.

PUBLIC HEARING *(if any)*: No public hearing is scheduled.

COMMENT DEADLINE: Tuesday, September 3, 2024, at 5:00 p.m. EST.

Written public comments may be submitted via the link at <https://www.maine.gov/dhhs/about/rulemaking>

CONTACT PERSON FOR THIS FILING:

Alexandria Lauritzen, TANF Program Manager

Department of Health and Human Services

Office for Family Independence

109 Capitol Street

Augusta, ME 04330-6841

Phone: (207) 624-4109/Fax: (207) 287-3455

TT Users Call Maine Relay – 711

Alexandria.Lauritzen@maine.gov

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

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: None anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 22 M.R.S. §§ 42(1); 3762(3)(A)-(B) and (7-D)

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*: 22 M.R.S. § 3762 made by P.L. 2023, Ch. 29, *An Act to Improve Family Economic Security Under the Temporary Assistance for Needy Families Program*.

AGENCY WEBSITE: [https://www.maine.gov/dhhs/ofi](https://www.maine.gov/dhhs/ofi/arules)

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:Emily.A.Cathcart@maine.gov

**AGENCY: 16-642 Department of Public Safety, Bureau of Building Codes and Standards**

**CHAPTER NUMBER AND TITLE: Chapter 1, Maine Uniform Building and Energy Code – Administrative Procedures**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P224**

BRIEF SUMMARY: Chapter 1 is an administrative chapter that clarifies who needs to enforce the MUBEC, and what codes make up the MUBEC. It also establishes the amendment procedure to the code. The rule contains several critical definitions as required by Statute to clarify the MUBEC. As directed by the legislature this rule makes previously optional standards part of the code and adds one new code.

PUBLIC HEARING *(if any)*: n/a

COMMENT DEADLINE: September 13, 2024

CONTACT PERSON FOR THIS FILING: Gregory Day, Assistant Fire Marshal, Office of the State Fire Marshal, 52 State House Station, Augusta, ME 04333-0052 207-626-3888, Gregory.J.Day@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: 10 M.R.S. §9722

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

AGENCY WEBSITE: <https://www.maine.gov/dps/fmo/home>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Richard.e.taylor@maine.gov

**AGENCY: 16-642 Department of Public Safety, Bureau of Building Codes and Standards**

**CHAPTER NUMBER AND TITLE: Chapter 2, Maine Uniform Building Energy Code – Third Party Inspectors (“TPI”)**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P225**

BRIEF SUMMARY: A TPI certified by the Maine Department of Economic and Community Development is authorized to enter into a private agreement for remuneration with an Applicant or with a municipality or municipalities, to conduct inspections under 30-A M.R.S. §4451 for compliance with the Maine Uniform Building and Energy Codes, to issue a Notice to Proceed to the Applicant and to issue an inspection report to the municipality for the issuance of a certificate of occupancy.

PUBLIC HEARING *(if any)*: n/a

COMMENT DEADLINE: September 13, 2024

CONTACT PERSON FOR THIS FILING: Gregory Day, Assistant Fire Marshal, Office of the State Fire Marshal, 52 State House Station, Augusta, ME 04333-0052, 207-626-3886, Gregory.J.Day@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: 10 M.R.S. §9723.

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

AGENCY WEBSITE: [https://www.maine.gov/dps/fmo/](https://www.maine.gov/dps/fmo/fire-service-laws/rules/proposed)

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Richard.e.taylor@maine.gov

**AGENCY: 16-642 Bureau of Building Codes and Standards**

**CHAPTER NUMBER AND TITLE: Chapter 3: MAINE UNIFORM BUILDING AND ENERGY CODE - COMMERCIAL BUILDING CODE OF MAINE**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P226**

BRIEF SUMMARY: This chapter establishes the Commercial Building Code component of the Maine Uniform Building and Energy Code “MUBEC.” The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc., and is made part of the MUBEC through incorporation by reference. This chapter also contains requirements for the enforcement of the Statewide Commercial Building code by local building officials.

