

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
2022-2023 Regulatory Agenda

- 18-119: Office of the State Controller
 - 18-125: Bureau of Revenue Services
 - 18-134: Capitol Planning Commission
 - 18-389: Bureau of Human Resources
 - 18-553: Bureau of Alcoholic Beverages and Lottery Operations
 - 18-554: Bureau of General Services
 - 18-691: Office of Cannabis Policy
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AGENCY UMBRELLA-UNIT NUMBER: 18-119
AGENCY NAME: Office of the State Controller

CONTACT PERSON: Douglas Cotnoir, State Controller, Office of the State Controller, 14 State House Station, Augusta, Maine 04333-0014, (207) 626-8428, Douglas.E.Cotnoir@Maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CONSENSUS-BASED RULE DEVELOPMENT: N/A

EXPECTED 2022-2023 RULE-MAKING ACTIVITY:

CHAPTER 1: TRAVEL AND EXPENSE REIMBURSEMENT POLICIES

STATUTORY BASIS: 5 M.R.S. §1541, subsection 13.

PURPOSE: These regulations specify official policy which governs travel and expense reimbursement for State employees and officials, the definition of which expenses are reimbursable and the levels of such reimbursement. The Office of the State Controller may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine State Employees who may travel in the course of their official duties.

AGENCY UMBRELLA-UNIT NUMBER: 18-125
AGENCY NAME: Bureau of Revenue Services

CONTACT PERSON: Alex Weber, General Counsel, Maine Revenue Services, 24 State House Station, Augusta, ME 04333-0024, (207) 624-9712, Alexander.J.Weber@Maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:
None

CONSENSUS-BASED RULE DEVELOPMENT: N/A

EXPECTED 2022-2023 RULEMAKING ACTIVITY:

CHAPTER 102: ELECTRONIC FUNDS TRANSFER

STATUTORY BASIS: 36 M.R.S. §§ 112 and 193

PURPOSE: This rule describes the requirements for tax and other types of payments by electronic funds transfer. Maine Revenue Services may amend this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine taxpayers who make Maine tax payments with Maine Revenue Services.

CHAPTER 104: FILING OF MAINE TAX RETURNS

STATUTORY BASIS: 36 M.R.S. §§ 112 and 193

PURPOSE: This rule describes the requirements for filing certain Maine tax returns, including mandatory electronic filing of certain Maine tax returns. Maine Revenue Services anticipates amending this rule to require the mandatory electronic filing of special tax returns.

SCHEDULE FOR ADOPTION: By April 1, 2023.

AFFECTED PARTIES: All Maine taxpayers who file Maine tax returns with Maine Revenue Services.

CHAPTER 202: TREE GROWTH TAX LAW VALUATIONS

STATUTORY BASIS: 36 M.R.S. §§ 112, 305, and 576

PURPOSE: 36 M.R.S. § 576 requires the State Tax Assessor to annually establish the current use values for forest land enrolled in the Tree Growth Tax Law program. The current use values are determined after considering area growth rates, tree-type distributions, and timber stumpage sales during previous calendar years. The annual current use values are used to determine municipal property tax rates for affected land and State reimbursements to municipalities. The rule is being repealed and replaced to update the per acre values for the tax year beginning April 1, 2023.

SCHEDULE FOR ADOPTION: By April 1, 2023.

AFFECTED PARTIES: All Maine municipal assessors and Maine taxpayers with land enrolled in the Tree Growth Tax Law program.

CHAPTER 205: CERTIFICATION OF ASSESSORS

STATUTORY BASIS: 36 M.R.S. §§ 112 and 310-314

PURPOSE: Certification of municipal assessors in the State of Maine is the responsibility of the State Tax Assessor. This rule governs the examination, certification, and continuing education requirements under 36 M.R.S. § 311. The rule is being amended to incorporate law changes, policy changes, and clarifications and to make technical changes.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine municipal assessors, municipal officials, and people interested in becoming assessors.

