

# MEREDA

CHANGES ARE IN RED

## REGULATORY DATABASE

<b>PROPOSED</b>	<b>Agency</b>	<b>Summary</b>	<b>Hearing Date</b>	<b>Comments/ Due Date/ and Contact</b>
<p>Ch. 16, Low-Income Housing Tax Credit Rule</p>	<p>Maine State Housing Authority</p>	<p>The rule repeals and replaces the current Chapter 16, Low-Income Housing Tax Credit Rule.</p> <p>The rule is the qualified allocation plan for allocating and administering the federal low-income housing tax credit in the State of Maine, including the State's housing credit ceiling for calendar years 2025 and 2026, as required pursuant to Section 42 of the Internal Revenue Code.</p> <p>DETAILED BASIS</p> <p>STATEMENT/SUMMARY: This rule is the qualified allocation plan for allocating and administering federal low income housing tax credits ("LIHTC") in the State of Maine, which MaineHousing, as the State's designated housing credit agency, is required to adopt pursuant to Section 42 of the Internal Revenue Code and the above-referenced sections of the Maine Housing Authorities Act. This rule replaces the prior rule and includes the following changes:</p> <p>Throughout:</p> <p>Updated deadlines</p> <p>Repaired grammatical errors (punctuation, typos, correcting defined terms, etc.)</p> <p>Section 3B: Updated Preservation Set-Aside amount to \$750,000.</p> <p>Section 3C: Increased the amount of credit per unit to \$30,000 from \$20,000, and changed the maximum amount of</p>	<p>A public hearing will be held on Tuesday, April 16, 2024 at 9:30 a.m. at Maine State Housing Authority, 26 Edison Drive, Augusta, Maine</p>	<p>Friday, April 26, 2024 at 5:00 p.m. acarson@mainehousing.org</p>

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Ch, 102, Electronic Funds Transfer (EFT)	Department of Administrative and Financial Services (DAFS), Maine Revenue Services (MRS)	Maine Revenue Services is proposing to amend Rule 102 (“Electronic Funds Transfer (EFT)”) to impose an electronic funds transfer requirement on payers of Maine real estate withholding beginning in 2025 and to clarify the rule by removing obsolete provisions, adding clarifying language, and making other technical changes.	N/A	March 29, 2024 Alexander.J.Weber@maine.gov
Ch. 10, Land Use Districts and Standards	Department of Agriculture, Conservation & Forestry, Maine Land Use Planning Commission	Chapter 10 rules establish land use standards for lands within the Maine Land Use Planning Commission’s service area. The goal of this rulemaking is to improve landowner compliance with land use standards and resource protections and maintain the ability of landowners to construct certain accessory structures without the need to obtain a permit from the Commission.	Not applicable	Written comments must be submitted on or prior to April 1, 2024. Written rebuttal comments must be submitted on or prior to April 15, 2024. Timothy.Beaucage@maine.gov