PUBLIC HEARING *(if any)*: n/a

COMMENT DEADLINE: September 13, 2024

CONTACT PERSON FOR THIS FILING: Gregory Day, Assistant Fire Marshal, Office of the State Fire Marshal, 52 State House Station, Augusta, ME 04333-0052, 207-626-3888, Gregory.J.Day@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: 10 M.R.S. §9722

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

AGENCY WEBSITE: [https://www.maine.gov/dps/fmo/](https://www.maine.gov/dps/fmo/fire-service-laws/rules/proposed)

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Richard.e.taylor@maine.gov

**AGENCY:** **16-642 Department of Public Safety, Bureau of Building Codes and Standards**

**CHAPTER NUMBER AND TITLE: Chapter 4, Maine Uniform Building Code – Existing Building Code**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P227**

BRIEF SUMMARY: This chapter establishes the Existing Building code component of the Maine Uniform Building and Energy Code (“MUBEC”) and the Maine Uniform Building Code (“MUBC”). The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc., and is made part of the MUBEC through incorporation by reference. This chapter also contains requirements for the enforcement of the Existing Building code by local building officials in municipalities with a population of greater 4,000 residents.

PUBLIC HEARING *(if any)*: n/a

COMMENT DEADLINE: September 13, 2024

CONTACT PERSON FOR THIS FILING: Gregory Day, Assistant Fire Marshal, Office of the State Fire Marshal, 52 State House Station, Augusta, ME 04333-0052, 207-626-3888, Gregory.J.Day@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: 10 M.R.S. §9722, sub-§6

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

AGENCY WEBSITE: <https://www.maine.gov/dps/fmo/fire-service-laws/rules/proposed>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Richard.e.taylor@maine.gov

**AGENCY: 16-642 Department of Public Safety, Bureau of Building Codes and Standards**

**CHAPTER NUMBER AND TITLE: Chapter 5 MAINE UNIFORM BUILDING AND ENERGY CODE – RESIDENTIAL BUILDING CODE FOR ONE AND TWO-FAMILY DWELLINGS IN MAINE**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P228**

BRIEF SUMMARY: This chapter establishes the Residential Building Code for One and Two-Family Dwellings component of the Maine Uniform Building and Energy Code (“MUBEC”). The provisions of this chapter are based on a nationally recognized model building code published by the International Code Council, Inc., and is made part of the MUBEC through incorporation by reference.

PUBLIC HEARING *(if any)*: n/a

COMMENT DEADLINE: September 13, 2024

CONTACT PERSON FOR THIS FILING: Gregory Day, Assistant Fire Marshal, Office of the State Fire Marshal, 52 State House Station, Augusta, ME 04333-0052, 207-626-3888, Gregory.J.Day@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: 10 M.R.S. §9722

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

AGENCY WEBSITE: [https://www.maine.gov/dps/fmo/](https://www.maine.gov/dps/fmo/fire-service-laws/rules/proposed)

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Richard.e.taylor@maine.gov

**AGENCY: 16-642 Department of Public Safety, Bureau of Building Codes and Standards**

**CHAPTER NUMBER AND TITLE: Chapter 6, Maine Uniform Building and Energy Code – Energy Code**

**TYPE OF RULE *(check one)*: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P229**

BRIEF SUMMARY: All building construction within the State of Maine shall be governed by the MUBEC. The MUBEC is adopted by the Technical Building Codes and Standards Board pursuant to 10 M.R.S. Chapter 1103. The primary objective of the Board is to adopt, amend, and maintain the *Maine Uniform Building and Energy Code.*

This chapter sets forth the regulation of the design and construction of buildings for the effective use of energy and is applicable to both residential and commercial buildings.

PUBLIC HEARING *(if any)*: n/a

COMMENT DEADLINE: September 13, 2024

CONTACT PERSON FOR THIS FILING: Gregory Day, Assistant Fire Marshal, Office of the State Fire Marshal, 52 State House Station, Augusta, ME 04333-0052, 207-626-3888, Gregory.J.Day@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: 10 M.R.S. §9723.

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

AGENCY WEBSITE: [https://www.maine.gov/dps/fmo/](https://www.maine.gov/dps/fmo/fire-service-laws/rules/proposed)

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Richard.e.taylor@maine.gov

**AGENCY: 16-642 Department of Public Safety, Bureau of Building Codes and Standards**

**CHAPTER NUMBER AND TITLE: Chapter 7 MAINE UNIFORM BUILDING AND ENERGY CODE – MECHANICAL CODE**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P230**

BRIEF SUMMARY: This chapter establishes the Mechanical Code component of the Maine Uniform Building and Energy Code “MUBEC”. The provisions of this chapter are based on a nationally recognized model codes and Standards published by the International Code Council, Inc., The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), American Society for Testing and Materials (ASTM) and is made part of the MUBEC through incorporation by reference.