CHAPTER 211: DEFERRED COLLECTION OF HOMESTEAD PROPERTY TAXES

STATUTORY BASIS: 36 M.R.S. §§ 112, 305, 6250

PURPOSE: The Deferred Collection of Homestead Property Taxes Program, 36 M.R.S. §§ 6250-6266, allows seniors and disabled resident homeowners to defer property

tax on their primary residence if they meet certain criteria. The rule is being amended to incorporate anticipated clarifications and to make technical changes.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine municipal assessors and Maine resident homeowners who are 65 and older or disabled.

NEW CHAPTER 212: PROPERTY TAX STABILIZATION

STATUTORY BASIS: 36 M.R.S. §§ 112 and 305

PURPOSE: This new rule would provide definitions and explanations of statutory terms and procedures for the newly enacted property tax stabilization program.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine municipal assessors, municipal officials, and Maine resident homeowners 65 and older.

NEW CHAPTER 325: SALES TAXATION: MAINE INDIAN TRIBES, TRIBAL MEMBERS AND TRIBAL ENTITIES

STATUTORY BASIS: 5 M.R.S. § 11053; P.L. 2021, C. 681, Pt. H; and 36 M.R.S. §§ 112

PURPOSE: This new rule would provide definitions, explanations and examples of taxable and non-taxable transactions related to sales to Maine Indian tribes, tribal members, and tribal entities, including sales sourced to tribal lands. This new rule would also address other potential sales and use tax issues related to such parties.

SCHEDULE FOR ADOPTION: By December 31, 2022.

AFFECTED PARTIES: The Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, and the Penobscot Nation, members and entities of such tribes, and retailers and resellers of tangible personal property and taxable services who make sales to such parties.

CHAPTER 801: APPORTIONMENT

STATUTORY BASIS: 36 M.R.S. §§ 112 and 5210-5212

PURPOSE: This rule explains Maine corporate income tax apportionment for business entities. Maine Revenue Services anticipates amending this rule to update and clarify issues related to Maine corporate income tax apportionment and for legislative changes.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: Business taxpayers that have nexus with Maine and that have income from business operations within and without Maine.

CHAPTER 803: WITHHOLDING TAX REPORTS AND PAYMENTS

STATUTORY BASIS: 36 M.R.S. §§ 112 and 5250-5255-B

PURPOSE: This rule identifies income subject to Maine withholding, prescribes the methods for determining the amount to withhold, and explains the related reporting requirements. Maine Revenue Services anticipates amending this rule for legislative updates and clarification.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: Businesses that are subject to the Maine income tax withholding requirement.

CHAPTER 805: COMPOSITE FILING

STATUTORY BASIS: 36 M.R.S. §§ 112

PURPOSE: This rule describes the procedures for filing composite returns on behalf of eligible persons. Maine Revenue Services anticipates amending this rule for updates in procedures and for clarification.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: Pass-through entity businesses and persons eligible to participate in composite filings.

CHAPTER 808: CORPORATE INCOME TAX NEXUS

STATUTORY BASIS: 36 M.R.S. §§ 112 and 5200-5202-C

PURPOSE: This rule describes the circumstances under which a foreign corporation is subject to the corporate income tax jurisdiction of Maine. Maine Revenue Services anticipates amending this rule for legislative updates and clarification.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: Corporations subject to the Maine corporate income tax.

CHAPTER 810: MAINE UNITARY BUSINESS TAXABLE INCOME, COMBINED REPORTS AND TAX RETURNS

STATUTORY BASIS: 36 M.R.S. §§ 112, 5102, and 5200

PURPOSE: This rule explains standards for determining Maine corporate income tax for unitary businesses and for filing combined reports and related tax returns. Maine Revenue Services anticipates amending this rule for updates and clarification.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: Unitary businesses subject to the Maine corporate income tax.

