

# MEREDA

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## REGULATORY DATABASE

<b>PROPOSED</b>	<b>Agency</b>	<b>Summary</b>	<b>Hearing Date</b>	<b>Comments/ Due Date/ and Contact</b>
Natural Resources Protection Act – Permit by Rule	Department of Environmental Protection (DEP)	The purpose of this proposed revision is to bring the Department's rules into alignment with statutory changes concerning minor expansions in coastal sand dunes and to allow some beach nourishment projects to qualify for Natural Resource Protection Act (NRPA) permit by rule. The proposed revision also allows for planting native dune vegetation by hand with a NRPA permit by rule.	September 1, 2022, 9:00 a.m.	September 12, 2022 Naomi.Kirk-Lawlor@Maine.gov

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<p>Establishment of License and Renewal Fees for Maine's Check Casher/Currency Exchanger Licensing and Requiring Licensing through the Nationwide Multi-State Licensing System (NMLS)</p>	<p>Department of Professional and Financial Regulation (PFR), Bureau of Consumer Credit Protection</p>	<p>PROPOSED RULE NUMBER: 2022-P128:                  This chapter makes the modifications necessary to transition licensing of all check casher/ currency exchangers currently licensed by the State of Maine to a multi-statesystem administered by the Nationwide Multistate Licensing System (NMLS). As authorized bylaw, this chapter establishes an annual license effective from January 1 through December 31 ofeach year; and sets application and renewal fees for check casher/ currency exchangers. The rulerequires applicants for new licenses to apply to NMLS as of the effective date of this rule andrequires check casher/currency exchanger currently licensed in Maine to transition to NMLS.                   STATUTORY AUTHORITY FOR THIS RULE: 32 MRS §§ 6133(3) and 6133(4)                  CHAPTER NUMBER AND TITLE:                  Ch. 702, Establishment of Registration and Renewal Fees forMaine's Employee Leasing Company Registration and Requiring Registration through theNationwide Multi-State Licensing System (NMLS)                  PROPOSED RULE NUMBER: 2022-P129:                  This chapter makes the modifications necessary to transition registration of all employee leasing companies currently registered by the State of Maine to a multi-</p>	<p>N/A</p>	<p>9/9/2022                  Mark.A.Susi@Maine.gov</p>
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Deferred Collection of Homestead Property Taxes	Department of Administrative and Financial Services (DAFS), Bureau of Revenue Services (Maine Revenue Services (MRS) – Taxation)	The Deferred Collection of Homestead Property Taxes Program, 36 MRS §§ 6250-6266 (the “Deferral Program”), allows seniors and disabled resident homeowners to defer property tax on their primary residence if they meet certain criteria. The proposed rule explains the documentation for the disability qualification portion of the Deferral Program. MRS has already adopted this rule by emergency, effective May 9, 2022, and MRS now seeks to adopt this rule through regular rulemaking.	N/A	July 30, 2022 Alexander.J.Weber@Maine.gov
Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances	Department of Public Safety (DPS), Office of the Maine State Fire Marshal (FMO)	This rule will incorporate the 2019 edition of National Fire Protection Association’s Standard #211, Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances.	N/A	August 1, 2022 Richard.E.Taylor@Maine.gov
National Fuel Gas Code	Department of Public Safety (DPS), Office of the Maine State Fire Marshal (FMO)	This rule incorporates the 2021 edition of National Fire Protection Association’s Code #54, National Fuel Gas Code.	N/A	August 1, 2022 Richard.E.Taylor@Maine.gov
Multi-family Mortgage Loans	Maine State Housing Authority (MaineHousing)	This replacement rule repeals and replaces in its entirety the current Multi family Mortgage Loans rule. The Rule provides the framework and basic requirements for MaineHousing Multi-family lending programs and governs the allocation of resources for such programs, program design, the publication and distribution of program guides, eligibility standards, loan standards, construction and rehabilitation requirements, management requirements, and potential selection criteria. This replacement rule: adds an additional New Construction and Rehabilitation Requirement for Developments Financed with Project Labor Agreement Funds.	June 14, 2022 at 9:30 a.m. Maine State Housing Authority, 26 Edison Drive, Augusta, Maine	Friday, June 24, 2022 at 5:00 p.m. ajanotta@mainehousing.org