PUBLIC HEARING *(if any)*: n/a

COMMENT DEADLINE: September 13, 2024

CONTACT PERSON FOR THIS FILING: Gregory Day, Assistant Fire Marshal, Office of the State Fire Marshal, 52 State House Station, Augusta, ME 04333-0052, 207-626-3888, Gregory.J.Day@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: 10 M.R.S. §9722

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

AGENCY WEBSITE: [https://www.maine.gov/dps/fmo/](https://www.maine.gov/dps/fmo/fire-service-laws/rules/proposed)

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Richard.e.taylor@maine.gov

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

**CHAPTER NUMBER AND TITLE: Chapter 895: Underground Facility Damage Prevention Requirements
TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P232**

BRIEF SUMMARY: The proposed amendments are narrowly tailored for the purpose of reducing the number of Dig Safe tickets issued to operators and owners of underground facilities.

PUBLIC HEARING *(if any)*: August 21, 2024 at the Public Utilities Commission, 26 Katherine Drive, Hallowell, Maine 04347. Persons unable to attend this conference in person may elect to participate virtually by filing a letter requesting remote participation in 2024-00157 stating the reasons why remote participation is required. Those unable to attend via video may participate by phone using the dial-in information that appears on the Microsoft Teams invitation (obtained as described above).

COMMENT DEADLINE***:*** September 4, 2024. Comments on the proposed rule may be filed electronically using the Commission’s Case Management System (CMS) or may be sent in writing to the Administrative Director on or before September 4, 2024. However, the Commission requests that interested persons file initial comments on the proposed amendments to the Rule using the Commission's CMS, in Docket No. (2024-00157), on or before Wednesday,August 14, 2024. Written initial comments should refer to the docket number of this proceeding, Docket No. (2024-00157), and be sent to the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

CONTACT PERSON FOR THIS FILING: Vanessa Bean, 18 State House Station, Augusta, ME 04333; (207) 287- 1385; vanessa.bean@maine.gov

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

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: None

STATUTORY AUTHORITY FOR THIS RULE: 23 M.R.S.A. §3360-A, 35-A M.R.S.A. §§ 104 and 111; PL 2013, ch. 557, Resolves 2015, ch. 9, PL 2015, ch. 213, and PL 2023, ch. 572.

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

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

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: pamela.kowalchuk@maine.gov

**AGENCY: 13-188-Department of Marine Resources**

**CHAPTER NUMBER AND TITLE: Chapter 26 Sea Urchin; 2024-2025 Season**

**TYPE OF RULE *(check one)*: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P233**

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 2024-2025 season. For Zone 1, seasons are proposed for divers, trappers, rakers and draggers in 2024-2025, from which harvesters may only fish up to 15 days of their choosing, the same number of days allowed during the 2023-2024 season. For Zone 1, the daily tote limit is nine (9). For Zone 2, 40-day seasons are proposed for divers, trappers, rakers and draggers in 2024-2025, 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 2023-2024 season. For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 12-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2024-2025, 3 days less than the 2023-2024 season due to the contraction of the calendars. For Zone 2, the daily tote limit is six (6).

Harvesters are permitted to defer sale of daily catch and increase on-shore possession by the daily tote limit per zone multiplied by the number of open harvest days each week. All catch must be sold weekly on Fridays, 11:59 p.m. If there is no sale transaction, the harvester is required to report their daily landing electronically. All on-shore catch must be tagged by harvester, indicating landings number, harvester name and date of harvest.

PUBLIC HEARING *(if any)*: August 19, 2024, 5:00 p.m., DMR HQ, room 118 Marquardt Building (32 Blossom Lane, Augusta ME), with an option to participate remotely via Microsoft Teams. For information on how to join the hearing, please visit: [www.maine.gov/dmr](http://www.maine.gov/dmr). Instructions will be posted on DMR’s homepage under meetings and events.

COMMENT DEADLINE: August 30, 2024

CONTACT PERSON FOR THIS FILING:

NAME: Deirdre Gilbert

MAILING ADDRESS: 21 State House Station, Augusta, Maine 04333-0021

E-MAIL: dmr.rulemaking@maine.gov

TELEPHONE: 207-624-6553

FAX: 207-624-6024

TTY: 207-624-6500 (Deaf/Hard of Hearing)

Hearing facilities: If you require accommodations due to disability, please contact Meredith Mendelson at 207-624-6553.