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<p>Ch. 2, Definitions; Ch. 10, Land Use Districts and Standards</p>	<p>Department of Agriculture, Conservation &amp; Forestry, Maine Land Use Planning Commission</p>	<p>The Maine Land Use Planning Commission is seeking public comment on proposed amendments to Chapter 2, Definitions and Chapter 10, Land Use Districts and Standards, to implement rules regarding short-term rental of residential properties in the Commission's service area. The proposed amendments to Chapter 2 include a definition of short-term rental and clarify or update related definitions. The proposed amendments to Chapter 10 include the addition of short-term rental as a use listing in subdistricts where single-family residential dwellings are allowed and new standards that must be met for short-term rentals. Specifically, the proposed changes would require: 1) the owner of a short-term rental to notify the Commission of the activity; 2) occupancy limits for short-term rentals; 3) that short-term rental properties meet subsurface wastewater disposal rules; 4) that emergency contact and property location information be posted in the unit; 5) sufficient parking for guests and emergency vehicle access; and 6) adequate solid waste disposal.</p>	<p>None</p>	<p>Written comments must be submitted on or prior to Wednesday, April 17, 2024. Stacy.Benjamin@maine.gov.</p>
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<p>Ch. 375, No Adverse Environmental Effect Standards of the Site Location of Development Act</p>	<p>Department of Environmental Protection</p>	<p>In P.L. 2023 ch. 448, the Legislature directed the Department to establish a compensation fee program for renewable energy development projects, specifically solar energy development, wind energy development, and high-impact transmission lines that trigger the Site Location of Development law. The new statute requires this program to allow for the payment of a compensation fee when the Department determines that off-site habitat improvement or preservation is necessary to mitigate the adverse effects of a renewable energy development on large undeveloped habitat blocks, important wildlife corridors, and other habitat types identified in consultation with the Department of Inland Fisheries and Wildlife.</p> <p>The Department is proposing to amend Chapter 375, No Adverse Environmental Effect Standards of the Site Location of Development Act, to define these habitat resources and establish a compensation fee program. Compensation would be required if there would be any alteration to a deer wintering area, habitat of rare, threatened or endangered species, migratory bird pathway, or important wildlife corridor, or when there are certain alterations to large undeveloped habitat blocks. Compensation would be required if</p>	<p>March 7, 2024, 9 AM, Augusta Civic Center, 76 Community Dr, Augusta, ME 04330</p>	<p>March 18, 2024 Naomi.Kirk-Lawlor@maine.gov</p>
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<p>Ch. 4, Maine Uniform Building Code – Existing Building Code</p>	<p>Department of Public Safety, Office of State Fire Marshal, Bureau of Building Codes and Standards</p>	<p>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.</p>	<p>N/A</p>	<p>March 4, 2024 Gregory.J.Day@maine.gov</p>
<p>Ch. 2, Maine Uniform Building Energy Code – Third Party Inspectors (“TPI”)</p>	<p>Department of Public Safety, Office of State Fire Marshal, Bureau of Building Codes and Standards</p>	<p>This chapter sets forth the methods by which municipalities may utilize a Third Party Inspector (TPIs) as an option. 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.</p>	<p>N/A</p>	<p>March 4, 2024 Gregory.J.Day@maine.gov</p>
<p>Ch. 1, Maine Uniform Building and Energy Code – Administrative Procedures</p>	<p>Department of Public Safety, Office of State Fire Marshal, Bureau of Building Codes and Standards</p>	<p>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.</p>	<p>N/A</p>	<p>March 4, 2024 Gregory.J.Day@maine.gov</p>

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## REGULATORY DATABASE

ADOPTED				
Subject Area	Agency	Summary	Effective Date	
Ch. 305, Natural Resources Protection Act – Permit by Rule, Section 16A Beach nourishment and dune restoration or construction activities in coastal sand dunes	Department of Environmental Protection	Public Law 2023, ch. 97 directed the Department to undertake rulemaking to amend Chapter 305 Natural Resources Protection Act (NRPA) - Permit By Rule to allow for the use of biodegradable stabilization materials in dune restoration projects. This law became effective October 25, 2023. Department staff have been working on a draft rule revision to implement the law that will be proposed to the Board for posting for standard rulemaking in the coming weeks. Due to the recent storm events, there is an immediate need to allow for expedited review of dune restoration and construction projects through permit by rule. This emergency rulemaking would put into place revisions to Chapter 305, Section 16A to allow coastal sand dune restoration using biodegradable stabilization materials to receive NRPA permits through permit by rule. All emergency rulemaking expires after 90 days, so this rule revision will be temporary.	2/2/2024	

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<p>Ch. 242, Rules for Conversion of Seasonal Dwelling Units into Year-Round Residences in the Shoreland Zone</p>	<p>Department of Health and Human Services, Maine Center for Disease Control and Prevention</p>	<p>The Department is adopting the repeal of this rule as it has adopted amendments to Maine's Subsurface Wastewater Disposal Rules, 10-144 CMR Ch. 241 (Ch. 241). The Department clarified the requirements and updated the language within Section 8(B)(1) of Chapter 241, so that all subsurface wastewater disposal requirements are combined within one rule at Chapter 241. This amended language to Ch. 241 make the requirements in Ch. 242 no longer applicable, therefore necessitating the repeal of this rule.</p>	<p>2/4/2024</p>	
<p>Ch. 230, Supervisory Appraiser Duties; Ch. 240, Standards of Professional Practice</p>	<p>Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Board of Real Estate Appraisers</p>	<p>Chapter 230: Supervisory Appraiser Duties more clearly and explicitly sets forth the role and responsibilities of a supervisory appraiser. The replacement rule clarifies experience acceptable for credit, experience log content and submission requirements. Additionally, the rule aligns rule terminology with the statute. Chapter 240: Standards of Professional Practice incorporates the Uniform Standards of Professional Appraisal Practice ("USPAP"), 2024 Edition, Copyright © 2024, The Appraisal Foundation, effective January 1, 2024, into the Board's rules by reference as the standard of practice for licensees.</p>	<p>1/9/2024</p>	