NEW CHAPTER 811 STUDENT LOAN REPAYMENT TAX CREDIT

STATUTORY BASIS: 36 M.R.S. §§ 112 and 5217-E

PURPOSE: This new rule would provide explanations of statutory terms and procedures for claiming the new Maine student loan repayment tax credit pursuant to 36 M.R.S. § 5217-E.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine taxpayers subject to the Maine income tax and eligible to claim this credit.

CHAPTER 812: CREDIT FOR EDUCATIONAL OPPORTUNITY

STATUTORY BASIS: 36 M.R.S. §§ 112 and 5217-D

PURPOSE: This rule explains in further detail the Maine income tax credit for educational opportunity pursuant to 36 M.R.S. § 5217-D. Maine Revenue Services anticipates amending this rule to reflect Maine tax law changes, including a sunset date for this credit which is being replaced by the Student Loan Repayment Tax Credit.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine taxpayers subject to the Maine income tax and eligible to claim this credit.

CHAPTER 813: PROPERTY TAX FAIRNESS CREDIT

STATUTORY BASIS: 36 M.R.S. §§ 112 and 5219-KK

PURPOSE: This rule provides guidance for the calculation of the Property Tax Fairness Credit. Maine Revenue Services anticipates amending this rule for legislative updates and clarifications.

SCHEDULE FOR ADOPTION: By December 2022.

AFFECTED PARTIES: All Maine taxpayers subject to the Maine income tax and eligible to claim the credit.

NEW CHAPTER 819: EASY ENROLLMENT HEALTH INSURANCE CHECKOFF

STATUTORY BASIS: 36 M.R.S. §§ 112 and 5294

PURPOSE: This new rule would adopt procedures regarding the collection and sharing of certain taxpayer information with the Maine Health Insurance Marketplace.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All Maine individual taxpayers who check the easy enrollment health insurance checkoff boxes on Maine individual income tax returns filed for tax years beginning on or after January 1, 2023.

NEW CHAPTER 825: INCOME TAXATION: MAINE INDIAN TRIBES, TRIBAL MEMBERS AND TRIBAL ENTITIES

STATUTORY BASIS: 36 M.R.S. § 112 and P.L. 2021, c. 681, Parts G & H

PURPOSE: This new rule would provide guidance regarding the taxation of Maine Indian tribes, tribal members, and tribal entities for Maine income tax purposes and address other income tax issues related to such parties.

SCHEDULE FOR ADOPTION: By December 31, 2022.

AFFECTED PARTIES: The Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, and the Penobscot Nation, and members and entities of such tribes.

AGENCY UMBRELLA-UNIT NUMBER: **18-134**

AGENCY NAME: **Capitol Planning Commission**

CONTACT PERSON: Elaine Clark, DAFS Deputy Commissioner, 77 State House Station, Augusta, Maine 04333-0077, (207) 624-7366, Elaine.Clark@Maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CONSENSUS-BASED RULE DEVELOPMENT: N/A

EXPECTED 2022-2023 RULE-MAKING ACTIVITY:

CHAPTER 1: CAPITOL AREA RULES AND REGULATIONS

STATUTORY BASIS: 5 M.R.S. §298

PURPOSE: This rule outlines the procedures to be used for construction, reconstruction, or demolition of buildings within the Capitol Area of the City of Augusta, as defined in 1 M.R.S. §814. The rule specifies site plan review and design requirements which include height, setback, driveway location, exterior design, landscaping, parking regulations, signage, and materials. They further set forth certain regulations establishing prohibited uses of structures within the area. Chapter 1 is being amended to strengthen provisions protecting the security and privacy of the Blaine House.

SCHEDULE FOR ADOPTION: By September 2022.

AFFECTED PARTIES: Property owners within Capitol Planning Commission boundaries in the vicinity of the Blaine House.