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

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: None

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §6749

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

AGENCY WEBSITE: <https://www.maine.gov/dmr/rules-enforcement/regulations-rules>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: dmr.rulemaking@maine.gov

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

**CHAPTER NUMBER AND TITLE: 575 Permitting of Solar Energy Development on High-Value Agricultural Land**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P234**

BRIEF SUMMARY: This rule chapter establishes the procedures of a permitting program for solar energy developments on high-value agricultural land; defines “high-value-agricultural land” and “dual-use agricultural and solar production;” and establishes tiers of high-value agricultural land with variable compensation ratios that will be calculated by and paid to DEP, but placed in a fund for DACF.

PUBLIC HEARING *(if any)*: 8/19/2024; 9:00 – 11:00 AM; Deering Building, Rm. 101 – 90 Blossom Lane, Augusta, ME and remotely via Microsoft Teams

COMMENT DEADLINE: 8/29/2024

CONTACT PERSON FOR THIS FILING: Caitlyn Cooper, Environmental Licensing Supervisor, 90 Blossom Lane, Augusta, Maine 04333, (207) 408-5644 (telephone), Caitlyn.Cooper@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: [38 MRS §3202](https://legislature.maine.gov/statutes/38/title38sec3202.html)

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

AGENCY WEBSITE: <https://www.maine.gov/dacf/index.shtml>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: shannon.ayotte@maine.gov

**AGENCY: 29-250 Secretary of State, Bureau of Motor Vehicles**

**CHAPTER NUMBER AND TITLE: Chapter 6: Rules For the Suspension of Commercial Drivers’ Licenses**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P235**

BRIEF SUMMARY: These rules implement those provisions of the Federal Commercial Motor Vehicle Safety Act of 1986 (Public Law 99-570, Tittle XII, Motor Carrier Safety Improvement Act of 1999 (Public Law 106-59), 113 Stat. 1748 and rules adopted thereto and Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA Patriot Act) Act of 2001 (Public Law 107-56) and rules adopted thereto relating to the disqualification of persons from operating commercial motor vehicles upon conviction, adjudication, or administrative determination for specific traffic and other designated offenses. The adoption of these rules does not limit the authority of the Secretary of State to suspend or revoke a commercial driver’s license for reasons not stated herein.

PUBLIC HEARING *(if any)*:

September 19, 2024, 1:00 pm

Burton M Cross Building, Room 400

111 Sewall Street, Augusta, ME 04330

COMMENT DEADLINE: September 29, 2024

CONTACT PERSON FOR THIS FILING: Christopher Ireland, Director of Driver License Services; Bureau of Motor Vehicles, 29 State House State, Augusta, ME 04333

Phone: 207-624-9000, Fax: 207-624-9013TTY Users call Maine relay 711

PublicComment.SOS@Maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different):* tina.b.corkum@maine.gov

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: None

STATUTORY AUTHORITY FOR THIS RULE: 29-A M.R.S.A. §1253, Sub 2

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

AGENCY WEBSITE: <https://www.maine.gov/sos/bmv/>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: tina.b.corkum@maine.gov

**ADOPTIONS**

**AGENCY: 94-411 Maine Public Employees Retirement System**

**CHAPTER NUMBER AND TITLE: 103 Qualified Domestic Relations Orders**

**ADOPTED RULE NUMBER: 2024-163**

**CONCISE SUMMARY:**

This rule implements the provisions in statutes relating to qualified domestic relations orders, which provide the statutory authority for the retirement system to pay benefits to the alternate payee of a member or retiree when the right to such payment is established by a qualified domestic relations order. This Chapter provides the standards for such orders, procedures for their filing, and the procedures to be followed by the retirement system in reviewing and administering the statute. The amendments: (1) streamline the rule by deleting unnecessary language, updating language and reorganizing language for improved clarity; (2) clearly state what happens in each situation when the alternate payee deceases before the member; (3) specify that payments to the alternate payee may begin before the member retires only if the order so specifies; (4) provide that where the alternate payee’s benefits initiate before the member’s retirement, the alternate payee’s benefit will be recalculated if necessary at the time the member retires using the same actuarial factors used at the time the alternate payee initiated benefits; and (5) incorporate into rule the longstanding practice of requiring an additional filing fee when review is not completed within 18 months and the delay is not caused by the retirement system.