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Educational Course Requirements / Supervising Appraiser Duties	Department of Professional and Occupational Regulation (PFR), Office of Professional and Occupational Regulation (OPOR), Board of Real Estate Appraisers (Board)	Due to the nationwide public health emergency caused by the Coronavirus Disease (COVID-19), the Appraisal Qualifications Board (AQB) temporarily allowed its programs approved for in-person delivery to be offered via synchronous distance delivery. The change became permanent beginning January 1, 2022. The proposed rulemaking would amend the Board's rule setting forth criteria for continuing education program approval by removing the requirement that program attendees	N/A. Pursuant to 5 MRS <del>8052</del> (1) and <del>8053</del> (3)(B), a hearing may be requested by five (5) interested persons by submitting a request in writing to the contact person for this filing.	June 21, 2022 at 5:00 p.m Catherine.Pendergast@Maine.gov
Statutory Generators	Department of Environmental Protection (DEP)	The purpose of this regulation is to ensure that the operation of new stationary generators does not negatively impact air quality or public health in the vicinity of a facility operating such a generator. The standards and requirements proposed are based on standards and requirements in Federal and State regulations applicable to similar equipment when used in other applications.	This proposal was originally posted to public comment on August 25, 2021. A public hearing was held September 16, 2021, at the Augusta Civic Center. The first comment period on the draft rule closed on September 27, 2021. In response to comments	June 20, 2022 Lynn.Muzzey@Maine.gov
Controlling Interest Transfers	Department of Administrative and Financial Services (DAFS), Bureau of Revenue Services (Maine Revenue Services – MRS (Taxation)	MRS is proposing to repeal and replace Rule 207 (“Controlling Interest Transfers”). Rule 207 explains Maine law on the application of the real estate transfer tax under 36 MRS ch. 711-A to the transfer or acquisition of a controlling interest in an entity that owns real property located in Maine. The rule is being changed to replace the current format that relies heavily on examples, to a narrative explanation of the law. Changes also include a more consistent approach to use of terms, an in-depth explanation of complex issues, and an approach that improves readability.	N/A	June 15, 2022 Alexander.J.Weber@Maine.gov
<b>ADOPTED</b>				
<b>Subject Area</b>	<b>Agency</b>	<b>Summary</b>	<b>Effective Date</b>	