AGENCY UMBRELLA-UNIT NUMBER: **18-389**
AGENCY NAME: **Bureau of Human Resources**

CONTACT PERSON: Breena Bissell, State Director, Bureau of Human Resources,
4 State House Station, Augusta, ME 04333-0004, (207) 624-7368,
Breena.Bissell@Maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CONSENSUS-BASED RULE DEVELOPMENT: N/A

EXPECTED 2022-2023 RULE-MAKING ACTIVITY:

CHAPTER 1: PURPOSE, ADOPTION AND AMENDMENT OF RULES AND DEFINITION OF TERMS

STATUTORY BASIS: 5 M.R.S. §7036, sub-§17

PURPOSE: Ensures definitions are consistent with Civil Service Law and the Administrative Procedure Act, reflecting changes in policy and procedures as a result of changes to these laws.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 2: INTERMITTENT EMPLOYMENT

STATUTORY BASIS: 5 M.R.S. §7053

PURPOSE: To comply with the Civil Service Law and to provide clarification of the benefits available to intermittent employees.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 3: DIVISIONS OF THE CLASSIFIED SERVICE

STATUTORY BASIS: 5 M.R.S. §§ 7036 and 7065; Ch. 147, P&SL 06/14/76

PURPOSE: Identifies the competitive, non-competitive (also known as "direct hire"), and labor divisions of Maine State Service.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 4: CLASSIFICATION PLAN

STATUTORY BASIS: 5 M.R.S. §7061

PURPOSE: Explains the classification plan and mechanism for its maintenance.

Defines the allocation and re-allocation of positions and related actions. Identifies the purpose and use of classification specifications and classification titles, and states the mechanism for appeals of classification actions.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 5: COMPENSATION PLAN

STATUTORY BASIS: 5 M.R.S. §§ 7036 and 7065

PURPOSE: Defines the compensation plan in terms of fixed salary schedules as adopted, published, and emended for covered classifications of work in Maine State Service. Identifies pay rates, presents overtime provisions and gives rates of pay for specific personnel actions such as new hires, promotions, demotions, transfers, non-standard work designations, and project appointments.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 6: APPLICATIONS AND EXAMINATIONS

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051, 7052, 7054, 7055, 7062, 7063, 7064

PURPOSE: Provides information and procedures regarding the character and content of examinations and related announcement/examination administration practices. Gives requirements for admission, outlines exam scoring and notice procedures, and presents the mechanism for appeal of examination results.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 7: ELIGIBLE REGISTERS

STATUTORY BASIS: 5 M.R.S. §§ 7034, 7036, 7052, 7053, 7062, 7064

PURPOSE: Identifies the types of employment registers and the way they are maintained and used. Establishes a mechanism for adding and removing names and specifies the normal duration of registers.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 8: CERTIFICATION AND APPOINTMENT

STATUTORY BASIS: 5 M.R.S. §§ 781-791, 7034, 7036, 7051, 7052, 7053, 7054, 7055, 7062, 7064

PURPOSE: Establishes rules which govern appointments to position vacancies in the classified service. Includes procedures for appointments made by certification from classification registers and for appointments resulting from nominations submitted by appointing authorities. Provisions are also included for: apprentice, trainee, and conditional appointment referrals that may be authorized by the Director; acting capacity assignments; and the reemployment of retired persons.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 9: PROBATIONARY PERIOD

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051

PURPOSE: Identifies the purpose and duration of the probationary period and presents the mechanism for transition from probationary to permanent status.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 10: PERFORMANCE APPRAISAL AND TRAINING

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7065, 7070

PURPOSE: Identifies the purpose and requirements for the performance appraisal system and establishes a mechanism for internships and apprentice training.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 11: HOLIDAYS, LEAVE OF ABSENCE AND RELATED COMPENSATION PRACTICES

STATUTORY BASIS: 5 M.R.S. §§ 721-727, 7036

PURPOSE: Designates holidays and related compensation procedure and presents regulations governing leaves of absence with pay and without pay. Includes sick leave, vacation leave, military leave, educational leave, jury duty and court appearances, workers' compensation, and unclassified service appointments.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 12: DISCIPLINARY ACTION, DEMOTION AND LAYOFF

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051, 7052, 7054, 7055, 7062, 7063, 7064