**EFFECTIVE DATE: Wednesday, July 31, 2024**

AGENCY CONTACT PERSON: Kathy Morin; Maine Public Employees Retirement System; P.O. Box 349, Augusta, Maine 04332-0349; -800-451-9800 or (207) 512-3108

**AGENCY: 94-411 Maine Public Employees Retirement System**

**CHAPTER NUMBER AND TITLE: 506 Eligibility for Disability Retirement Benefits**

**ADOPTED RULE NUMBER: 2024-164**

**CONCISE SUMMARY:**

This rule sets forth the standards and processes for determining eligibility for disability retirement benefits. The amendment to the rule amends the definition of earnings to align with the definition in the newly proposed rule chapter 513. Specifically, for the purpose of this rule, earnings means wages, tips and other compensation from employment that is reported as Medicare wages and tips on federal W-2 forms and income that is reported on federal self-employment tax schedules as subject to self-employment tax.

**EFFECTIVE DATE: Wednesday, July 31, 2024**

AGENCY CONTACT PERSON: Kathy Morin; Maine Public Employees Retirement System; P.O. Box 349, Augusta, Maine 04332-0349; -800-451-9800 or (207) 512-3108

**AGENCY: 94-411 Maine Public Employees Retirement System**

**CHAPTER NUMBER AND TITLE: 513 Disability Retirement Compensation Limitations and Benefit Offsets**

**ADOPTED RULE NUMBER: 2024-165**

**CONCISE SUMMARY:**

This new rule sets forth guidance on compensation limitations and offsets applicable to disability retirement benefits and the submission of annual statements of compensation by disability retirees. It (1) establishes applicable definitions; and (2) establishes the process for submission of an annual statement of compensation, including the required documentation and filing deadlines.

**EFFECTIVE DATE: Wednesday, July 31, 2024**

AGENCY CONTACT PERSON: Kathy Morin; Maine Public Employees Retirement System; P.O. Box 349, Augusta, Maine 04332-0349; -800-451-9800 or (207) 512-3108

**AGENCY: 13-188 Department of Marine Resources**

**CHAPTER NUMBER AND TITLE: Chapter 34.06 2024 Adjusted Recreational Measures for Cod and Haddock**

**ADOPTED RULE NUMBER: 2024-173**

**CONCISE SUMMARY:**

For consistency with NOAA Fisheries federal rulemaking, the Department is implementing regulatory changes to the recreational fishing measures for Gulf of Maine cod and haddock. For cod, the emergency rulemaking modifies the recreational minimum size limit of cod to 23 inches. For haddock, the emergency rulemaking standardizes recreational measures across sectors with a 15 fish possession limit and a minimum size of 18 inches. For these reasons, the Commissioner hereby adopts an emergency regulation to modify the recreational groundfish measures for Gulf of Maine cod and haddock in accordance with 12 MRS §6171(3)(C).

**EFFECTIVE DATE: Saturday, July 27, 2024**

AGENCY CONTACT PERSON: Deirdre Gilbert (207-624-6553)

AGENCY NAME: Department of Marine Resources

ADDRESS: State House Station 21, Augusta, Maine 04333-0021

WEB SITE: <http://www.maine.gov/dmr/rulemaking/>

E-MAIL: DMR.rulemaking@maine.gov

FAX: (207) 624-6024

TTY: (888) 577-6690 (Deaf/Hard of Hearing)

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

**CHAPTER NUMBER AND TITLE: 18-125 CMR 104 – Filing of Maine Tax Returns**

**ADOPTED RULE NUMBER: 2024-171**

**CONCISE SUMMARY**

Maine Revenue Services is proposing to amend Rule 104 (“Filing of Maine Tax Returns”) to impose an electronic filing requirement beginning in 2025 on applicants and applicant representatives submitting applications for the refundable seed capital investment tax credit claimed by private venture capital funds and applications for the certified visual media production wage reimbursement. A waiver from the electronic filing requirement may be obtained if the requirement causes undue hardship.

**EFFECTIVE DATE: Sunday, August 4, 2024**

AGENCY CONTACT PERSON: Alex Weber, General Counsel

AGENCY NAME: Maine Revenue Services

ADDRESS: 24 State House Station, Augusta, Maine 04333

TELEPHONE: 207-624-9712