**State of Maine: Notice of Agency Rulemaking – July 26, 2023**

**NOTICE OF STATE RULEMAKING**

**Public Input for Rules**

Notices are published each Wednesday to alert the public regarding state agency rulemaking. You may obtain a copy of any rule by notifying the agency contact person. You may also comment on the rule, and/or attend the public hearing. If no hearing is scheduled, you may request one - the agency may then schedule a hearing, and must do so if 5 or more persons request it. If you are disabled or need special services to attend a hearing, please notify the agency contact person at least 7 days prior to it. **Petitions**: you can petition an agency to adopt, amend, or repeal any rule; the agency must provide you with petition forms, and must respond to your petition within 60 days. The agency must enter rulemaking if the petition is signed by 150 or more registered voters, and may begin rulemaking if there are fewer. You can also petition the Legislature to review a rule; the Executive Director of the Legislative Council (115 State House Station, Augusta, ME 04333, phone (207) 287-1615) will provide you with the necessary petition forms. The appropriate legislative committee will review a rule upon receipt of a petition from 100 or more registered voters, or from "...any person who may be directly, substantially and adversely affected by the application of a rule..." (Title 5 §11112). **World‑Wide Web**: Copies of the weekly notices and the full texts of adopted rule chapters may be found on the internet at: <http://www.maine.gov/sos/cec/rules>. There is also a list of rulemaking liaisons (<http://www.maine.gov/sos/cec/rules/liaisons.html>), who are single points of contact for each agency.

**PROPOSALS**

AGENCY: **29-250** - Secretary of State (SOS), **Bureau of Corporations, Elections & Commissions (CEC)**

CHAPTER NUMBER AND TITLE: **Ch. 700** *(Repeal and replace)*, Rules Governing Notaries Public, Notarial Officers, Notarial Acts and the Procedures for Electronic and Remote Notarization

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P100** *(2nd publication)*

BRIEF SUMMARY: The rule will govern notaries public, notarial officers and notarial acts including establishing the standards and procedures for electronic and remote notarization pursuant to the *Revised Uniform Law on Notarial Acts*. This new rule will repeal and replace the current notary rule (Ch. 700). As a result of making various changes to the original proposed rule following the initial public comment period, the Secretary of State is providing the public with an additional comment period. This revised rule is substantially different from the original proposed rule.

PUBLIC HEARING: N/A

COMMENT DEADLINE: August 28, 2023 - 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Cathy Beaudoin, Director of Corporations, UCC & Commissions, 111 Sewall Street – 101 State House Station, Augusta, Maine 04333. Telephone: (207) 624-7748. Fax: (207) 287-5874. Email: [Cathy.Beaudoin@Maine.gov](mailto:Cathy.Beaudoin@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: Title 4 §1928; Title 4 §1915(13) - (Revised Uniform Law on Notarial Acts)

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

CEC WEBSITE: [www.maine.gov/sos/cec/](http://www.maine.gov/sos/cec/).

CEC RULEMAKING LIAISON: [Julie.Flynn@Maine.gov](mailto:Julie.Flynn@Maine.gov).

AGENCY: **29-250** - Secretary of State (SOS), **Bureau of Corporations, Elections & Commissions (CEC)**

CHAPTER NUMBER AND TITLE: **Ch. 720** *(New)*, Rules Governing the Licensing of Marriage Officiants who are Authorized to Solemnize Marriages in Maine

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P101** *(2nd publication)*

BRIEF SUMMARY: The rule will govern the licensing of marriage officiants pursuant to Title 5 §90-G who are thereby authorized to solemnize marriages in Maine pursuant to Title 19-A Ch. 23. As a result of making various changes to the original proposed rule following the initial public comment period, the Secretary of State is providing the public with an additional comment period. This revised rule is substantially different from the original proposed rule.

PUBLIC HEARING: N/A

COMMENT DEADLINE: August 28, 2023 - 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Cathy Beaudoin, Director of Corporations, UCC & Commissions, 111 Sewall Street – 101 State House Station, Augusta, Maine 04333

Telephone: (207) 624-7748. Fax: (207) 287-5874. Email: [Cathy.Beaudoin@Maine.gov](mailto:Cathy.Beaudoin@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: Title 5 §90-G

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

CEC WEBSITE: [www.maine.gov/sos/cec/](http://www.maine.gov/sos/cec/).

CEC RULEMAKING LIAISON: [Julie.Flynn@Maine.gov](mailto:Julie.Flynn@Maine.gov).

AGENCY: **06-096 - Department of Environmental Protection (DEP)**

CHAPTER NUMBER AND TITLE: **Ch. 127-A** *(New)*, Advanced Clean Cars II Program

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P145**

BRIEF SUMMARY: In response to a citizen petition, this rule is proposed to establish motor vehicle emission standards for new passenger cars, light-duty trucks, and medium-duty vehicles by incorporating the requirements of the California Advanced Clean Cars II regulations, beginning model year 2027.

PUBLIC HEARING: August 17, 2023 - 9:00 a.m., Augusta Civic Center, 76 Community Drive, Augusta

COMMENT DEADLINE: August 28, 2023 - 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Lynne Cayting, Chief, Mobile Sources Section, Bureau of Air Quality, Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. Telephone: (207) 287-7599. Email: [Lynne.A.Cayting@Maine.gov](mailto:Lynne.A.Cayting@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: 38 MRS §§ 576-A, 585, 585-A, 585-D

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: N/A

DEP WEBSITE: <https://www.maine.gov/dep/>.

DEP RULEMAKING LIAISON: [Mark.T.Margerum@Maine.gov](mailto:Mark.T.Margerum@Maine.gov).