PURPOSE: Presents the basis and procedure for demotions, suspensions, and dismissals in the State service; the procedure for resignation in good standing; and the statewide mechanism for addressing the unavoidable layoff of employees.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 13: COMPLAINTS, GRIEVANCES AND INVESTIGATIONS

STATUTORY BASIS: 5 M.R.S. §§ 7036, 7051, 7081-7085

PURPOSE: Presents the various mechanisms through which complaints and/or grievances of State employees may be discovered, filed and/or heard, and related investigation and enforcement powers of the Director with respect to proper administration and application of the Civil Service Law to these rules.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 14: EMPLOYEE WORK RECORDS AND PAYROLL CERTIFICATION PROCEDURE

STATUTORY BASIS: 5 M.R.S. §§ 7070, 7071

PURPOSE: Provides information and establishes procedures with respect to employment history and records maintained by the appointing authority and the Bureau of Human Resources. Provides requirements for information regarding changes in employee status for purposes of payroll authorization and the permanent record thereof. Provides access to public records, with restriction.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: New hire applicants, confidential employees, and bargaining unit employees of Maine State Government in matters not otherwise covered by collective bargaining agreements.

CHAPTER 15: THE MAINE MANAGEMENT SERVICE

STATUTORY BASIS: 5 M.R.S. §§ 7031, 7034, 7036, 7051, 7052, 7061, 7065, 7081-7085

PURPOSE: This chapter established the Maine Management Service and provides separate and distinct rules for confidential employees who occupy positions that are specifically designated as included in the Maine Management Service. This chapter provides a definition and outlines the goals of the Maine Management Service; provides the manner in which positions are included in the Maine Management Service; and defines terms associated with the Maine Management Service. This chapter also provides a classification and compensation plan for the Maine Management Service; provides unique procedures for recruitment, application, selection, training, and development. This chapter also provides a unique procedure for layoff, complaints, grievances, investigations, and discipline of employees included in the Maine Management Service.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Applicants for positions included in the Maine Management Service, confidential employees who occupy positions that are specifically designated as included in the Maine Management Service.

AGENCY UMBRELLA-UNIT NUMBER: **18-553**

AGENCY NAME: **Bureau of Alcoholic Beverages and Lottery Operations (BABLO)/Maine State Liquor and Lottery Commission**

CONTACT PERSON: Gregg Mineo, Director, Bureau of Alcoholic Beverages and Lottery Operations, 8 State House Station, Augusta, ME 04333-0008, (207) 287-8289, Gregg.Mineo@Maine.gov

EMERGENCY RULES ADOPTED SINCE LAST REGULATORY AGENDA: None

CONSENSUS-BASED RULE DEVELOPMENT: N/A

EXPECTED 2022-2023 RULE-MAKING ACTIVITY:

CHAPTER 2: PRICING OF SPIRITS

STATUTORY BASIS: 28-A M.R.S. §§83 and 606, sub-§4-A

PURPOSE: To establish such rules as necessary for the administration of the state liquor laws under the jurisdiction of the Bureau of Alcoholic Beverages and Lottery

Operations for the sale and distribution of spirits and creating sales incentives programs for agency liquor stores.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Agency liquor stores licensees; wholesale distributors of spirits and suppliers of spirits.

CHAPTER 3: ON-PREMISE DATA COLLECTION

STATUTORY BASIS: 28-A M.R.S. §453-C, sub-§4, ¶D

PURPOSE: To establish such rules as necessary for mitigating the costs incurred by reselling agents in providing sales data of spirits to on-premise licensees to the Bureau of Alcoholic Beverages and Lottery Operations.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Agency liquor stores that are licensed as reselling agents.

CHAPTER 4: RULES GOVERNING THE PROCESS FOR THE RELOCATION OF AN AGENCY LIQUOR STORE WITHIN THE SAME MUNICIPALITY

STATUTORY BASIS: 28-A M.R.S. §453-D, sub-§3.