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<p>Ch. 323, Maine General Assistance Manual: General Assistance Rule #24A, Recovery Residences</p>	<p>Department of Health and Human Services (DHHS), Office for Family Independence (OFI)</p>	<p>PL 2021 Ch. 472 sets requirements and limits on municipalities related to the use of housing assistance for individuals living in Recovery Residences. The chapter further required the Department to establish in this manual appropriate maximum housing assistance levels for said individuals. Based on a survey of actual expenses for Recovery Residences, the Department has set this level at 75% of the one-bedroom allowance. This rulemaking complies with those requirements by making edits to the definitions of "Household" and "Pooling of Income" and the adding of a definition of "Recovery Residence" in Section II, adding Subsection O to Section IV, adding Paragraph 4 to Section V(D), and making edits to Section VI(B)(3)(b)(ii). Consistent with PL 2021 Ch. 472, the changes listed above are to be applied retroactively to July 1, 2022. Retroactive rulemaking is permitted under 22 MRS §42(8). None of the changes below are being applied retroactively. The Department regularly reviews rules for clarity and accessibility. Throughout these sections, modifications are being made to use gender neutral language. Uses of similar terms (such as "individual", "applicant", and "recipient") were reviewed and changes made to provide clarity and</p>	<p>9/1/2022</p>	
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<p>Ch. 207, Controlling Interest Transfers (formerly Real estate Transfers)</p>	<p>Department of Administrative and Financial Services (DAFS), Bureau of Revenue Services (Maine Revenue Services - Taxation)</p>	<p>Rule 207 explains Maine law on the application of the real estate transfer tax under 36 MRS Ch. 711-A to the transfer or acquisition of a controlling interest in an entity that owns real property located in Maine. MRS is repealing and replacing Rule 207 ("Real Estate Transfers") to replace the current format that relies heavily on examples, to a narrative explanation of the law. Changes also include a more consistent approach to use of terms, an in-depth explanation of complex issues, and an approach that improves readability.</p>	<p>8/24/2022</p>	
<p>State Low Income Housing Tax Credit Rule</p>	<p>Maine State Housing Authority (MaineHousing)</p>	<p>This rule repeals and replaces in its entirety the current State Low Income Housing Tax Credit Rule, which provides for the allocation and administration of the state's refundable credit for the development and preservation of certain affordable multifamily rental housing in Maine. The law establishing the credit requires MaineHousing to recapture credit for noncompliance and provides for a lien to enforce repayment of recapture. This replacement rule adds procedures for determining what constitutes noncompliance that causes recapture and when recapture is calculated and collected. The new procedures limit recapture to material noncompliance that is not corrected within a reasonable period of time and, except in cases of severe or repeated noncompliance, will defer recapture to the end of the 15-year compliance period and limit recapture to the period of noncompliance to maintain the affordability of the projects, particularly the very low-income units, to the greatest extent possible during the compliance period and to minimize the financial impact on the projects.</p>	<p>7/13/2022</p>	

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Home Energy Assistance Program Rule	Maine State Housing Authority (MaineHousing)	This replacement rule repeals and replaces in its entirety the current Home Energy Assistance Program Rule. The rule establishes standards for administering fuel assistance, emergency fuel assistance, TANF Supplemental Benefits, weatherization, heat pumps, and heating system repair and replacement funds to low-income households in the State of Maine. This replacement rule: allows for categorical income eligibility for Households receiving TANF or SNAP assistance; expands the time period in which eligible medical expenses can be deducted for income determination; allows for HEAP categorical eligibility for Weatherization, CHIP and Heat Pump programming; and permits TANF Supplemental Benefits to be sent to HEAP Vendors pre-delivery in the same manner as regular HEAP Benefits. Other changes correct errors or provide clarification to the previous version of the rule.	7/13/2022	
Low-Income Housing Tax Credit Rule	Maine State Housing Authority (MaineHousing)	The rule, as repealed and replaced, is the qualified allocation plan for allocating and administering the federal low-income housing tax credit in the State of Maine, including without limitation the State's housing credit ceiling for calendar years 2023 and 2024, as required pursuant to Section 42 of the Internal Revenue Code. The rule repeals and replaces the current Ch. 16, Low-Income Housing Tax Credit Rule, regarding the allocating and administering of the credit for calendar years 2021 and 2022.	7/13/2022	

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Property Tax Fairness Credit	Department of Administrative and Financial Services (DAFS), Bureau of Revenue Services (Maine Revenue Services – MRS (Taxation))	MRS amends Rule 813 (“Property Tax Fairness Credit”) to reflect a recent law change that makes property tax payments made on behalf of a taxpayer by the State through the reinstated Elderly Tax Deferral Program to be eligible for the credit and to reflect that married taxpayers filing separately are not eligible for the credit.	5/8/2022	
Deferred Collection of Homestead Property	Department of Administrative and Financial Services (DAFS), Bureau of Revenue Services (Maine Revenue Services (MRS) - Taxation)	The Deferred Collection of Homestead Property Taxes Program, 36 MRS §§ 6250-6266, (the “Deferral Program”) allows seniors and disabled resident homeowners to defer property tax on their primary residence if they meet certain criteria. The rule explains the documentation for the disability qualification portion of the Deferral Program.	9-May-22	