AGENCY: **06-096 - Department of Environmental Protection (DEP)**

CHAPTER NUMBER AND TITLE: **Ch. 128** *(New)*, Advanced Clean Trucks Program

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P146**

BRIEF SUMMARY: In response to a citizen petition, this rule is proposed to establish a program to reduce emissions from on-road vehicles over 8,500 pounds gross vehicle weight rating (GVWR) by incorporating the requirements of the *California Advanced Clean Trucks* regulation and is intended to accelerate sales of zero-emission vehicles over 8,500 pounds GVWR.

PUBLIC HEARING: August 17, 2023 - 9:00 a.m., Augusta Civic Center, 76 Community Drive, Augusta

COMMENT DEADLINE: August 28, 2023 - 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Lynne Cayting, Chief, Mobile Sources Section, Bureau of Air Quality, Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. Telephone: (207) 287-7599. Email: [Lynne.A.Cayting@Maine.gov](mailto:Lynne.A.Cayting@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: 38 MRS §§ 576-A, 585, 585-A, 585-D

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: N/A

DEP WEBSITE: <https://www.maine.gov/dep/>.

DEP RULEMAKING LIAISON: [Mark.T.Margerum@Maine.gov](mailto:Mark.T.Margerum@Maine.gov).

**ADOPTIONS**

AGENCY: **06-096 - Department of Environmental Protection (DEP)**

CHAPTER NUMBER AND TITLE: **Ch. 531**, Wastewater Treatment Plant Operator Certification

ADOPTED RULE NUMBER: **2023-109**

CONCISE SUMMARY: The purpose of this rule is to establish criteria for the classification of wastewater treatment plants and the requirements for certification as an operator of a wastewater treatment plant under the authority of 32 MRS §4179. This repeal and replace rulemaking implements recent statutory changes required by Public Law 2021 Ch. 173, *An Act to Amend the Laws Governing Wastewater Treatment Plant Operator Certification*, and recommendations from Department staff and stakeholders in the wastewater treatment community; and updates the structure and language of the chapter.

EFFECTIVE DATE: July 24, 2023

DEP CONTACT PERSON: Matthew Hight, Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333-0017 Telephone: (207) 719-0703. Email: [Matt.Hight@Maine.gov](mailto:Matt.Hight@Maine.gov).

DEP WEBSITE: <https://www.maine.gov/dep/>.

DEP RULEMAKING LIAISON: [Mark.T.Margerum@Maine.gov](mailto:Mark.T.Margerum@Maine.gov).

AGENCY: **94-178 – Kim Wallace Adaptive Equipment Loan Program Fund Board**

CHAPTER NUMBER AND TITLE: **Ch. 503** *(New)*, Kim Wallace Adaptive Equipment Loan Program Underwriting Guidelines

ADOPTED RULE NUMBER: **2023-110** *(New)*

CONCISE SUMMARY: The purpose of this new rule is to publish the loan underwriting guidelines, including interest rates, that have been proposed by the Financial Services Provider and reviewed and approved ty the Kim Wallace Adaptive Equipment Loan Program Fund Board.

EFFECTIVE DATE: July 26, 2023

AGENCY CONTACT PERSON / RULEMAKING LIAISON: Isaac H. Gingras, Department of Labor, 54 State House Station, Augusta, ME 04333-0054. Telephone: (207) 626-6232. Email: [Isaac.H.Gingras@Maine.gov](mailto:Isaac.H.Gingras@Maine.gov).

DEPARTMENT WEBSITE: <https://www.maine.gov/labor/>.

AGENCY: **02-031** - Department of Professional & Financial Regulation (PFR), **Bureau of Insurance**

CHAPTER NUMBER AND TITLE: **Ch. 835** *(New)*, Dental Insurance Plan Loss Ratio Reporting

ADOPTED RULE NUMBER: **2023-111**

CONCISE SUMMARY: The purpose of the proposed rule is to establish standards for calculating average loss ratios for plans providing dental care services, reporting dental loss ratios to the Superintendent, and determining dental plan credibility, and to establish a process to determine outlier dental plans.

EFFECTIVE DATE: July 29, 2023

BUREAU CONTACT PERSON / RULEMAKING LIAISON: Benjamin Yardley, Senior Staff Attorney, Department of Professional & Financial Regulation - Bureau of Insurance, 76 Northern Avenue, Gardiner, ME 04345. Telephone: (207) 624-8537. Email: [Benjamin.Yardley@Maine.gov](mailto:Benjamin.Yardley@Maine.gov).

BUREAU WEBSITE: <https://www.maine.gov/pfr/insurance/home>.

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

CHAPTER NUMBER AND TITLE: **Ch. 3**, Schedule of Minimum Prices, **Order #08-23**

ADOPTED RULE NUMBER: **2023-112** *(Emergency)*

CONCISE SUMMARY: Minimum August 2023 Class I price is $19.87/cwt. plus $1.63/cwt. for Producer Margins, an over-order premium of $1.04/cwt. as being prevailing in Southern New England and $1.40/cwt. handling fee for a total of $24.14/cwt. that includes a $0.20/cwt. Federal promotion fee.

EFFECTIVE DATE: July 30, 2023

MMC CONTACT PERSON / RULEMAKING LIAISON: Julie-Marie R. Bickford, Maine Milk Commission - DACF, 28 State House Station, Augusta, ME 04333. Telephone: (207) 287-7521. Email: [Julie-Marie.Bickford@Maine.gov](mailto:Julie-Marie.Bickford@Maine.gov).

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