PURPOSE: To establish a process by which an agency liquor store may provide support of, or objection to the relocation of another agency liquor store within the same municipality.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons licensed as an agency liquor store.

CHAPTER 10: MAINE STATE LOTTERY

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish such rules as necessary for the operation of the Maine State Lottery including types of games offered, subscriptions, price of tickets, number and size of prizes, manner of selecting winning tickets, the method of paying prizes, the sale of tickets and the licensing, performance, fee charges and commission of ticket agents.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Licensed lottery retail agents and the public.

CHAPTER 20: POWERBALL

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Licensed lottery retail agents and the public.

CHAPTER 40: MEGA MILLIONS

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Licensed lottery retail agents and the public.

CHAPTER 50: LUCKY FOR LIFE

STATUTORY BASIS: 8 M.R.S. §374

PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.
SCHEDULE FOR ADOPTION: By September 2023.
AFFECTED PARTIES: Licensed lottery retail agents and the public.

CHAPTER 70: WORLD POKER TOUR GAME RULES

STATUTORY BASIS: 8 M.R.S. §374
PURPOSE: To establish rules for the operation of a Maine only lottery including any marketing and promotion of the lottery game.
SCHEDULE FOR ADOPTION: By September 2023.
AFFECTED PARTIES: Licensed lottery retail agents and the public.

CHAPTER 80: LOTTO AMERICA GAME RULES

STATUTORY BASIS: 8 M.R.S. §374
PURPOSE: To establish rules for the operation of a multi-jurisdictional lottery including any marketing and promotion of lottery games with other jurisdictions.
SCHEDULE FOR ADOPTION: By September 2023.
AFFECTED PARTIES: Licensed lottery retail agents and the public.

CHAPTER 101: OPERATION AND CONTROL OF ALL LICENSED PREMISES

STATUTORY BASIS: 28-A M.R.S. §83-A.
PURPOSE: To ensure for the effective administration of 28-A M.R.S. Maine Liquor Laws.
SCHEDULE FOR ADOPTION: By September 2023.
AFFECTED PARTIES: Persons owning and/or operating premises licensed to sell and/or serve alcoholic beverages pursuant to applicable provisions of 28-A M.R.S.

CHAPTER 102: PREMISES LICENSED FOR ON-PREMISES CONSUMPTION ONLY

STATUTORY BASIS: 28-A M.R.S. §83-A.
PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to licenses for on-premises consumption of alcoholic beverages.
SCHEDULE FOR ADOPTION: By September 2023.
AFFECTED PARTIES: Persons owning and/or operating premises where alcoholic beverages may be consumed on-premises.

CHAPTER 103: PREMISES LICENSED FOR OFF-PREMISES SALES ONLY

STATUTORY BASIS: 28-A M.R.S. §83-A.
PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to licenses for off-premises sales of alcoholic beverages.
SCHEDULE FOR ADOPTION: By September 2023.
AFFECTED PARTIES: Persons owning and/or operating premises where alcoholic beverages may be sold off-premises.

CHAPTER 104: PREMISES LICENSED AS WHOLESALERS, MANUFACTURERS AND CERTIFICATES OF APPROVAL

STATUTORY BASIS: 28-A M.R.S. §83-A.
PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to wholesalers and manufacturers of alcoholic beverages, and certificates of approval.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Wholesalers and manufacturers of alcoholic beverages; holders of certificates of approval.

CHAPTER 105: LABELING

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to the labeling of alcoholic beverages.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Labelers of alcoholic beverages.

CHAPTER 106: SALESPERSONS

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to salespersons selling alcoholic beverages.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Salespersons selling alcoholic beverages.

CHAPTER 107: ADVERTISING AND SIGNS APPLICABLE TO ALL LICENSE HOLDERS

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of provisions of 28-A M.R.S. Maine Liquor Laws, applicable to persons licensed to sell and/or serve alcoholic beverages who advertise and/or place signs regarding the sale and/or service of alcoholic beverages.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons licensed to sell and/or serve alcoholic beverages who advertise and/or place signs regarding the sale and/or service of alcoholic beverages.

CHAPTER 110: AGENCY LIQUOR STORES

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

CHAPTER 120: LICENSING PROCEDURE

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

CHAPTER 130: SELECTION AND LOCATION OF AGENCY LIQUOR STORES

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

CHAPTER 140: MERCHANDISING AND STOCK

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

CHAPTER 150: SIGNS AND ADVERTISING

STATUTORY BASIS: 28-A M.R.S. §83-A.

PURPOSE: To ensure for the effective administration of applicable provisions of 28-A M.R.S. Maine Liquor Laws, relating to agency liquor stores.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons holding or applying for an agency liquor store license.

NEW CHAPTER 160: DEFINITION OF BRAND

STATUTORY BASIS: Resolve 2013, chapter 89.

PURPOSE: To assist licensees under Title 28-A, chapters 55 and 57 in defining brand for the distribution of malt beverages and wine.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: Persons holding or applying for a certificate of approval holder or wholesaler license.

AGENCY UMBRELLA-UNIT NUMBER: **18-554**

AGENCY NAME: **Bureau of General Services**

CONTACT PERSON: William Longfellow, Director, Bureau of General Services, 77 State House Station, Augusta, Maine 04333-0077, (207) 624-7371

William.Longfellow@maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CONSENSUS-BASED RULE DEVELOPMENT: N/A

EXPECTED 2022-2023 RULE-MAKING ACTIVITY:

NEW CHAPTER 10: PROCEDURES FOR LEASE OF UNUSED STATE FACILITIES TO STATE AGENCIES OR OTHER ORGANIZATIONS

STATUTORY BASIS: 5 M.R.S. §1781-1786

PURPOSE: This new rule outlines the procedures to be used by the Bureau of General Services to offer unused state facilities to state agencies or to other organizations, and to determine costs for state agencies or rental fees for other organizations.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All state agencies or other organizations interested in leasing unused state-owned properties.

CHAPTER 110: RULES FOR THE PURCHASE OF SERVICES AND AWARDS

STATUTORY BASIS: 5 M.R.S. §1825-C

PURPOSE: This rule outlines the procedures to be used in the purchase of services and the awarding of grants and contracts.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All interested parties doing business with the State of Maine and State Agencies purchasing goods or services.

CHAPTER 120: RULES FOR APPEAL OF CONTRACT AND GRANT AWARDS

STATUTORY BASIS: 5 M.R.S. §1825-(C) (D) (E) (F)

PURPOSE: This rule outlines the procedures and criteria to be used in the appeal of contract or grant awards, outlines the appointment of an Appeal Committee, describes procedures to be used in hearing an appeal and how appellants will be notified of final agency action.

SCHEDULE FOR ADOPTION: By June 2023.

AFFECTED PARTIES: All interested parties doing business with the State of Maine and State Agencies purchasing goods or services.

AGENCY UMBRELLA-UNIT NUMBER: **18-691**

AGENCY NAME: **Office of Cannabis Policy**

CONTACT PERSON: Gabi Pierce, Policy Director, Office of Cannabis Policy, 162 State House Station, Augusta, ME 04333-0162, (207) 530-0507, Gabi.Pierce@maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

EXPECTED 2022-2023 RULEMAKING ACTIVITY:

CHAPTER 1: ADULT USE MARIJUANA [CANNABIS] PROGRAM RULE

STATUTORY BASIS: 28-B M.R.S, CHAPTER 1; P.L. 2021, ch. 628; P.L. 2021, ch. 735

PURPOSE: These regulations specify the minimum standards for Adult Use Marijuana [Cannabis] Program Licensees; revisions to this Rule include, but are not limited to, requirements for off-premises sales and tracking of cannabis plants by batch.

SCHEDULE FOR ADOPTION: By September 2023.

AFFECTED PARTIES: All Adult Use Marijuana [Cannabis] Program licensees.